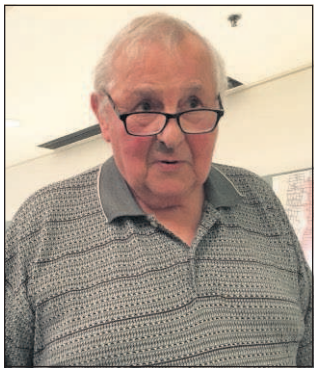


Boundary challenge dropped due to insufficient funds



R.J. MARX/SEASIDE SIGNAL

John Dunzer's challenge to the state Land Use Board of Appeals was dropped due to failure to pay a filing fee.

By R.J. Marx
Seaside Signal

A possible legal challenge to Seaside's urban growth boundary expansion reached a dead-end when Seaside's John Dunzer failed to pay a filing fee to take his case to the land use board of appeals.

This fall, Seaside School District brought a request to bring 40 acres of city residential land and 49 acres of county forestland into the city's urban growth boundary to be zoned as industrial commercial. The expansion is

Dunzer said in his appeal that county approval of the school district's plan violates state planning rules requiring local government to look at all options within the existing boundaries before expansion of those boundaries.

considered essential to building of the new school campus, which will relocate the high school, middle school and Gearhart Elementary School in new facilities outside of the Cascadia Subduction Zone.

The Seaside Planning Commission endorsed the plan and sent it to the city, which updated its zone code and comprehensive plan to reflect the expansion. The county followed suit on Nov. 8,

adopting an ordinance amending the county's comprehensive plan expanding Seaside's urban growth boundary to accommodate the new campus.

Money saved from an alternate plan could be used to provide upgrades to the city's bridges, Dunzer said in an appeal he mailed to the state earlier this month. A longtime critic of the plan to relocate Seaside's endangered schools out of the tsunami inundation zone, Dunzer said in his appeal that county approval of the school district's plan violates state planning rules

requiring local government to look at all options within the existing boundaries before expansion of those boundaries.

Dunzer claimed that the existing Seaside Heights Elementary School site could be used as the site of a new middle school, resulting in a "more tolerable impact on the entire east side of Seaside."

His case never made it for consideration by the state, which requires a filing fee.

Dunzer asked for a waiver of the fee, which was not granted, the state board said Wednesday.

Voter primer on Ballot Measure 101

By Claire Withycombe
Capital Bureau

On Jan. 23 Oregon voters will have a chance to weigh in on Measure 101, helping decide how the state pays for its Medicaid program.

President Trump noted earlier this year that "nobody knew that health care could be so complicated" and this measure, which deals with insurance premiums, managed care organizations and federally regulated hospital taxes, is not an easy read. Here are the basics:

• **When do I need to understand this?** Ballots will be mailed to voters between Jan. 3 and Jan. 9, according to the Secretary of State's Office. Ballots must be received by elections officials by 8 p.m. Jan. 23.

• **Why is this on the ballot?** This summer, Democrats in the Oregon Legislature pushed through a bill providing temporary funding for the state's Medicaid system. Three Republican lawmakers — State Reps. Julie Parrish, of West Linn; Cedric Hayden, of Roseburg; and Sal Esquivel, of Medford, decided they wanted to refer parts of the law to voters. They led a petition campaign to gather signatures and are now urging voters to vote "No" on the measure, which would repeal those parts of the state's Medicaid law.

• **Remind me. What's Medicaid?** Medicaid is a government healthcare coverage program for the poor and other qualifying groups. Oregonians earning up to 138 percent of the federal poverty level (\$16,100 for an individual; \$32,900 for a family of four) are eligible for the program. In Oregon, the Medicaid program is known as the Oregon Health Plan and covers about 1 million people, including 400,000 kids.

• **How is the Oregon Health Plan financed?** Both the state and the federal government pay for it with public funds, but the federal government picks up most of the tab. Plus, hospitals, insurers and coordinated care organizations all pay taxes — described in the measure as "assessments" — to the state. Oregon uses that money to get matching funding from the federal government.

• **How much do hospitals pay?** Hospitals pay a 5.3 percent assessment on net revenues, which, once matched by the feds, is returned to them as a group and redistributed. Under the state law passed earlier this year, they also pay a .7 percent assessment on net revenues that is not returned to them, but put into a state fund for healthcare.

• **What does a "yes" vote mean?** A "yes" vote means you want the state to impose and keep the nonrefundable .7 percent assessment on hospitals, as well as assessments on insurers, the Public Employees Benefits Board and co-



CAPITAL BUREAU

An issue on the January ballot could impact how Oregon finances its share of the Medicaid bill.

ordinated care organizations — regional networks of OHP providers.

• **What does a "no" vote mean?** A "no" vote means you wish to repeal the non-refundable .7 percent assessment, and the assessments on insurers, the Public Employees Benefits Board and coordinated care organizations.

• **How does this ballot measure affect people on the Oregon Health Plan?** Hundreds of thousands of Oregonians gained Medicaid coverage under the Affordable Care Act, which allowed states to provide coverage to people making up to 138 percent of the federal poverty level. As of November 2016, about 366,000 people were eligible for OHP under the Affordable Care Act.

Previously only those making up to 100 percent of the federal poverty level were considered eligible. But that group, earning between 100 percent and 138 percent of the federal poverty level, isn't legally required by the federal government to be covered by states.

Supporters of Measure 101 say that if it fails, the Legislature could decide to cut those people from the health plan to save the money that the state government won't be able to collect.

• **If the measure fails, would lawmakers have to cut the health plan budget?** No, but proponents note that faced with funding gaps in the past, lawmakers have knocked people off the Oregon Health Plan. "If you are a Medicaid recipient, this is about whether you have access to your health care," said Jessica Adamson, a lobbyist for Providence Health & Services, which is backing Measure 101. "This is about whether or not the funding is there to fully fund this program. Anything else besides Measure 101 is a gamble. There is no Plan B."

Opponents counter that

state legislators can find that money elsewhere in the budget to cover those people. "This ballot measure isn't about whether Medicaid is good or bad," said Parrish, the lawmaker urging a "no" vote. "It's about whether we picked the right funding mechanism to pay for it."

• **I buy my own insurance. Does this affect how much I pay?** Yes. Under the law, insurers will be assessed a 1.5 percent of gross premiums earned.

Premiums on the individual market could increase by 1.5 percent because the legislation allows insurers to increase premiums by up to that amount to offset the tax that they'll be paying, opponents say.

• **So if the tax fails, my rates won't go up?** Not necessarily. Supporters of Measure 101 say that expanded Medicaid coverage reduces demands on costly emergency care. It also funds a program called reinsurance that is designed to hold down rate increases in premiums for people who buy their own insurance.

It essentially acts as insurance for insurers, providing a pool of money to reimburse insurers part of the cost of very expensive procedures. In 2018, the program is holding rates in Oregon's individual health insurance market, on average, 6 percent lower than they would be without reinsurance, according to the Department of Consumer and Business Services. That's about \$300 less per year, according to the "Yes on 101" campaign.

• **I get insurance through my employer. Does this affect how much I'll pay?** If you work for a business with 50 employees or fewer, neither outcome of the measure likely will affect your rates in 2018, but likely would in 2019.

Since 2018 rates have already been approved by the

Oregon Department of Consumer and Business Services, the Legislature would have to take action to change those rates.

Insurers in the small group market would pay the 1.5 percent tax on gross premiums earned.

• **What about big employers?** For Oregonians who are covered through an employer with more than 50 employees, insurance costs will likely not immediately change due to either outcome of the measure, either. The state doesn't regulate rates for large employers.

Some large employers go out and buy plans from insurers. The state doesn't regulate rates for those types of plans, but it does regulate benefits, the way policy contracts are written and the financial solvency of companies offering plans. Those insurers who provide plans in the large group market will pay the 1.5 percent assessment as well if Measure 101 passes.

• **My company is self-insured. What can I expect?** Some companies — usually bigger ones — self-insure and get plans through what's called a third party administrator. About 790,000 Oregonians are enrolled in a plan through a self-insured employer, according to the Oregon Department of Consumer and Business Services.

The state doesn't regulate any part of those plans due to federal law. Self-insured employers are exempt from paying the state tax on the premiums specified on the ballot.

• **How much does all of this cost?** Oregon's Medicaid program costs \$9.3 billion in state and federal funds per year, according to the Oregon Secretary of State's office.

If the measure is overturned, legislators would face an \$840 million to \$1.3 billion hole in the Medicaid budget, a figure that includes both state and federal matching funds.

How does this election affect people on Medicare?

Measure 101 will not have an effect on Medicare coverage. Medicare, the healthcare coverage program for people age 65 and older, is funded solely by the federal government and would not be affected by changes in state policy.

• **What about Tricare?** Tricare, the health insurance program for military members, will not be affected by the insurance tax.

• **Will the outcome of the vote settle this issue?** No. If Ballot Measure 101 fails in January, legislators will have to re-balance the budget during the February special session. But even if the measure passes, the funding provisions expire, meaning lawmakers would be debating this again in 2019.

Four laws that made an impact in 2017

By Paris Achen
Capital Bureau

Many of the hundreds of laws Oregon legislators pass each year may go largely unnoticed by the public.

Several laws, however, left a palpable mark on the lives of Oregonians in 2017. The Pamplin/EO Capital Bureau has highlighted four recent laws that made an impact in the past year.

Distracted-driving

Oregon's new distracted-driving law closed loopholes in a preexisting ban on holding a cellphone while driving and enhanced penalties for violations. House Bill 2597 expanded the ban to include holding any mobile electronic device while driving, even while waiting at a stoplight. Drivers face a fine of up to \$1,000 for their first offense.

Nearly 3,500 people were killed and about 391,000 injured in motor vehicle crashes involving distracted drivers in the United States in 2015, according to the most recent statistics from the National Highway Traffic Safety Administration.

"We all share the roads, and we have an obligation to keep each other safe," Parrish said.

Pumping gas

Oregon is one of only two states in the nation where residents are prohibited from pumping their own gas. While this may seem to be a luxury for some urban dwellers, it has been a source of consternation for motorists and gas station owners in rural parts of Eastern Oregon.

In Heppner, for instance, there is only one gas station in town, and it isn't open 24 hours a day.

Earlier this year, lawmakers expanded the timeframe for self-fueling to 24 hours in 15 Eastern Oregon counties,



EO MEDIA GROUP FILE

Stricter distracted driving laws was among hundreds of new laws passed in 2017.

with populations of less than 40,000. The expansion of the law was primarily designed to keep solo gas stations such as Heppner's in operation. Some stations were in jeopardy of going out of business because owners couldn't afford to hire enough pumping attendants, said Rep. Cliff Bentz, R-Ontario, the bill's sponsor.

Minimum wage

The state's landmark law to increase in the minimum wage for seven consecutive years was enacted in 2016, but the greatest jump in wages happened in 2017.

Minimum hourly pay in the Portland metro area climbed from \$9.75 to \$11.25 in July of this year, after a 50-cent increase last year. The minimums were lower in other parts of the state, an acknowledgement from lawmakers of the variety economic realities and cost of living in different parts of the state.

Full-day kindergarten

Full-day kindergarten began in Oregon in 2015, thanks to funding approved by the Legislature, but the law continues have ripple effects, both for children's long-term education and families' short-term financial outcomes.

For instance, students in full-day kindergarten are more likely to read proficiently in the third grade, a critical benchmark for reaching on-time graduation.

LETTERS

Letters from Page 4A

When I first took him out for a walk, we stopped in the play area where we take the leashes off the dogs and let them chase tennis balls and run free. There is a nearly 6-foot tall fence around it to keep the dogs from getting out. I took Bodie's leash off and went to grab a blue tennis ball chucker.

I turned around and saw Bodie sitting at the foot of the fence facing up at the top corner. Before I could take another step, he jumped to the top of that fence with his front feet hooking over it, kicked and pulled his hind legs over it, landed on the

ground and started sprinting towards the street. He ran to the first car he could find, and stopped to get attention from the people inside while we came to round him up. That dog wanted to be free.

There are a lot of great dogs at the Clatsop County Animal Shelter who would love a good home, attention, kids to play with, and a yard or sidewalk to become their new exercise location.

What a good Christmas it would be for one of these dogs to have a family. Come to the Clatsop County Animal Shelter and adopt a pet today.

**Chad Johnson
Gearhart**

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