

Rodeo

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some people may become lifelong friends.”

Besides promoting rodeo, Israel said she'll also represent Grant County.

In the future, she plans to graduate from Dayville

High School with the class of 2024 followed by attending school for equine massage — and “maybe win the title of Miss Rodeo Oregon, then compete in Las Vegas for the title of Miss Rodeo America,” she said.

Coronation party tickets are available at the Grant County Fairgrounds office

in John Day, Bar W-B in Prairie City and the South Fork Mini Mart in Dayville or call Nicole Israel at 541-620-2624.

For more information, visit missrodeoregon.com or follow Israel on Instagram at 2019jmrrowdyisrael and #jrmisrodeoregon.

Pot

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home. That's a big concern, Reyes said.

State Sen. James Manning, D-Eugene, asked Reyes if she has heard of issues in the construction sector in places where marijuana is legal, such as Amsterdam. She had not.

Others testified the law would run afoul of federal regulation of some industries, such as truckers who drive with licenses regulated by federal law and are required to take a drug test showing they are free from substances including marijuana.

Rob Bovett, representing the Association of Oregon Counties, said City County Insurance Services estimates more than \$1 million in litigation costs would arise each year if the bill were passed as

is.

Casey Houlihan, executive director of the Oregon Retailers of Cannabis Association, supported the proposal, saying it's a last step to legalizing marijuana. He said he's open to amendments to make the legislation more clearly about off-hours consumption and impairment of marijuana.

Ricardo Lujan, a policy associate for the American Civil Liberties Union of Oregon, said many people who get drug tested at work are working low-wage jobs. The current policy creates a two-tier system favoring the wealthy, whose employers are less likely to drug test. The state should pass the legislation to make the use of marijuana equal for all, he said.

Much less time was spent on possible interstate commerce of marijuana, but those who did testify said if Ore-

gon fails to act now it could be giving up a prosperous future where Oregon would be the de facto home of the marijuana industry.

Right now, federal law prohibits states where marijuana is legal from buying or selling to each other. But as a green wave flows over the country, that will likely change one day. When that happens, Oregon needs to act, marijuana industry representatives said. The legislation just sets the stage for granting the governor the authority to negotiate agreements with other states.

Far more marijuana is grown in Oregon than is bought by consumers. In 2018, the state said it had 1 million pounds of surplus marijuana in its tracking system.

The glut has cut recreational prices in half and forced growers and retailers to cut their workforce.

Grant

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for free, but the cost of private haulers came to \$128,393. Part of the emergency federal grant will go to paying for transporting water.

Fainman Springs

The Fainman Springs project dates back to 2005. Following the water emergency declaration last year, Marciel Well Drilling of Mt. Vernon conducted tests at Fainman Springs and found one of the three wells produced 475 gallons per minute. That was enough water to meet the city's demands.

The cost of developing Fainman Springs had been estimated at \$900,000, which included improving the existing access road and installing a pump station, well pump, chlorination system, water main and electrical power line.

But a 2008 slow-sand filtration system installed on Dixie Creek Road had put the city \$2 million in debt and made it difficult to find financing for the Fainman Springs project.

On Dec. 6, Hamsher traveled to Salem and addressed the Business Oregon Infrastructure Finance Authority board. The 5-inch thick application for financial assistance

required vast amounts of historical-use data and consumed hours of Brown's time, Hamsher said. The board unanimously approved the \$550,000 grant and \$950,000 loan to finance the Fainman Springs project.

Hamsher had been advised that approval of the federal emergency grant could take 18 months or more. Completing the 4-inch thick application was another huge undertaking for city staff, he said. Hamsher credited assistance from Rep. Greg Walden, Sen. Jeff Merkley, Gov. Kate Brown and Business Oregon for getting the \$1 million federal grant expedited.

“It's been a long-time dream to be able to complete the Fainman water project for the residents of Prairie City,” Hamsher said. “I'd like to thank city staff, the engineers and a big thanks to City Recorder Bobbie Brown for the endless hours she has put in helping with this project.”

Other projects

The city expects to have the Fainman Springs water project completed by summer, weather dependent. Meanwhile, work on a \$2 million city sewer project has continued under a U.S. Department of Agriculture-Rural Development loan and

grant.

The partial government shutdown created problems for the contractor installing new pumps at the treatment plant, but after contacting staff at Walden's and Merkley's offices, the Prairie City project was moved up in priority once the government reopened, and the contractor received payments promptly, Hamsher said.

The new variable-speed sewer pumps are expected to reduce electrical usage by 30 percent, Hamsher said. With installation of 1,500 feet of new forced-main along Highway 26 delayed by winter conditions, the contractor has turned to replacing old sewer mains in town, Hamsher said.

The city also has been in negotiations with U.S. Cellular for a new cellphone tower to be built on city land near the Prairie Wood Products mill site. The deal will generate \$1,500 per month in income the city will allocate to the water fund for operating costs and debt payments, Hamsher said.

In addition, the city council has passed a resolution allocating income from the Depot RV Park to city utility funds for debt purposes. Hamsher said \$1 per day per space will go to the water fund and another \$1 per day per space will go to the sewer fund.

Review

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Policy history

The federal government's land management policies have varied widely over the past two centuries, Blumm and Fraser report in their article. After acquiring huge swaths of land from foreign governments and indigenous peoples, the government allowed settlers to use public lands as a grazing commons.

Impacts from overgrazing led to the creation of grazing districts under the 1934 Taylor Grazing Act. In 1976, Congress established public lands policies under the Federal Lands Policy and Management Act and the National Forest Manage-

ment Act. Blumm and Fraser note that NFMA requires the Forest Service to coordinate land and resource management planning with state and local governments, but “neither NFMA nor agency regulations require the Forest Service to conduct land planning via government-to-government consultation with counties.”

They also note that “no federal court has interpreted the ‘coordination’ provisions of NFMA or FLPMA” and that “counties lack authority to interpret the coordination provisions in NFMA or FLPMA to create binding obligations on federal agencies.”

According to Blumm and Fraser, opposition to passage of NFMA and FLPMA

in 1976 led to the Sagebrush Rebellion in the 1970s and the County Supremacy movement in the 1990s. Thirty Western counties enacted ordinances asserting authority over federal lands in the early 1990s, the authors said.

Lobbying the West

The authors point to American Stewards as a “major source” of the current misunderstanding about the meaning of coordination and say the organization urges county governments to invoke an “aggressive interpretation of local authority.”

“In its materials urging county governments to seek coordination, American Stewards relies on a plain meaning approach to define

‘coordination’ in NFMA and FLPMA,” Blumm and Fraser said. “Relying on dictionaries and irrelevant court opinions — eschewing the usual means of statutory interpretation — the group proclaims coordination means ‘government-to-government’ consultation.”

The authors also note that county governments that assert novel interpretations of their role in public land-use planning “face a steep uphill legal battle” because of the Property Clause in the U.S. Constitution. The U.S. Supreme Court ruled in *U.S. v. Gratiot* in 1840 that Congress' power to manage public lands under the Property Clause is “without limitation,” Blumm and Fraser said.

Article IV, Section 3, Clause 2 of the U.S. Constitution states, “Congress shall have power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be construed as to Prejudice any Claims of the United States, or of any particular State.”

The authority that counties claim in coordination ordinances is reserved under federal law for indigenous tribes, which are expressly mentioned in the U.S. Constitution while counties are “constitutionally insignificant,” Blumm and Fraser said.

“Many tribes have treaties with the United States, but county governments have no

authority to demand government-to-government negotiations with the federal government,” the authors said.

Blumm and Fraser also speculated about the consequences of the federal government agreeing to a government-to-government status. Noting that “all Americans hold an equal claim of ownership to federal land,” they suggested that giving special status to local plans would promote monopolization of natural resource use and elevate the power of those who control local government — “no doubt local economic leaders.”

“The vast majority of American citizens do not live close to lands they own that would be effectively monopolized by local control,” Blumm and Fraser said.

Love, hope, success, family, security.



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