

Local & State

Merkley: PERS should drop investments in prison firms

By Andrew Selsky
Associated Press

SALEM — The Oregon state employee pension fund should drop its investments in two prisons companies whose facilities have been used to detain immigrants, U.S. Sen. Jeff Merkley says.

Oregon has \$2 million invested in two prison companies, even though Oregon pioneered statewide sanctuary status. New York state and California recently dropped the same two companies from their own pension funds.



Merkley

"I think it's way past time for fundamental values to be reflected in our investment decisions," Merkley, a Democrat from Oregon, told The Associated Press late Monday when asked about

the investments. Merkley is a main critic in Congress of the Trump administration's immigration policies.

The Register-Guard newspaper in Eugene noted in a recent editorial that in 1987, the state Legislature passed the Oregon Anti-Apartheid Act, enabling the pension fund to divest from South Africa because of its brutal repression of majority blacks.

"Progress has been slow since then," the newspaper said.

As AP reported last week, Oregon's pension fund also has a \$233 million investment in Novalpina Capital, a private equity firm that with partners bought a majority share of NSO Group, an Israeli spyware company.

Human rights groups say NSO Group's spyware has been used by repressive regimes against human rights

defenders, journalists and political opponents in Mexico, the Middle East and North Africa.

Oregon treasury officials have said they cannot comment on private equity investments, which go into companies that are not publicly traded on a stock exchange.

Oregon State Treasurer Tobias Read's office has insisted that it can't drop the prison companies, CoreCivic and Geo Group, because they're part of an index fund, and only the index provider can determine what's added or dropped. If Oregon officials intervene, the pension fund would incur costs that violate the "paramount objective" of making money, Read's office said earlier this year.

California and New York dropped their investments despite the prison companies being in an index fund.

MARLA'S

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The shop originally was established in Cavallo's former BHS classroom to provide clothing and personal care items for students. After outgrowing the space, it was moved to several classrooms in the former North Baker Elementary School Building.

Today Marla's Mall offers clothing, shoes and personal hygiene items for men, wom-

en and children, all free of charge, regardless of income.

The shop also provides work experience for BHS students and several summer employment positions, the press release stated.

Just last month, October 2019, Marla's Mall had a record number of shoppers — a total of 514. Myers said she had just eight customers the first month she took over operating Marla's Mall.

At this time, Myers said she

is accepting small donations of clean clothing with neither holes nor stains. Other needs include hygiene items, backpacks, towels, kitchen items, blankets, sleeping bags, jewelry and small appliances.

Myers said she keeps items stocked for people with emergency needs, such as families displaced by a house fire.

Normally, Marla's Mall is open from 7:30 a.m. to 11:30 a.m. and 2:30 p.m. to 4 p.m. Monday through Thursday.

Hours are subject to change depending on the school schedule. Updates are posted on the Marla's Mall Facebook page.

During regular hours, shoppers are allowed to fill one large bag per month. Hygiene items are limited to one per family per month.

All items are free, but hangers, tables, fans, mannequins and items marked "display only" are to be left at the store.

Counties win timber suit against state, but what happens next?

By Mateusz Perkowski
Capital Press

SALEM — The \$1 billion award against the State of Oregon in a class action lawsuit over its forestry practices will likely be subject to lengthy appeals, but it may also put pressure on the government to consider settlement talks.

On Nov. 20, a jury found Oregon's government liable for breaching contracts with 13 counties and numerous taxing districts by logging an insufficient amount of timber from state forests, thereby costing them money.

The plaintiffs included Benton, Clackamas, Columbia, Coos, Douglas, Josephine, Lane, Lincoln, Linn, Marion, Polk, Tillamook, and Washington counties, and other taxing bodies within those counties and Clatsop County.

The counties that pursued the lawsuit originally donated more than 600,000 acres to the State of Oregon in return for timber revenues, but they argued the government violated those contracts by prioritizing environmental and recreational qualities in a 1998 rule change.

While the lawsuit was about the state government's contractual obligations to these counties, the case hinged on whether the "greatest permanent value" from those forests came from timber production or whether environmental and recreational considerations must also be considered.

"While we are disappointed in today's verdict, we believe there are strong arguments to be made on appeal, and we plan to appeal this decision," said Fred Boss, deputy attorney general with the Oregon Department of Justice.

The Oregon Department of Forestry believes the best long-term outcome for state's residents, including the plaintiff counties and taxing districts, is achieved with "balanced and science-based public forest management," said Liz Dent, chief of the agency's state forests division.

"We are disappointed that the jury did not agree, but we respect their time commitment and the disruption to their daily lives as they analyzed complex information and difficult legal questions," Dent said.

John DiLorenzo, attorney for the county governments, said the \$1 billion award shows that Oregon's forest managers can't unilaterally decide how the forests should be managed without considering the state's contractual obligations to the counties.

"I kind of consider this verdict a repudiation of the state's position that there's no contract and they don't need permission from their rural partners when they decide to change our deal," DiLorenzo said.

If the state government decides to challenge the validity of contracts with the counties, or argue that it has "sovereign immunity" that prohibits such lawsuits, the litigation may continue for years before the Oregon Court of Appeals and the Oregon Supreme Court, he said.

However, the county plaintiffs will try to convert the jury award into a court judgment as soon as possible, at which point the State of

Oregon may be liable for 9% annual interest if it eventually loses the case — increasing the verdict by \$90 million a year, he said.

"Certainly, they can talk to us about settling the case," DiLorenzo said. "Settlements can occur at any time."

When asked if a potential settlement would involve a change to Oregon's state forest policies, DiLorenzo said there's an "infinite" number of ways the problem could be ironed out, and may involve the Legislature weighing in on the situation.

"I hope our current governor gets interested in resolving this in a way that will help the people in these rural towns," he said.

Charles Boyle, press secretary for Oregon Gov. Kate Brown, said the verdict "was not an unexpected first step in what will be a lengthier legal process, and it would be premature at this point to make budget decisions based on the jury's decision."

Linn County, the lead plaintiff, will soon be discussing the verdict with other

plaintiff counties and taxing districts but is appreciative of the jury's decision, said Roger Nyquist, a Linn County commissioner.

"Going forward, this will create a lot of conversations and I think that's a good thing," Nyquist said.

The Wild Salmon Center and several other nonprofit groups tried to intervene in the case as defendants, but a state judge denied the request because the lawsuit dealt with contractual rather than environmental concerns.

Ralph Bloemers, an attorney with the Crag Law Center who represented those groups, said he expects the jury's verdict will be overturned on appeal.

"Since Oregon acquired these logged over lands in the Great Depression, Oregonians have invested millions of our tax dollars in fixing them for everyone's benefit," Bloemers said. "While we all use and enjoy wood products, state law recognizes that our forests also provide us with clean drinking water, fish and wildlife."

Enjoy your family & friends. Safe travels this Thanksgiving!



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LOCAL BRIEFING

Thanksgiving meals planned

• Calvary Baptist Church, at Third and Broadway streets in Baker City, will offer a free turkey dinner on Thanksgiving Day at 3 p.m.

• Thanksgiving dinner at the New Bridge Grange, about 3 miles north of Richland, at noon. In addition to a dinner provided by the Grange featuring turkey, ham, potatoes and gravy, everyone is invited to bring a side dish and dessert, and then stay after dinner for games including pinochle, dominoes, Yahtzee, Monopoly and other games that participants bring.

• NE Oregon Regional Thanksgiving Day Gathering & Potluck at the Churchill School Dancehall, at Broadway and 16th streets. Everyone is welcome to attend the event, which is planned from 1 p.m. to 5 p.m. on Thanksgiving Day, Thursday, Nov. 28.

A suggested donation of \$3 to \$5 per person, to support the Churchill School Art Center, would be appreciated.

Al-Anon Support Group forming

A local Al-Anon support group will have its first meeting on Wednesday, Dec. 4, from noon to 1 p.m. at the Baker County Library, 2400 Resort St. Al-Anon is a support group for people who are worried about someone who has a drinking problem.

The local group will meet Wednesdays at the same time and place. There will not be meetings on Christmas Day or New Year's Day.

More information is available by calling 509-420-0010.

Kiwanis Club photos with Santa Dec. 7

The Kiwanis Club of Baker City will have its annual photos with Santa event in partnership with the Festival of Trees Family Day on Saturday, Dec. 7, from 10 a.m. to 3 p.m. at the Baker County Event Center, 2600 East St. Cost is \$10 per sitting and includes two 5-by-7 or three 4-by-6 prints. Proceeds help pay for community projects.

Oregon Trail Interpretive Center offers free admission for all during December

Admission will be free for all visitors to the Oregon Trail Interpretive Center during December.

The Center, operated by the BLM, is about 5 miles east of Baker City off Highway 86.

The Center will shift to its winter schedule, open Thursday through Sunday from 9 a.m. to 4 p.m., starting Dec. 2.

A ranger-led tour will be offered at 2 p.m. daily to give additional insight into the lives of people who traveled on the Oregon Trail.

Pioneer skills will be demonstrated at 11 a.m. on Fridays and Sundays, including candle-dipping, rag doll tying and other pioneer crafts.

At any time, youngsters and the young at heart who fulfill the Junior Ranger challenge by completing fun activities while exploring the exhibits can take the Wagon Master's Pledge at the end and receive a prize.

Only a few weeks are left to explore "Uncanny Tales along the Oregon Trail" in the Flagstaff Gallery, highlighting the folklore that sprung up around the pioneer experience, and the role these tales play in the history of the Oregon Trail. This exhibit will close Dec. 20.

For a complete schedule of events and activities at the center, call 541-523-1843 or go to oregontrail.blm.gov

Huntington Historical Society Bazaar set

HUNTINGTON — The Huntington Historical Society's annual Christmas bazaar and fundraiser is set for Dec. 6 from noon to 5 p.m. and Dec. 7 from 10 a.m. to 2 p.m. at the Huntington School. There will be bingo games, hand-crafted gifts, baked goods and hot drinks. Santa will also make an appearance. The venue is wheelchair-accessible. More information is available by calling Jenny at 208-407-2701.

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