

# Legislators reflect on 2019 session

By JADE MCDOWELL  
NEWS EDITOR

The 2019 legislative session came to a turbulent conclusion as Republican senators returned from a nine-day walkout over cap and trade, but the drama overshadowed the hundreds of less-controversial bills passed over a four-month session, often with bipartisan support.

Rep. Greg Smith and Sen. Bill Hansell worked on a variety of policy and budget bills throughout the session, some tailored specifically to Eastern Oregon issues and others that have more broad benefits throughout the state.

Hansell was a sponsor or chief sponsor of 138 bills and resolutions, not all of which became law by the end of the session.

He was the chief sponsor of Senate Bill 290, which protects people voluntarily helping fight a fire in good faith, such as farmers helping fight wildfires on neighboring farms, from civil liability. Hansell likened it to Good Samaritan laws that protect people who stop and render first aid at the scene of a car crash.

He was also sponsor of SB 312, which requires public universities and community colleges to charge in-state tuition for Native American students who graduated from an Oregon high school. He said he heard from Nixyaawii Community School in Pendleton that they have tribal students who attend during the school year while living with relatives, but keep a home address outside the state.

“The bill seemed to make good sense that we keep these students in Oregon if they want to go here,” he said.

One of the bills Hansell sponsored was brought to his attention by a constituent in Adams, whose insurance denied coverage for a type of cancer treatment that Hansell himself benefitted from when he survived cancer. Senate Bill 740 requires insurance companies that cover radiation therapy for cancer to also cover proton beam therapy.

Another bill sponsored by Hansell will allow small rural cemetery districts to



Lawmakers conduct business during the 2019 legislative session.

HH file photo

annex more land into their districts.

Hansell said it was a tough session, but he was pleased with the number of capital projects the district will see funding for.

*“The bill seemed to make good sense that we keep these students in Oregon if they want to go here.”*

Bill Hansell, Oregon Senate

He said projects such as a mental health-related renovation of the Umatilla County Jail and a joint medical and mental health Wal-lowa Valley Center for Wellness are expected to serve as an example to the rest of the state in better serving those with mental illnesses and addictions.

Smith was a sponsor or chief sponsor on 85 bills and resolutions this session. One was SB 408, which allows counties to approve certain types of land zoned for exclusive farm use to site utility facilities “necessary for public service.” He said the bill will assist Umatilla Electric Cooperative as it continues to serve the growing region.

Smith said despite prominent disagreements between

Republicans and Democrats during the session, there was also bipartisan work. One example was a package of reforms of Measure 11. Smith, who didn’t sponsor the bill but did support it, said he believed the reforms balance “justice and mercy” for young offenders.

Measure 11, passed by Oregon voters in 1994, set mandatory minimum sentences for certain offenders and required offenders ages 15-17 be tried as adults, allowing them to receive life without parole. Under Senate Bill 1008, those convicted of a crime before their 18th birthday will be given a hearing halfway through their incarceration that would consider whether they might serve the rest of their term under supervision outside of prison. They will also be allowed to apply for parole after 15 years.

Offenders would not automatically be released, Smith pointed out, but the new law will allow the justice system to take into account how someone who committed a violent crime at age 15, 16 or 17 might have changed in the years since.

“I would hope I’m not the same person today as I was at age 15,” he said.

The beginning of the 2019 session focused heavily on education. Smith sat on the Student Success Committee that toured

schools throughout the state as legislators worked on a package of bills to help boost graduation rates and other measures of educational success.

Smith ultimately voted no on the resulting tax bill, however. He said business and industry leaders told legislators they knew more revenue needed to be raised for education, and made an “extremely reasonable request” to be given a couple of weeks to come up with language they could support.

“When that deal was rejected, I knew I needed to step back,” Smith said.

He said much of the school-related work this session was focused on elementary and secondary education, but he expected assisting higher education would be a major focus in the next biennium.

He said beyond sponsoring legislation, an important part of being a rural Eastern Oregon legislator is also educating legislators from urban areas on issues facing rural Oregon and how one-size-fits-all bills might have negative consequences for the east side of the state.

That work will likely continue into the next session, he said, as the legislature grapples with how to address climate change while also protecting jobs and vulnerable populations.

## 14 NEW OREGON LAWS TO KNOW ABOUT

HB 2509 bans stores and restaurants from providing single-use plastic bags at checkout, and requires them to charge at least five cents per bag if they provide paper or other alternatives, beginning in 2020.

SB 90 prohibits restaurants from giving customers single-use plastic straws unless the customer specifically requests one, effective immediately.

HB 2393 strengthens Oregon’s “revenge porn” laws by making it a crime to distribute intimate photos or videos of a person without their consent. Previously the law only covered posting such content to a website, but now includes other methods of electronic dissemination such as text message, email and apps. It also allows victims to sue for up to \$5,000 in damages.

HB 2328 will make it easier for police to put car thieves behind bars. A 2014 court decision meant that prosecutors have had to prove that a person had knowledge the vehicle they were driving was stolen. Now, they merely have to show that the person disregarded a “substantial and unjustifiable risk” that the vehicle might be stolen.

SB 998 allows bicyclists to yield, rather than come to a full stop, at stop signs and traffic signals.

SB 3 allows community colleges to offer four-year bachelor’s degrees. Colleges would have to gain approval for each program through the Higher Education Coordinating Committee by showing that the program would address a workforce need not being met.

SB 9 allows pharmacists to prescribe emergency refills of insulin and related supplies instead of requiring patients who run out to wait for their doctor to become available to write them a new prescription.

HB 2005 sets up a system for paid family leave in which Oregon workers can take off up to 12 weeks of paid leave to care for a new child or sick family member, or to recover from a serious illness or domestic violence. The leave would be paid for by

a state insurance fund that employers and employees will contribute less than 1% of their paycheck to, similar to worker’s compensation. Employers with fewer than 25 employees will not have to pay into the fund but their employees will still be eligible to apply for compensation during their leave of absence. The state will begin collecting funds in 2022 and employees will be able to begin collecting benefits in 2023.

HB 2015 allows undocumented immigrants to obtain driver’s licenses. Those who can’t provide documentation of citizenship will not be added to the voter rolls, however.

SB 861 provides for prepaid postage on ballots, allowing Oregonians to vote by mail without paying for a stamp starting in 2020.

SB 608 capped annual rent increases at 7 percent plus the change in consumer price index. The bill, which took effect upon passage, also prohibits landlords from evicting month-to-month renters without cause after 12 months of residency.

SB 320 would allow Oregon to stay on daylight savings time year-round, but only if the federal government passes a law allowing the switch and Washington and California follow suit. The bill would exempt the sliver of Eastern Oregon that operates on Mountain Time.

SB 870 adds Oregon to the National Popular Vote Compact. States belonging to the compact agree to award their electoral college votes to the winner of the national popular vote instead of the winner of their state. The compact will take effect once states representing 270 electoral college votes join. Oregon brings the total to 196 votes.

HB 3216 allows people to sue anyone who “knowingly summons a police officer” as a way to discriminate against the person, cause them to feel harassed or embarrassed, infringe on the person’s rights or expel them from a place where they are lawfully located.

— Jade McDowell, East Oregonian

# Merkley fields questions in Boardman

By JADE MCDOWELL  
NEWS EDITOR

Concern for children in America’s classrooms, homes and border security permeated discussion at a town hall with Sen. Jeff Merkley in Boardman on Saturday.

The senator advocated for more education funding, more early childhood education opportunities and changes in the way the country handles minors crossing the southern border in response to several questions from a crowd of about two dozen people at the SAGE Center.

Doctors and lawyers with access to child detention centers at the border have described young children packed into facilities without access to clean clothes, soap, toothbrushes, sleeping mats and other items. One town hall attendee described the government’s treatment of unaccompanied minors and those taken from their parents as an “abomination” and asked Merkley what Congress and everyday citizens can do.

Merkley said he was deeply troubled by the reports and what he had seen in his own visits to the border, including a former Walmart that had been built to house 300 boys but instead held 1,500. He said the for-profit businesses that run the detention facil-



Sen. Jeff Merkley speaks during a town hall at the SAGE Center in Boardman. Merkley used the time to address community concerns regarding Social Security, refugees and education.

Staff photo by Ben Lonergan

ities on behalf of the government were paid \$750 per child per day, giving them no incentive to find placements with family or foster homes.

“They have every incentive to keep kids in there as long as they can,” he said.

He advocated for a return of the Family Case Management Program, which assigned caseworkers to families who were considered low flight risks and helped them get set up with housing and other necessities while they waited for their hearing. The pro-

gram had a near 100% success rate in getting families to show up to court, but was canceled by the Trump administration for reasons Merkley said he hasn’t been able to determine.

He said the federal government needed to provide the resources to get people of all ages seeking asylum through the hearing process much more quickly. The vast majority of people who seek asylum are turned away, he said — only about 20,000 people were granted asylum last year.

“Regardless of whether

they win or lose we should still treat them with dignity in between,” he said.

He also said the country needed to stop turning away unaccompanied minors at the border, leaving them at the mercy of sex traffickers and other bad actors.

Others at Saturday’s town hall were concerned about children who are struggling in America’s education system.

Maureen McGrath, director of Umatilla Morning Head Start, asked about federal initiatives on the horizon for early childhood

education. Rick and Susan Scheibner, who both work for Hermiston School District, described children coming to school with mental health problems and more trauma than a decade ago. Susan said she saw economically stressed parents making tough choices, and the effect on their children.

Merkley said the federal government needed to directly invest in education but also help families by cutting wasteful spending and focusing on basics such as health care and housing.

He said when he was growing up his family purchased a home worth the equivalent of two years of his father’s salary as a mechanic. Today the same type of home in the same town costs five to six times a mechanic’s annual salary, he said.

“It isn’t that the families in my neighborhood changed, it’s that the economics have changed,” he said.

Merkley also said he was a proponent of a combined effort of state and federal spending to serve more children with early childhood education programs like Head Start. He said research showed that investments in a child’s formative years paid off many times over when they became a more productive member of society and avoided trouble like incarceration.

Attendees at Saturday’s town hall also asked about keeping Social Security solvent, taking away subsidies for fossil fuels, preventing foreign interference in elections, slowing climate change and holding powerful tech companies like Facebook accountable.

Merkley said if the government removed the cap on the level of wages subject to the Social Security tax or placed a Social Security tax on capital gains the program would be solvent for many decades into the future with money for increased benefits.

He expressed support for incentivizing clean energy and energy-efficiency upgrades to homes and agreed with the citizen who advocated removing the subsidies for oil and gas companies.

Merkley said he supports passage of the bipartisan DETER Act, which lays out stiff sanctions for any foreign country found meddling in the United States’ elections. Beyond foreign interference, he feels Congress has a duty to tackle problems he believes are eroding the country’s democracy.

“We’re seeing a lot of gerrymandering, a lot of voter suppression and intimidation and a lot of dark money in campaigns,” he said. “It’s got to be a real priority to take those on.”