



Brian B. Doherty

Partner

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“I provide insightful guidance and a collaborative approach to solving clients’ problems. I clearly communicate strategies based on the best interests of the client.”

Brian Doherty is a member of the firm’s regulatory and government affairs practice group, representing clients in traditional and renewable energy, manufacturing, retail, Internet, and banking. Brian’s practice emphasizes state and local government relations. He represents a number of national and international clients before the state legislature and city, county, and state government agencies on issues relating to energy, environment, tax, transportation, retail, public policy, and regulation. Brian is currently a member of several Oregon state and local government advisory committees and task forces. As a result, Brian has helped draft and amend numerous state statutes and administrative rules on behalf of clients.

Professional Activities

- Multnomah Bar Association, member
- Oregon State Bar
 - House of Delegates, member, 1997-2007
- American Bar Association, member

Civic Activities

- Pacific University, trustee, 2006-2018
- Jesuit High School
 - President’s Advisory Committee, member
 - Alumni Advisory Board, past member
- Oregon Sports Authority, board of directors
- Oregon Business Association, member
- Associated Oregon Industries, member
- Oregon Business & Industry, member
- Capitol Club, president, 2014-2015
- Catholic Charities
 - Annual Celebration, cochair
 - Sponsorship Committee, past member

Education

J.D., Lewis & Clark Law School, 1978

B.A., University of Notre Dame, economics, 1974

Bar Admissions

Oregon, 1978

Court Admissions

U.S. Court of Appeals for the Ninth Circuit, 1978

- University of Portland Rise Campaign, member
- Portland Golf Club, president, 2001

Representative Experience

Renewable Energy

- Presented, testified on, and helped amend Oregon's Business Energy Tax Credit program and other financing mechanisms for renewable energy projects (HB 3680 (2009-2012)).
- Assisted in enacting, defeating, or substantially modifying dozens of legislative and regulatory proposals for various clients relating to bank collateral and banking services for cannabis transactions, tax and tax credit conflicts, franchise laws, fuel taxes and fees, biofuels, greenhouse gas and other air toxic emission programs, solar, wind and other renewable energy incentives and agency streamlining.
- Presented, testified on, and amended biofuels legislation (HB 2210 (2007)).
- Testified on and amended legislation authorizing a low-carbon fuel standard. Continue working with Oregon Department on Environmental Quality (ODEQ) on draft administrative rules for the program (HB 2186 (2009)).
- Assisted wind and solar developers in obtaining multimillion-dollar tax credits from the Oregon Department of Energy. Successfully added amendments to proposed legislation that ensured that developers could operate and finance their projects under a more restrictive business energy tax-credit program. Promoted legislation to clarify jurisdictional conflicts for approvals to site large scale renewable projects.
- Drafted and successfully testified at legislative and administrative rule hearings to obtain amendments addressing a multitude of business concerns including low-carbon fuels, biofuels, business energy tax credits, and environmental compliance
- Represented clients on major legislation, including cap and trade, Clean Fuels Program, solar and wind legislation, gross receipts tax, class action litigation, and siting of Amazon Data Centers.

Government Affairs

- Worked with the Governor's office and Department of Revenue to ensure that internet retailers and data center operations were not reclassified and taxed at higher rates. Also assisted data centers in developing complex agreements with local jurisdictions related to community support and property tax relief.
- Led a coalition that defeated class-action legislation that would have removed 40 years of class-action procedural rules protecting parties to such litigation (HB 4143).
- Wrote, prepared, and successfully secured passage of legislation and administrative rules for the benefit of clients in such areas as tax law conflicts, mortgage broker liability, and retail internet taxation.
- Presented and assisted in drafting funding legislation for underground storage tank upgrades, groundwater decontamination, and marine vessel ballast water exchange programs.

Publications

- "Business Energy Tax Credit Update (HB 3680-B)," Northwest Environmental Business Council, presentation materials (Feb. 2010)

Presentations

- "Cap and Trade Legislation in Oregon," Western States Petroleum Association (WSPA), Northwest Annual Conference (July 2018)
- "Making Room for Consumers and Jobs in 21st Century Energy Legislation," Western States Petroleum Association, 2014 Issues Conference, panelist (Oct. 2014)
- "National and State Impacts of Options—Winners and Losers," Associated Oregon Industries, Oregon & National Climate Change Policy Outlook—2015 & Beyond Symposium, panelist (Sept. 2014)

- “Low Carbon Fuel Standard,” Western States Petroleum Association, Northwest Annual Meeting, panelist (July 2012)
- “Working with the Legislature and Government Agencies,” Miller Nash, CLE (Oct. 2011)
- “OLI Presents: Green Business Law,” Oregon Law Institute (June 2010)
- “Green Business Symposium 2010: Spending the Green,” Oregon Law and UO Lundquist College of Business, Green Behind the Scenes Symposium (Apr. 2010)

Recognition & Honors

- Rated AV[®] Preeminent[™] by Martindale-Hubbell[®]

Personal Activities

Brian enjoys golfing and traveling in his spare time, and can occasionally enjoy both at once.