

Oregon may not be able to block pot prosecutions

By **CLAIRE WITHYCOMBE**
Capital Bureau

SALEM — Several legal observers say that there are limited ways for Oregon to defend state-regulated cannabis businesses in the courts in light of changes to federal guidance on enforcement of the drug.

Marijuana has been legal under Oregon law since July 2015, but it remains illegal under the federal Controlled Substances Act.

U.S. Attorney General Jeff Sessions on Thursday rescinded an Obama-era policy, referred to as the Cole Memo, that guided federal law enforcement to focus on larger-scale violations of federal law rather than target state-compliant marijuana operations. The action opens even marijuana businesses complying with state regulations open to prosecution.

Sessions did not mandate such prosecutions, but instead gave federal prosecutors in each state authority to decide where they would focus their enforcement actions.

While it doesn't appear likely that Billy Williams, the U.S. attorney for of Oregon, will pivot in light of that

change, state officials say they are exploring legal options.

In a press conference Thursday, Gov. Kate Brown stressed what she called a coordinated effort among state, local and federal law enforcement to implement the Cole Memo's guidance.

"The result of all this collaborative work is that we have now a thriving marijuana industry," Brown said.

However, the governor did not provide any specifics on what legal recourse might be available to the state in the event that federal prosecutors pursue the state's cannabis industry.

"We've been in close communication with the state attorney general, Ellen Rosenblum, and will be pursuing all legal options available to us," Brown said.

On Thursday, Rosenblum said she would do everything in her legal authority to protect Oregon's regulated pot businesses, though neither she nor Brown proposed a specific strategy to block federal prosecutors from enforcing drug laws passed by Congress.

"... We are still monitoring any future decisions, and reviewing our legal options," Kristina Edmunson, a spokeswoman for the state Department of Justice, wrote in an email Friday.



Pamplin Media Group

Oregon officials say they'll fight to protect state-regulated cannabis businesses from federal prosecution, but offer no strategies.

ment of Justice, wrote in an email Friday.

'Sanctuary state'

Henry Wykowski, a San Francisco attorney specializing in cannabis, said Oregon could become a "sanctuary state" for marijuana, much like Oregon is a sanctuary state for undocumented immigrants.

A Democratic state assemblyman in California has pro-

posed a law there to do just that.

However, the state couldn't intervene in a criminal case brought by federal authorities, Wykowski said.

"What they could do would be to provide testimony that the conduct of the defendant is legal and regulated under Oregon law, and it's approved, and whatever they're doing is entirely legal," Wykowski said. "That

could be challenged, but that's the position I would advocate for them to take."

Perry Salzhauer, a Portland attorney and partner in the Green Light Law Group, a law firm specializing in the marijuana industry, said he wasn't sure whether testimony of that nature would be deemed relevant by a judge because there are no exemptions in the federal Controlled Substances Act for state compliance.

In a civil asset forfeiture

case, a state or locality could file a claim saying that the move was detrimental to their ability to collect taxes, as Berkeley did in a federal case brought against the Berkeley Patients Group, a medical marijuana outlet.

Although that claim was rejected in the trial court, the case was dismissed before an appeal on the city's complaint could be decided, Wykowski said.

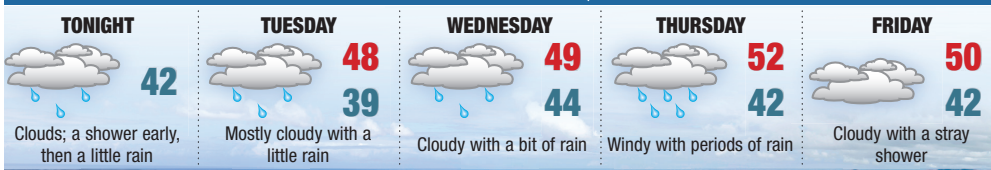
Protections for medical

A provision in federal law prevents the U.S. Department of Justice from spending money to interfere with the implementation of state medical cannabis systems, says Bear Wilner-Nugent, a Portland attorney.

To an extent, Wilner-Nugent says, Oregon's medical and recreational systems have been integrated: medical marijuana patients can buy the product in the same shops that recreational marijuana consumers do, although patients are exempt from paying state marijuana taxes.

So interfering with the system as a whole could bolster a state argument that the federal government was interfering with the medical system in a way that's not lawful.

FIVE-DAY FORECAST FOR ASTORIA



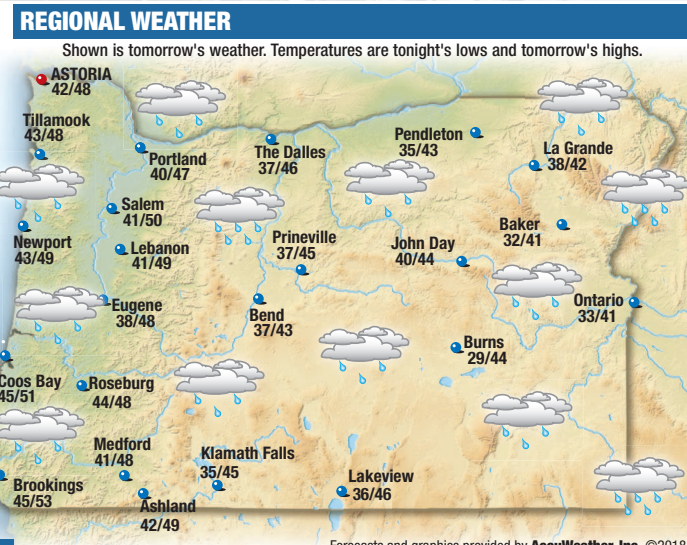
ALMANAC

Astoria through Sunday.

High/low	47°/42°
Normal high/low	49°/38°
Record high	67° in 1986
Record low	15° in 1974

Precipitation

Sunday	0.79"
Month to date	2.33"
Normal month to date	2.44"
Year to date	2.33"
Normal year to date	2.44"



SUN AND MOON

Sunset tonight	4:48 p.m.
Sunrise Tuesday	7:57 a.m.
Moonrise today	none
Moonset today	12:02 p.m.

Last New First Full
Jan 8 Jan 16 Jan 24 Jan 31

UNDER THE SKY

Tonight's Sky: The Last Quarter Moon (2:25 p.m.) is halfway between full moon and new moon.

Source: Jim Todd, OMS

TOMORROW'S TIDES

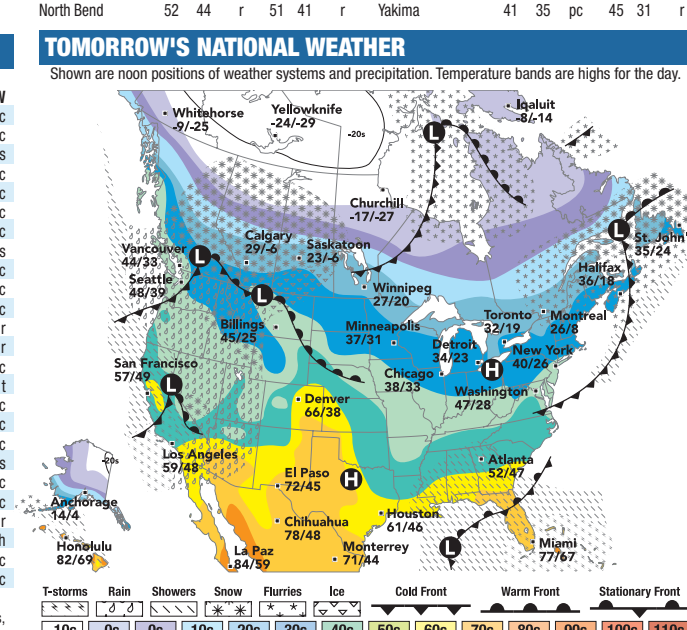
Time	High	Time	Low
7:15 a.m.	8.8 ft.	12:41 a.m.	1.6 ft.
7:45 p.m.	6.7 ft.	1:52 p.m.	2.1 ft.

NATIONAL CITIES

City	Hi	Lo	W	Hi	Lo	W
Atlanta	45	37	r	52	47	c
Boston	34	29	sn	39	20	pc
Chicago	37	22	c	38	33	s
Denver	59	36	pc	66	38	pc
Des Moines	39	26	pc	44	33	pc
Detroit	37	21	sn	34	23	pc
El Paso	68	43	c	72	45	pc
Fairbanks	-6	-17	s	-5	-18	s
Honolulu	82	70	pc	82	69	pc
Indianapolis	38	23	sn	38	33	pc
Kansas City	47	28	pc	47	35	pc
Las Vegas	57	49	c	57	46	r
Los Angeles	66	55	r	59	48	r
Memphis	44	38	r	50	45	c
Miami	78	67	sh	77	67	t
Nashville	41	36	r	50	43	c
New Orleans	63	52	r	60	55	c
New York	31	30	sn	40	26	pc
Oklahoma City	53	31	s	56	42	s
Philadelphia	33	29	sn	41	21	pc
St. Louis	42	25	c	46	39	pc
Salt Lake City	44	39	c	52	38	r
San Francisco	59	53	r	57	49	sh
Seattle	49	42	c	48	39	c
Washington, DC	38	31	r	47	28	pc

REGIONAL CITIES

City	Hi	Lo	W	Tues.	W	
Baker City	43	32	c	41	24	i
Bend	46	37	r	43	27	r
Brookings	53	46	r	53	42	sh
Eugene	45	38	r	48	36	r
Ilwaco	50	44	c	48	41	r
Klamath Falls	45	35	r	45	25	r
Medford	47	41	r	48	34	r
Newberg	47	41	pc	48	36	r
Newport	50	43	r	49	40	r
North Bend	52	44	r	51	41	r
Olympia	47	39	c	47	34	c
Pendleton	42	35	pc	43	33	r
Portland	47	40	c	47	37	r
Roseburg	48	44	r	48	40	r
Salem	49	41	r	50	37	r
Seaside	51	43	c	48	40	r
Spokane	38	32	c	37	28	r
Springfield	49	41	r	48	39	r
Vancouver	47	42	c	47	37	r
Yakima	41	35	pc	45	31	r



Oregon sues Monsanto for decades of PCB cleanup costs

By **JES BURNS**
Oregon Public Broadcasting

Oregon is suing the agro-chemical company Monsanto to help clean up toxic chemicals in the environment.

The suit, filed Thursday in Multnomah County Circuit Court, is seeking at least \$100 million to cover decades of cleanup of a now-banned group of chemicals called PCBs, or polychlorinated biphenyls, which the company manufactured.

The state alleges Monsanto knew of the toxic effects of the PCBs in its products,

yet continued to sell them. Now, Oregon Attorney General Ellen Rosenblum says the company needs to pay.

"We've spent millions of dollars cleaning up PCBs and we have legal standing to sue to recover the cost. So basically, we've spent the money. You guys caused the damage. We want you to pay for it," she said.

PCBs were widely used in flame retardants, paint and electrical insulation until being banned in 1979. The chemicals are toxic to wildlife and humans, and are extremely slow to break down in the environment.

They continue to contaminate waterways across the state, including the Columbia and Willamette rivers and Coos Bay.

Kevin Parrett of the Oregon Department of Environmental Quality says the state has been laboriously cleaning up PCB pollution for three decades. It's often a mechanical process that requires the removal or capping of contaminated sediment.

"We've estimated that DEQ has spent \$100 million that has been unrecovered. So obviously that's been a major impact on DEQ's budget," he said.

DEATHS

Jan. 7, 2018

DAHL, William J., 71, of Astoria, died in Astoria. Ocean View Funeral & Cremation Service of Astoria is in charge of the arrangements.

Jan. 5, 2018

BUCKNER, Lafonda

Yvonne, 79, of Warrenton, died in Warrenton. Ocean View Funeral & Cremation Service of Astoria is in charge of the arrangements.

VANDERVELDT, Charles Edward Jr., 56, of Astoria, died in Astoria. Caldwell's Luce-Lay-

ton Mortuary in Astoria is in charge of the arrangements.

Jan. 3, 2018

IVANOFF, Willard Asseri, 85, of Astoria, died in Portland. Caldwell's Luce-Layton Mortuary of Astoria is in charge of the arrangements.

PUBLIC MEETINGS

MONDAY

Ambulance Services Area Advisory Committee, 1 p.m., 800 Exchange St., Suite 430.

Youngs River Lewis & Clark Water District Board, 6 p.m., 34583 U.S. Highway 101 Business.

Cannon Beach Rural Fire Department Board, 6 p.m., Fire-Rescue Main Station, 188 Sunset Ave.

Seaside City Council, 7 p.m., City Hall, 989 Broadway.

TUESDAY

Astoria Homelessness Task Force, 10 a.m., Clatsop Community College, Patriot Hall EMT Classroom, 1651 Lexington Ave.

Port of Astoria Commission, 4 p.m., workshop, 10 Pier 1 Suite 209.

Clatsop Community College Board, 5:30 p.m., executive session to evaluate president (closed to public), 6:30 p.m., regular meeting, Columbia Hall Room 219, 1651 Lexington Ave., Astoria.

Cannon Beach City Council, 5:30 p.m., work session, City Hall, 163 E. Gower St.

Warrenton City Commission, 5:15 p.m., work session on pavement management, 6 p.m., regular meeting, City Hall, 225 S. Main Ave.

Astoria Planning Commission, 6:30 p.m., City Hall, 1095 Duane St.

Lewis & Clark Fire Department Board, 7 p.m., main fire station, 34571 Highway 101 Business.

LOTTERIES

OREGON

Sunday's Pick 4:
1 p.m.: 4-4-7-8
4 p.m.: 9-5-8-9
7 p.m.: 1-3-4-0
10 p.m.: 5-6-7-9

Sunday's Lucky Lines: 01-06-11-16-17-22-27-29
Estimated jackpot: \$15,000

Saturday's Pick 4:
1 p.m.: 9-0-1-8
4 p.m.: 3-6-8-5
7 p.m.: 3-7-8-0
10 p.m.: 3-2-8-3

Saturday's Lucky Lines: 03-08-10-13-19-21-25-32
Estimated jackpot: \$13,000

Saturday's Megabucks: 6-10-20-38-43-45
Estimated jackpot: \$6.3 million

Saturday's Powerball: 12-29-30-33-61, Powerball: 26
Estimated jackpot: \$40 million

Friday's Pick 4:
1 p.m.: 9-4-8-5
4 p.m.: 6-8-5-9
7 p.m.: 0-5-1-4
10 p.m.: 5-6-6-6

Friday's Lucky Lines: 03-08-10-16-18-23-28-32
Estimated jackpot: \$12,000

Friday's Mega Millions: 28-30-39-59-70, Mega Ball: 10
Estimated jackpot: \$40 million

WASHINGTON

Sunday's Daily Game: 4-7-3
Sunday's Keno: 04-07-10-11-12-18-21-27-28-30-32-38-40-43-62-71-73-76-77-78

Sunday's Match 4: 09-14-19-20
Saturday's Daily Game: 4-7-5
Saturday's Hit 5: 07-17-21-26-30
Estimated jackpot: \$190,000

Saturday's Keno: 02-12-17-24-27-28-30-31-40-42-46-47-51-53-59-64-67-68-70-80

Saturday's Lotto: 04-11-13-23-24-41
Estimated jackpot: \$1.5 million

Saturday's Match 4: 05-09-18-22
Friday's Daily Game: 1-5-2
Friday's Keno: 07-08-09-10-11-17-23-31-33-39-41-45-54-57-63-64-66-69-70-73
Friday's Match 4: 06-10-16-21

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The Daily Astorian

Established July 1, 1873
(USPS 035-000)

Published daily, except Saturday and Sunday, by EO Media Group, 949 Exchange St., PO Box 210, Astoria, OR 97103 Telephone 503-325-3211, 800-781-3211 or Fax 503-325-6573. POSTMASTER: Send address changes to The Daily Astorian, PO Box 210, Astoria, OR 97103-0210

www.dailyastorian.com

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Effective July 1, 2015

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EZpay (per month).....\$11.25	EZpay (per month).....\$16.60
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52 weeks in advance.....\$135.05	52 weeks in advance.....\$199.90

Circulation phone number: 503-325-3211
Periodicals postage paid at Astoria, OR

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