

## RESTAURANT INSPECTIONS

### MARION AND POLK COUNTY

*Semi-annual restaurant inspections from Jan. 7 to Jan. 29.*

#### Baskin-Robbins

**Location:** 1124 Wallace Road NW, Salem  
**Date:** Jan. 27  
**Score:** 100  
**No priority violations**

#### Bateman Foods

**Location:** 2655 Hyacinth St. NE, Salem  
**Date:** Jan. 15 (reinspected Jan. 29)  
**Score:** 95  
**Jan. 15: Priority violations**

■ Food-contact surfaces of equipment and utensils are not properly sanitized after cleaning, specifically: Hot water rinse cycle on the warewashing machine is only 152°F. **Point deduction: 5.**  
**Jan. 29: No priority violations**

#### Blackjacks

**Location:** 5249 Commercial St. SE, Salem  
**Date:** Jan. 28  
**Score:** 100  
**No priority violations**

#### Brew Coffee and Tap House

**Location:** 211 S Main St., Independence  
**Date:** Jan. 24  
**Score:** 100  
**No priority violations**

#### Burger King

**Location:** 1280 Lancaster Drive SE, Salem  
**Date:** Jan. 27  
**Score:** 100  
**No priority violations**

#### Chase Bar & Grill

**Location:** 1083 Monmouth St., Independence  
**Date:** Jan. 7 (reinspected Jan. 21)  
**Score:** 97  
**Jan. 7: Priority violations**

■ Temperature measuring devices are not provided or readily accessible for checking food temperatures, specifically: Thin-tipped thermometer is not on-site. **Point deduction: 3.**  
**Jan. 21: No priority violations**

#### Dairy Queen

**Location:** 320 Pacific Ave. S, Monmouth  
**Date:** Jan. 17  
**Score:** 100  
**No priority violations**

#### Dutch Bros.

**Location:** 2720 Newberg Hwy., Woodburn  
**Date:** Jan. 24 (reinspected Jan. 29)  
**Score:** 92  
**Jan. 24: Priority violations**

■ Potentially hazardous food is not maintained at proper hot or cold holding temperatures, specifically: Frost mix stored on top of ice measured 48°F. **Point deduction: 5.**

■ A handwashing sink does not provide the minimum water temperature or is not equipped

with a mixing valve or combination faucet, specifically: Maximum water temperature measured 69°F at the sinks after running water for over two minutes. **Point deduction: 3.**  
**Jan. 29: No priority violations**

#### Dutch Bros.

**Location:** 165 Pacific Ave., Monmouth  
**Date:** Jan. 27  
**Score:** 100  
**No priority violations**

#### Dutch Bros.

**Location:** 3794 Commercial St. SE, Salem  
**Date:** Jan. 28  
**Score:** 100  
**No priority violations**

#### El Cordobes

**Location:** 3316 Lancaster Drive NE, Salem  
**Date:** Jan. 13 (reinspected Jan. 29)  
**Score:** 87  
**Jan. 13: Priority violations**

■ Raw or ready-to-eat food is not properly protected from cross contamination, specifically: Raw cubed beef is stored above packages of cabbage in the up-right refrigerator. **Point deduction: 5.**

■ Potentially hazardous food is not maintained at proper hot or cold holding temperatures, specifically: Bag of chicken on top of a bag of beef in the steamer is at 118°F. **Point deduction: 5.**

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# Appeal Tribune

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**Oregon Gov. Kate Brown elbow-bumps student Charlie Abrams at a ceremony on March 10, 2020, where she signed a sweeping executive order for the state to reduce carbon emissions to combat global warming. Amid a spreading coronavirus outbreak, many people are no longer shaking hands and are coming up with alternatives, like the elbow bump.** ANDREW SELSKY, ASSOCIATED PRESS

## Kennedy

Continued from Page 1A

showed,” Kerry Hall said. “She was not going to go home without a title. She was a leader all weekend whether on defense or on the offensive end and it showed.”

Kennedy started fast in the title game, building a 17-4 lead after the first quarter, then cruised after that.

Carley was a unanimous first-team all-tournament selection, and Cantu also was a first-team selection for the Trojans.

Hailey Arritola was a second-team all-tournament selection for Kennedy, and the Trojans won the tournament’s



**Kennedy High School's girls basketball team won the 2020 2A state title, beating Monroe 48-26 in the championship game.** ANDRE PANSE / SPECIAL TO THE STATESMAN JOURNAL

sportsmanship award. “Girls came together for these last four games and played the best basketball we’ve seen them

play all season,” Kerry Hall said. “Couldn’t be more proud of them. They proved defense wins championships.”

## Justified

Continued from Page 1A

gun in his mouth for a time.

Officials said Bluestone demanded to see his wife and children but continued to refuse to put down his gun. Silverton Police called for assistance from other agencies, including Salem Police SWAT.

After more than one hour of attempting to negotiate, William Bluestone began yelling at Hein and Lamoreaux and then shot himself in the

chest.

In response to William Bluestone’s actions, Hein — who was unsure who Bluestone was shooting at — fired one shot and struck Bluestone in the abdomen as he was falling backward.

After disarming Bluestone, police attempted to perform life-saving measures. SWAT medics and EMTs also attempted to treat Bluestone, but he was pronounced dead at the scene.

Officials said the incident was captured on police body cameras, although the camera’s view is often obstructed

due to tight quarters and the fact that police were using ballistic shields for protection.

### Investigation

The officers involved were placed on paid administrative leave during the investigation.

An autopsy performed at the Oregon State Medical Examiner’s Office the following day determined that both bullets had passed through Bluestone’s heart and that either shot alone would have been fatal.

The Oregon State Police conducted the investigation and the Marion County District Attorney’s Office presented evidence to the grand jury.

The evidence included witness testimony, the medical examiner’s report, photographs, a Faro Scan and the police body camera recordings.

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## Action

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Democrats to pass an environmental proposal this year. Republicans walked out to avoid voting on it, causing the session to conclude days before the constitutional deadline.

That proposal, known as cap and trade, designed a market to let businesses trade allowances — essentially, permits to pollute.

While Oregon businesses were divided on cap and trade, supporters of that proposal have said that measures Brown can take as governor are harsher and less forgiving to business.

Jillions, though, was dubious.

“We think that ultimately the agencies are going to exceed their legislative authority and that we’ll get it struck down in the courts,” Jillions said. “So I don’t know that we necessarily agree with the premise that this is all going to be implemented and have a more dramatic impact.”

Jillions said Oregon Manufacturers and Commerce are working alongside chambers of commerce and the Oregon Farm Bureau as part of a group called the “Partnership for Oregon Communities.” They’ve already met with the “broader business community” once to discuss a potential lawsuit, Jillions said.

### Executive vs legislative authority

In a statement, industry group Oregon Business and Industry argued that Brown’s order “sets a concerning precedent about the use of executive administrative authority absent a statutory mandate from the

Legislature.”

“This use of executive orders is likely to lead to prolonged and costly litigation,” the statement said, adding that Oregon Business and Industry would “work with partners to review Gov. Brown’s orders and determine the appropriate course.”

Brown’s order also directs state agencies to take measures to boost efficiency through building codes and appliance regulations.

While his group’s lawyers are still poring over the order, Jillions pointed to the part of the order that would limit and shrink emissions from transportation fuels as an example of what business might find objectionable.

A similar provision in a Washington state clean air rule enacted by order from Gov. Jay Inslee was struck down in January by that state’s Supreme Court. The court limited the greenhouse gas cap to “stationary” sources of pollution, like factories. That decision also cut out suppliers of natural gas.

But Oregon has a broader definition of an air contamination source than Washington, said Greg Dotson, assistant law professor and an expert on energy and environmental law at the University of Oregon.

“It would be overly simplistic to say, because Washington Supreme Court says you can’t do it, they can’t do it here,” Dotson said. “And the reason is because the state laws are different.”

Jillions said business groups could potentially argue that the order exceeds the authority the legislature has delegated to those agencies.

Dotson asserts the governor has clear authority to issue the order. “I have no hesitation

saying that it’s perfectly appropriate for her to issue this executive order,” Dotson said. “... I think that what she’s essentially doing is organizing the internal operations of the government to use the authority that they already have to achieve the priorities of the governor, protect public health and welfare and the environment.”

Dotson also said that the order is clear throughout that each agency is to act within the authority state statutes give them.

Execution of order to be worked out

The order is “sweeping and comprehensive,” as the governor said Tuesday. But the many details of how the proposal would work — and its impact on Oregonians — are still up in the air.

It’s more likely that a business coalition would file a lawsuit once the agencies finalize rules through the administrative process, Jillions said.

At that point, it will become clearer what the agencies will actually do to enact the governor’s order.

Dotson said that the first clue of what the agencies might do will come May 15, when they’re required to submit reports on potential ways they can meet the governor’s order. And then, in turn, comes the rule-making process, which can take months.

“There’s clever lawyers out there,” Dotson said, “But I don’t really see any real lawsuit here for some time.”

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