



Alex Wittwer/EO Media Group, File

A nurse administers a COVID-19 vaccine to a student at Eastern Oregon University, La Grande, on May 4, 2021. Almost a year later, Oregon has launched a \$2.45 million app to make it easier to prove and verify someone has been vaccinated against COVID-19.

State launches digital vaccine card; unclear how many will use it

By FEDOR ZARKHIN
The Oregonian

SALEM — Oregon this week launched a \$2.45 million app aimed at making it easier to prove and verify that someone has been vaccinated against COVID-19.

The app's release comes nearly a month later than previously promised and after pandemic restrictions have been lifted.

The project has been in the works since at least November, when Oregon health officials spoke about it to state lawmakers. In early March, the health authority said it was "on track" to launch it by the end of the month, but the official rollout didn't happen until Monday, when the agency announced on Twitter that people could sign up.

By 8 a.m. Tuesday, 1,425 people had registered, Oregon Health Authority spokesperson Rudy Owens said in an emailed response to questions.

The concept of an easy-to-use app with verifiable vaccine information had appeal earlier in the pandemic, when entering some or all businesses required wearing a mask or displaying vaccination certification, creating logistical challenges for some companies and concerns about fake vaccine cards.

But state officials lifted requirements in March, prompting many, but not all, businesses to similarly stop masking measures or vaccination checks.

When asked, the Oregon Health Authority did not say Tuesday how many people it expects will use the tool. Nor did the spokesperson answer directly whether the cost of the project was justified for

the number of people OHA expected would use the tool.

"The My Electronic Vaccine Card provides an equitable and accessible means for all individuals to maintain their important health records, while also providing a convenience factor that means residents don't ever have to worry about not having or losing their cards if they need to use it," Owens said.

OHA's app provides people vaccinated in Oregon with another option — a digital QR code accessible by cellphone that, when scanned by a business, shows an individual's name, date of birth, when they got vaccinated and which vaccine they received. The tool does not work for people who were vaccinated outside of Oregon.

To get the QR code, a person has to go to myelectronicvaccinecard.oregon.gov, provide their name, date of birth and the email or phone number they gave when getting vaccinated. Once OHA verifies the person is in the statewide vaccination records, the agency sends a link with the QR code, which can then be stored on a phone as a photo, in a digital wallet or as a PDF file or printed out on paper. People can fill out an OHA form requesting help if the state doesn't verify their vaccination status.

Businesses, in turn, can scan the QR code through a different app, such as SMART Health Card QR Code, which according to the company does not store users' information.

The QR system will not be mandatory, and it is unlikely the digital card will replace existing methods businesses accept for proof of vaccination.

Oregon Court of Appeals overturns \$1B timber verdict against the state

By MATEUSZ PERKOWSKI
Capital Press

SALEM — The Oregon Court of Appeals on Wednesday, April 27, struck down a \$1 billion jury verdict that was intended to compensate 14 county governments for insufficient logging on state forestlands.

A law that requires Oregon to manage the forestland for the "greatest permanent value" does not create an "immutable promise" to maximize revenue for the counties, the appeals court ruled.

The appellate court said that "historically, 'value' has myriad definitions, some of which could relate to revenue production and others that do not relate to revenue production."

The statute also directs that forests be managed for the "greatest permanent value" to the state, rather than to the counties, which means the text falls short of the "clear and unmistakable intent" of making a contractual promise, the ruling said.

For that reason, a state judge in Linn County wrongly refused to dismiss the class action lawsuit against the state government, the ruling said.

John DiLorenzo, attorney for the counties, vowed to challenge the ruling before the Oregon Supreme Court because it "does not align with the law or the evidence we presented at trial."

The ruling doesn't take into account the economic



Mateusz Perkowski/Capital Bureau, File

The Oregon Court of Appeals on Wednesday, April 27, 2022, overturned a \$1 billion jury verdict intended to compensate 14 county governments for insufficient logging on state forestlands.

and social damage that rural communities have suffered after the state government changed its logging policies without input from the counties, he said in an email.

Oregon's leaders have decided the timber economy is inconsistent with their "urban values," but the resulting problems must be addressed to bridge the urban-rural divide, DiLorenzo said.

"The lack of productive employment in these communities has led to

substance abuse, violence, lack of educational opportunity and general hopelessness and despair," he said.

After a month-long trial in 1990, a jury determined the State of Oregon violated a contract requiring it to maximize revenue from forestlands donated by the counties in the 1930s and '40s.

State forests must be managed for the "greatest permanent value" by law, but the 14 counties claimed the Oregon Department of Forestry impermissibly

expanded that definition beyond its original intent.

Under language adopted in the late 1990s, the "greatest permanent value" was changed to include environmental and recreational considerations that restricted timber harvests, shortchanging the 14 counties and tax districts within them of revenues, the plaintiffs claimed.

Attorneys for Oregon appealed the jury verdict on the grounds that the counties didn't have an enforceable contract that dictated how state forest officials must manage the nearly 700,000 acres of donated property.

The law governing state forestlands pertains to "matters of statewide concern" that cannot be challenged in court by the counties, state attorneys claimed. As political subdivisions of the Oregon government, the counties cannot sue over such state policies.

Federal environmental laws enacted since the property was donated, such as the Endangered Species Act, also effectively limit how much timber can be extracted from state forestlands, according to state attorneys.

The counties claimed that Oregon forestry officials weren't obligated to create habitat for federally-protected species that resulted in logging restrictions. In any case, the counties said the state government can alter forest management policies but must still pay them damages for breaching the contract.

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Hansell, Lively appointed to the cultural trust board

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SALEM — State Sen. Bill Hansell, R-Athena, has been appointed to the Oregon Cultural Trust board of directors by Senate President Peter Courtney.

Hansell, a third-term senator who represents District 29 in Eastern Oregon, fills a spot held previously by Cliff Bentz, who now is the 2nd District Representative in the U.S. House.

"It's an honor to serve on the Cultural Trust Board of Directors," Hansell said in a press release. "I am excited for the opportunity and the work we will be able to accomplish."

A second appointee to the board, Rep. John Lively, D-Springfield, has ties to the region. Lively was born in La Grande and lived in Wallowa County before his family moved West in 1963. Lively, a former Springfield mayor who has been in the Legislature since 2012, was appointed by former House Speaker Tina Kotek, replacing former Rep. Margaret Doherty.

"Cultural arts are an important part of the quality of life in every Oregon community," Lively said.



Hansell



Lively

"It is an honor to serve on the Cultural Trust Board which supports efforts to sustain and enhance offerings throughout our state."

Hansell and Lively both will "serve in an advisory, ex officio non-voting capacity per the Cultural Trust statute," according to the release.

"We are extremely proud that two such passionate and dedicated Legislators have committed their talents to the Cultural Trust," Niki Price, chair of the Cultural Trust Board, said in the release. "We welcome their breadth of experience and expertise and know they will make substantial contributions to our work in protecting and strengthening Oregon culture."

The trust was established in 2001 by the state Legislature as an "ongoing funding engine" for arts and culture in Oregon. Residents gave a record \$5.55 million to the trust in 2021.

