

Gov. Brown has been assessing executive action on greenhouse gasses for more than a year

By Aubrey Wieber
Oregon Capital Bureau

For more than a year, Gov. Kate Brown's environmental agency has been assessing how the governor could mandate lower greenhouse gas emissions without voter or legislative approval, according to interviews and public records.

Brown has said she's willing to act with her executive authority if lawmakers and industry don't reach agreement on ways to limit greenhouse gas emissions over the next several decades.

Her spokeswoman, Kate Kondayen, reiterated that point, saying that Brown would rather see legislative action.

"The governor has been meeting with stakeholders from the agricultural sector, transportation sector and wood products industries throughout the summer and will continue to do so into the fall to ensure that the policy benefits rural Oregon while allowing rural Oregon industries to remain competitive," Kondayen said in a statement. "In the meantime, she has instructed her team and agencies to explore all options to achieve Oregon's emissions reduction goals."

Kondayen didn't otherwise respond to written questions.

Richard Whitman, director of the state Department of Environmental Quality, said his agency started talking with the governor's staff a little more than a year ago, exploring what options were available. Those efforts were sidelined as momentum picked up ahead of the 2019 Legislature for a comprehensive carbon-capping program. The costly and controversial legislation setting the program in place famously failed in the final week of the session.

DEQ, responding to a public records request, released 39 emails dating from October 2017 to last June documenting communication between Brown's office and DEQ regarding curbing emissions outside of legislative action. Much of the correspondence regarded suing the federal Environmental



Oregon Capital Bureau/Claire Withycombe

Gov. Kate Brown speaks to supporters of House Bill 2020 at a rally outside the Capitol after Senate President Peter Courtney announced the cap and trade climate legislation lacked the votes to pass June 25. Brown said July 1 she is not backing down on the concept.

Protection Agency to ensure Oregon maintains the authority to use executive powers to regulate polluters.

An outline of the potential executive actions available to the governor was sent by Whitman to Brown's advisers and the state Justice Department five days before the legislative session ended without a carbon emissions policy passing.

Brown had no desire to let the work and momentum behind a carbon-capping program fizzle. Less than 24 hours after the session closed, she called reporters into her office and threatened to use her executive powers to lower carbon emissions.

Immediately, DEQ resumed its work vetting those options.

Whitman said his office is in weekly, if not daily, communication with Brown's staff on the effort.

"We are on a pretty steady pace working on these issues at this point," he said.

The June 25 internal document outlines a gradually declining cap on industrial emissions and fossil fuel importers, strengthening Oregon's low-carbon fuel standard and increasing access to public transit and promoting biking and walking.

DEQ also outlined ways to strengthen regulations on landfills to lower methane emissions, to more strictly regulate dairies, to expand vehicle inspection programs so that medium-duty trucks are inspected twice per year and to require newly built buildings include electric vehicle charging stations.

Whitman said the main focus of the agency's proposal is on capping industrial emissions. And while executive action can be extremely powerful, it lacks the nuance afforded by the legislative process, he said.

Going the legislative route allows the state to be less restrictive of industry, giving it the best "bang for its buck," Whitman said.

In 2019, lawmakers developed a policy where a cap on carbon came alongside "allowances" equal to one ton of pollution. Those allowances would have been purchased from the state at auction and then become a commodity for the holders, as they could be resold or traded.

Lawmakers also designed a system to give free allowances to companies that would struggle to compete on a national or global scale under the new regulations. The policy would have also allowed companies to invest in "offsets" like preserving timber stands rather than buying allowances.

Executive action does not afford that level of creativity. More or less, she is allowed to limit emissions, but is more handcuffed in helping industry make the transition.

Brown has not said how extreme the new emission regulations could be, but any change would likely impact business, and in turn could impact consumers and the overall economy.

Whitman said executive orders might not result in the overall emissions reduction being done in the most effi-

cient way.

Brown's potential executive action is likely to draw political fire.

"I am severely disappointed with the governor wanting to move forward with executive action, when the Legislature clearly did not get the cap and trade program right," said Rep. David Brock Smith, R-Port Orford. Brock Smith served as co-vice chair of the joint committee that studied the issue and produced the cap-and-trade legislation, House Bill 2020.

Brown has been quiet on the issue since holding her press conference in June.

"The really major issue here is that if Oregon DEQ were to proceed with a program, particularly around capping industrial emissions or fuels ... it likely would be kind of a blunt instrument, frankly," Whitman said.

Brad Reed, spokesman for environmental coalition Renew Oregon, said action is needed now. Renew was one of the chief proponents for the policy, but Reed said executive action could be a start.

"The governor should do everything she can to combat the climate crisis," Reed said.

Reed said, after her announcement, Brown met with Renew's policy analysts to go over the most effective ways to use agency authority to cut down on emissions.

Reducing pollution was only one part of the legislative plan, though. The cap-and-trade program would have generated millions for climate projects around the state.

That also becomes more difficult with executive action. DEQ could raise money through increased fees for things like industrial or agricultural permits, but that would require legislative approval.

"I think it's highly unlikely that we would be able to operate a program that generates revenue for things that reduce greenhouse gas emissions," Whitman said.

And while DEQ analysts have narrowed what options to consider, they continue to examine how best to implement new rules and regulations.

Why could thousands of Oregon university workers go on strike?

By Claire Withycombe
Oregon Capital Bureau

Sitting in a conference room at the Hamersly Library this week, Jackson Stalley wore a large pin emblazoned with a cobra: "Ready to strike."

Stalley, a library technician at Western Oregon University, is one of about 220 classified workers there who could walk off the job next month.

They may not be the public face of academic institutions, but classified workers such as Stalley — of whom there are about 5,000 across the state — make universities function from day to day.

They're the people who make sure the bathrooms are clean, the students are fed and that young scholars can find the right article in an academic journal.

"When something doesn't work, people call me," Stalley said.

But last Friday, Oregon's seven public universities reached an impasse in negotiating pay increases, benefits and time off with those workers.

SEIU Local 503, the union representing classified university workers, said the stalemate could lead to a strike next month, just as the state's roughly 64,000 university students will be starting classes.

The university workers say they're getting short shrift compared to other workers on the state's payroll — especially just after lawmakers voted to boost the amount of money going to public universities by \$100 million over the next two years.

The median classified university worker makes \$36,000 per year, according to SEIU 503.

The union is railing against what it says are sky-high salaries for top administrators, bloated management and modest pay raises compared to other state workers.

"This causes a significant amount of resentment, where the lowest paid employees, every two years, have to fight to not go on to welfare," Stalley said. "At the same time we're seeing higher education administration explode, in terms of numbers and their compensation."

The looming strike also highlights longstanding state budget trends that have put the squeeze on public universities.

When Oregon voters approved a series of ballot measures in the 1990s, they largely transferred the burden of paying for public K-12 schools from local property taxes onto the state.

The switch left less money for everything else the state does.

Paired with rising costs of health care and retirement benefits for workers, higher education felt the impact.

And in 2013, after the state restructured the state's public universities to independently govern themselves, classified university workers split off into their own union.

Stalley said what higher education workers receive has not kept pace with employees working for agencies such as the transportation and forestry departments.

"Every contract, we fall further and further behind," Stalley said. "And we don't quite understand how this keeps happening to us."

A spokeswoman for the universities said much of the \$100 million boost from lawmakers is going toward reducing leaps in tuition and covering higher costs of employee benefits.

Workers also say they've been disrespected at the bargaining sessions.

"That is a key talking point that they have, and that is a way that they use to gain attention for their story," said Di Saunders, a spokeswoman for the universities. "We could also say exactly the same thing. The bargaining table is not always a very happy place."

The contract proposed by university executives is "disheartening," Stalley said — especially after union members lobbied state legislators this year for increases to the higher education budget.

For instance, they say the cost of living increases offered are too low to keep pace with inflation.

Rob Fullmer, an IT specialist at Portland State University, said that the most recent contract's cost of living adjustment fell below the rate of inflation.

"That just didn't cover my costs," Fullmer said. "So I saw my buying power go down last year."

The union wants a 3.75 percent increase for cost of living in 2019 and a 3.5 percent increase in 2020.

Fullmer, an IT professional who has a bachelor's degree in aerospace engineering, acknowledges he's not the "poster child" for the effort to secure better wages for university workers.

He cites colleagues who work in dining services or as office specialists who have to take second jobs, noting that about a quarter make so little money that they qualify for food stamps for a family of four.

"We are the lowest paid workers at the university," Fullmer said. "And for us to be offered wages in this next contract that don't keep pace with inflation is really tough."

The universities, meanwhile, say that the combined 12 percent increase for the next two years — 2.5 percent in a cost of living adjustment and 9.5 percent in "step" increases for satisfactory job performance — is a "fair offer."

Universities also are offering competitive health care and retirement benefits, Saunders said.

She said universities already provide "the best benefits you can get on the west coast, if not nationally."

A strike isn't a sure bet. Union representatives say they want to avoid that by negotiating what they view as a better contract.

"We work in higher ed because we want to be able to serve students and faculty, we want to be able to serve the higher educational mission, so striking is not something we're looking forward to doing," said Fullmer. "But if we don't get a reasonable and fair contract offer from management, they're basically forcing our hand. Striking is the only thing we can really do in order to ensure our workers get a contract that they can live with."

Friday is when the universities and unions officially submit their final and best offers for a contract. Then there's a 30-day cooling off period, at which point the universities may implement their final offer, which could prompt the workers to go on strike.

Negotiations could continue until workers and management reach an agreement.

The universities, meanwhile, are planning for a strike as students return for the fall term. They could re-assign non-classified staff, outsource workers or hire temporary employees.

Senate Democrats back off threat to fine Republicans

By Aubrey Wieber and
Claire Withycombe
Oregon Capital Bureau

More than two months after voting to fine protesting Republican senators \$500 per day for walking off the job, Senate Democratic leaders announced Friday they will not make good on the threat.

Instead, leaders said they are pursuing a constitutional amendment to change Oregon's quorum requirement from two-thirds to a simple majority. That would allow the Senate to convene with 16 instead of 20 senators out of the body of 30. Forty-six states use the simple majority requirement, according to a Senate Democrat news release.

Twice during the 2019 Legislature, Republicans brought the Senate to a halt by walking out in protest.

They were able to claim

political victories both times.

During the first walkout, Gov. Kate Brown killed bills regulating guns and vaccinations to bring the senators back, and during the second walkout, Democrats announced they would no longer pursue a controversial carbon pricing bill, though they said that died because they didn't have the votes within their own party.

To date, Senate Democrats haven't imposed any punishment on their peers for walking from the Capitol.

"Stopping the work of the people by denying a quorum is unconscionable and undemocratic. Senate Democrats will work to protect Oregon's democracy by giving Oregonians and their representatives more tools to stop any future quorum denials," Senate Majority Leader Ginny Burdick, D-Portland, said in a statement. "I hope

our Republican colleagues now see that this is not a tactic that should ever be used again, and that they will work with us to prevent either party from walking off the job."

Burdick's statement comes after the Senate Majority and Senate President's offices were peppered by reporters asking if they were going to issue fines. Throughout the past two months, the Oregon Capital Bureau asked several times about the fines, and each time was told that they were going to be issued.

The issue was brought back to the foreground this week when a coalition of unions and liberal groups escalated the kerfuffle after noticing a political action committee set up to help pay for the absent lawmakers' expenses while gone out of state has donated to each Republican senator.

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SUN & SAT	(3:45)	6:45	9:40
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A loving mom reconnects with her creative passions after years of sacrificing herself for her family.

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