

# Appeal Tribune

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## Bill would refund COVID-19 fines for businesses

**Tracy Loew**

Salem Statesman Journal  
USA TODAY NETWORK

Proposed legislation in Oregon would reverse citations, refund fines paid and prevent the state from enforcing workplace rules and closures meant to slow the spread of COVID-19 unless it can be proven that the violations caused an outbreak.

"There are many people who have been fined for attempting to survive, essentially," said Sen. Tim Knopp, R-Bend, who is sponsoring the bill.

Over the course of the pandemic, Gov. Kate Brown has temporarily closed businesses such as gyms, salons and restaurants, and has imposed capacity limits, distancing requirements, mask mandates and other rules on those allowed to remain open.

Some businesses, including Salem's Courthouse Club Fitness, have chosen to defy closure orders. Others have been lax about enforcing health and safety regulations.

So far, the Oregon Occupational Safety and Health Administration has imposed \$330,699 in fines specific to COVID-19 issues.

The bulk of that amount, \$216,749, relates to multiple citations involving several Courthouse Club Fitness locations.

Those fines prompted protests, some involving far-right groups, outside OSHA employees' homes.

Senate Bill 738 would take effect 91 days after the Legislature adjourns. It requires the Oregon Department of Consumer and Business Services to rescind penalties and fines, and refund amounts already paid, unless it finds a COVID-19 outbreak resulted from the violation.

Knopp says there is no data showing that health clubs, bars or restaurants foster spread of the virus more than big box stores, grocery stores and other businesses that have been allowed to stay open.

"I don't think small businesses are trying to defy the governor just to do so. They're trying to feed their families and keep employees from being destitute," Knopp

said.

"You can't say we're all in this together and treat people incredibly differently," he said.

The bill has been referred to the Senate Health Care Committee, which Knopp serves on as vice chairman.

It hasn't yet been scheduled for a hearing. But during an information session Wednesday, the committee heard from some impacted business owners.

"This has been an amazing business for 12 years," said Kristin Nelson, owner of Diva Den Studio women's fitness club in Tigard. "We started as one of the first of its kind and have grown over the years, only to have our last year destroy us financially. The impact on our members, staff and our bank account, as well as so many other fitness studios, is horrific."

Danielle Massari opened StarCycle fitness studio in Portland 14 months before closures began.

"I have been hanging on by a thread without any support from the state," she said. "I have never felt

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**Dodie Brockamp, executive director of the Silverton Senior Center, interacts in a Zoom presentation called "3 Ingredients for Brain Health" with Dr. Kelly Prill. The presentation is part of a series titled, "Lunch With Dodie."** GEOFF PARKS/SPECIAL FOR THE STATESMAN JOURNAL

## Capitol's iconic cherry blossom trees damaged

**Connor Radnovich**

Salem Statesman Journal  
USA TODAY NETWORK

Salem's iconic cherry blossom trees, which line the Capitol Mall and bloom pink and white in the springtime, sustained widespread damage in the recent ice storm.

Every tree was harmed to some extent.

However, it's unknown how the lost limbs will impact the trees' survival or affect the aesthetics of the mall.

"Right now, our focus is on cleaning up any hazard limbs and mitigating any hazards," said Kevin Strandberg, park manager with the Oregon Department of Parks and Recreation. "We'll be further assessing the trees in the future once the initial cleanup is done."

The area is a regional travel destination during peak bloom, and the trees become a visual representation of the coming of spring and the city's connection to the cherry industry and Japanese culture.

The double row of 150 Akebono flowering cherry trees has lined the Capitol Mall since 1992, planted after the area was excavated for an underground parking garage.

Since 2015, the trees have been the backdrop of the Oregon Capitol Foundation's annual Cherry Blossom Day on the third Saturday of March.

Bloom is in late March or early April. Starting in March, pictures are posted to the Oregon State Capitol social media pages showing the progress of the trees.

Strandberg said the trees will "definitely be thinned out" after many limbs were lost to the storm. At least two of the badly-damaged cherry blossom trees will have to be removed.

However, Strandberg said, removal might be good for the health of other cherry blossom trees. The two so far identified as needing removal were already growing quite close to neighboring trees, despite frequent pruning, crowding the canopies.

Current cleanup efforts in the three parks around the Capitol are focused on clearing the mall, as it is the area most likely to see foot traffic and contains the emergency lanes for state buildings.

State parks officials are asking people to stay out of the Capitol parks until their work is done, which could take two or three weeks.

Kara Kuh, marketing and PR assistant director for Travel Salem, said the blooming cherry blossom trees are used frequently in promotional material for Salem because of their uniqueness and iconic status.

Only Silver Falls State Park is as emblematic of this region as the cherry trees, she said.

The cherry blossoms also serve as the first major flower bloom of the season. Tulips, irises and roses soon follow.

It remains to be seen if this year's bloom is as impressive as previous years after the damage the trees sustained.

"It kicks off that blooms season that happens

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**A state park ranger trims branches off a damaged cherry blossom tree on the Capitol Mall on Tuesday, Feb. 16, 2021. The trees were significantly damaged during the ice storm.**

BRIAN HAYES / STATESMAN JOURNAL

## Resource hub for seniors

### Silverton Senior Center expands online offerings

**Geoff Parks**

Special to Salem Statesman Journal  
USA TODAY NETWORK

The Silverton Senior Center's mission of being "the resource hub for area residents aged 50 and over" has been severely tested by the COVID-19 virus over the past year, but adaptation has revealed other ways for its members to remain socially connected.

Dodie Brockamp, 60, has been the center's executive director since 2012. She said changes to programming and events were immediate after the virus was identified in the Northwest last year.

"We started cutting things out right away" from of-

ferings at the center itself, she said, "mostly because we have a very vulnerable population."

She said the center in 2020 had to cancel art shows, all exercise classes, Christmas craft fairs and the annual Mother's Day tea that is the center's biggest fundraiser. At present, the center itself is only open for the Silver Angels Foot Clinic twice a week by appointment — masks and social distancing strictly required.

"We needed to take our computer lab and go one step further and this kind of forced us to," Brockamp said. "So we now have laptops available — by appointment only — in our COVID-safe Zoom room."

During the continuing pandemic, she said she and the staff are just trying to bridge the gap between the center's offerings and its members. Of the 800-900 members of the senior center, about 100 have only

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## Reviewing Measure 11: Should it change?

### Bills in the works to alter the mandatory sentencing law

**Virginia Barreda**

Salem Statesman Journal  
USA TODAY NETWORK

Oregon's landmark mandatory sentencing law, Measure 11, is about to go under scrutiny by state legislators. Advocates of criminal justice reform have four bills that would change the way those convicted of serious crimes are sentenced.

But Oregon's District Attorneys Association is determined to fend off the bills, saying in a recent report Measure 11 continues to protect communities, provides justice to victims and issues "reasonable" sen-

tences to the state's most violent offenders based on "conduct, not color."

Oregon's Measure 11 requires minimum sentencing for the most severe crimes — such as murder, rape and arson — for people 15 years old and up. The law, known as "one strike you're out," passed by a 65% vote in 1995 and was reaffirmed in 2000 by 73% of the vote.

The association boasted the results of a survey released late last year showing 78.3% of Oregon voters oppose repealing Measure 11. The survey polled 600 people and had a 4% margin of error.

"Registered Oregon voters messaged a desire to maintain this ability to keep our communities safe," Marion County District Attorney Paige Clarkson said

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