

# EAST OREGONIAN

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## OUR VIEW

# Voters must make sure Pendleton gives marijuana a chance

The majority of Pendleton voters that went to the polls in November supported the operation and taxation of both medical and recreational marijuana within city limits.

They expected the city would take steps, once the votes were tallied, to put that democratic voice into law.

Yet the proposed set of rules drafted by the city attorney and put before Pendleton council for the first time Tuesday are not business-friendly, and they would make it exceedingly difficult to operate in the city.

The rules are prohibitively expensive, duplicitous with state regulations, and leave the city vulnerable to lawsuit — thus putting local tax dollars on the line.

A quick rundown of the proposed rules include an \$850 non-refundable license application fee. Who would hand that check over to a city that has not shown it is open to such a business? If an applicant is approved, the city would then charge the business owner \$550 for a recreational business and \$300 for medical.

Such operations costs vary throughout Oregon.

In heavily regulated Portland (the city that, *ahem*, works) it costs \$975 to apply for a medical and recreational retail license. Once that license is approved, a medical retailer pays \$3,500 a year to operate and a recreational retailer pays \$4,975 annually.

But in Hood River, where there is no business license, retailers pay no fee to apply and no fee to operate. It's the same in Grant County and in the city of Huntington — and we'll leave it up to you to determine which municipality Pendleton resembles more.

Pendleton also plans to require mandatory owner and employee background checks, which is already a state requirement. It is unclear if the city plans to charge for and then pay for their own duplicitous checks, which would raise costs for everyone involved — city taxpayers

included.

And the zoning rules themselves go beyond the state regulations and limit possible business locations to a dozen or fewer commercial spaces.

Perhaps most head-scratchingly, Pendleton proposes charging marijuana shop owners an additional

fee to process the 3 percent local tax that the city is owed.

Only government can, with a straight face, charge you a fee for giving them money.

It's unnecessary, too. According to the Oregon Department of Revenue, they are

happy to collect that tax and pass it along to the city. Sure, Pendleton can do it themselves, but why set up that structure when only one or two such businesses will be located here? Hood River will use the Department of Revenue, via a policy created by the League of Oregon Cities. The city would get 96 percent of the local tax under that arrangement.

And that's the other thing: lawyers for the Oregon Cannabis Association are eyeing restrictions that are too onerous — which they will target with suits. It's underway in Eugene right now. If no business can operate here, Pendleton would be vulnerable to an expensive lawsuit.

The city of Pendleton, which can now tap into statewide marijuana dollars, gets a bigger slice of that pie for every business that operates here. It's better for the city's bottom line to have safe, successful operations right here. We bring in local tax dollars and get a bigger share from the state.

The city has until Jan. 3 to put their regulations in place. The proposal that was read for the first time Tuesday will go before the city council twice more, including at a Dec. 20 hearing. Pendleton voters, if they want the city to enact their will, should call their councilor or show up at a meeting in order to make sure Pendleton benefits from marijuana businesses.

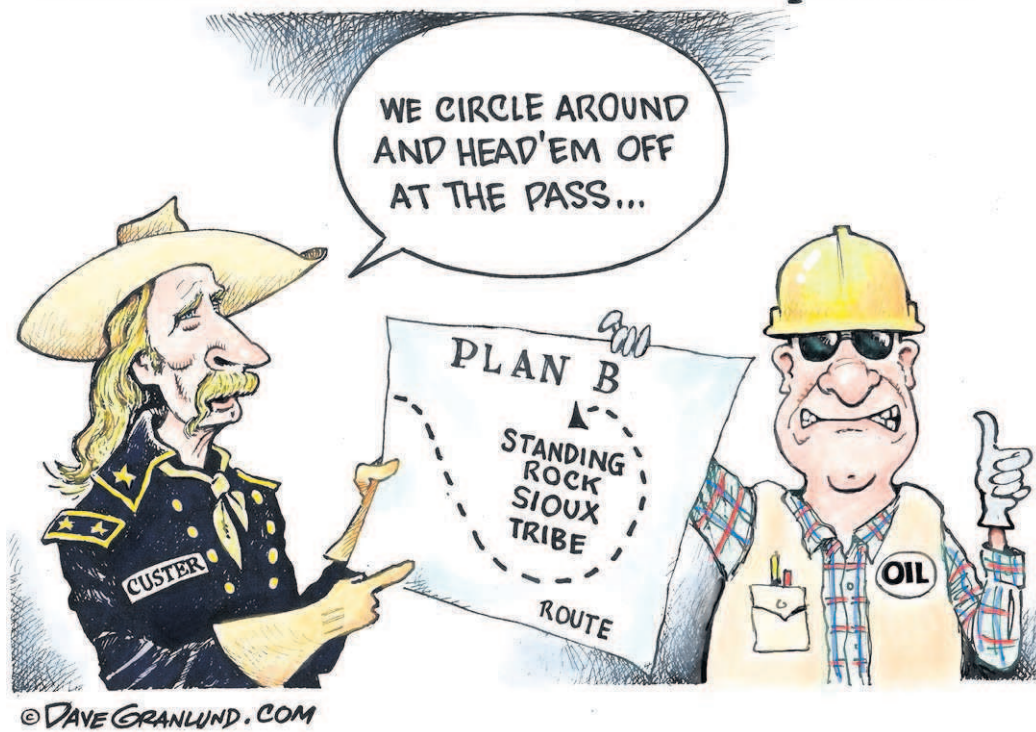
**Only government can, with a straight face, charge you a fee for giving them money.**

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## OTHER VIEWS

# Senate Democrats plan to 'Ashcroft' their good friend Jeff Sessions

There's been talk among some conservatives and Republicans that Democrats are plotting to "Bork" the nomination of Sen. Jeff Sessions to be attorney general. That's not right. What Democrats really hope to do is to "Ashcroft" the man soon-to-be Minority Leader Charles Schumer likes to call "my good friend from Alabama." Sessions' supporters have expected it from the moment President-elect Trump made the Alabama senator his first Cabinet pick.

Sixteen years ago, John Ashcroft was a Republican senator nominated by a Republican president who lost the popular vote but won the Electoral College after a particularly contentious election.

The 2000 race also left the Senate split 50-50, with Republican Vice President Dick Cheney breaking ties. In a power-sharing arrangement, the Judiciary Committee was evenly split, 9-to-9, with a Republican chairman.

If Democrats could stick together, they could hold Ashcroft to a 9-9 tie in committee, which would have allowed the nomination to go on to the full Senate, but would also have allowed Democrats to portray it as a vote of no confidence in a top George W. Bush appointee.

In Judiciary Committee hearings, Democrats attacked Ashcroft furiously. They extended the hearings to four days, called a long slate of outside witnesses, and attempted to portray Ashcroft as a kind of neo-Confederate, hyper-religious abortion fanatic who was, in the perennial favorite formulation of Democratic attacks on Republican nominees, "insensitive" on issues of race.

In the end, Ashcroft won the committee vote, 10 to 8, only because Democratic Sen. Russ Feingold, a friend of Ashcroft's, voted to move the nomination to the floor as an "olive branch" to the new administration. Democrats hated Feingold's apostasy, while Ashcroft, damaged but alive, eventually won confirmation.

Now, Republicans have a 52-48 advantage in the Senate and will likely have a one-vote advantage when the Judiciary Committee is formally organized in January. A party-line vote would win for Sessions. But that hasn't stopped Democrats from looking back to the Ashcroft precedent when, without a majority, they managed to beat up one of the new president's nominees.

In a letter Monday to Sen. Chuck Grassley, the Republican chairman of the Judiciary Committee, eight Democrats currently on the committee argued that Sessions' hearings should be at least as long and involved as Ashcroft's.

"John Ashcroft was a senator for only six years, serving on this committee until just before he was nominated to be attorney general," the Democrats wrote. "His confirmation hearings required four days, and included testimony from four members of Congress and 19 additional outside witnesses. Senator Sessions has served nearly 20 years in the Senate, more than three times longer



BYRON YORK  
Comment

than Attorney General Ashcroft ... His nomination will present a voluminous record spanning tens of thousands, if not hundreds of thousands of pages."

The Democrats — Patrick Leahy, Dianne Feinstein, Richard Durbin, Sheldon Whitehouse, Amy Klobuchar, Al Franken, Chris Coons and Richard Blumenthal — demanded that the committee hear from witnesses who will discuss Sessions' views on "immigration; violence against women; civil rights, including LGBT

protections; racial justice and hate crimes; workers' rights; national security and civil liberties; voting rights; criminal justice; and government conflicts of interest, transparency and oversight."

Sessions will receive a "tough vetting," promised Schumer, Sessions' good friend from New York who has taken part in many confirmation hearings on the Judiciary Committee but will leave the panel when he becomes minority leader in January.

Grassley is not ready to go along. "The confirmation process of John Ashcroft to be attorney general turned into an avalanche of innuendo, rumor and spin," the chairman said in a statement after meeting Sessions on Tuesday. "That will not happen here."

"The hearings for the four most recent attorneys general lasted one to two days each," Grassley continued. "And at each of those hearings, three to nine outside witnesses testified. Nine witnesses testified at the hearing for Attorney General Lynch, seven witnesses testified at the hearings for Attorneys General Holder and Mukasey, and three witnesses testified at the hearing for Attorney General Gonzales."

The bottom line from Republicans: No Ashcrofting.

Sessions has, of course, seen it all, from both sides. He was famously rejected by the committee in 1986 when he was nominated to a seat on the U.S. District Court in Alabama. (Many Republicans believe that Sessions' confirmation fight was a Democratic trial run for attacking the Supreme Court nomination of Robert Bork the next year, meaning Sessions was borked before Bork.)

Sessions went on to win a Senate seat in 1996, took a place on the Judiciary Committee, and was a vocal advocate for Ashcroft in the committee in 2001. He knows what is coming. But he also knows votes, and this time Republicans on the committee will have more votes than Democrats. The GOP can exercise more control over the hearing and witnesses than they could in the 9-to-9 days of the Ashcroft nomination. If Sessions can keep the support of all the Republicans on the committee — and there is no indication so far that any will defect — he won't face a repeat of the Ashcroft experience.

Byron York is the White House correspondent for National Review and the author of "The Vast Left Wing Conspiracy."

**Sessions has seen it all — from both sides.**

## OTHER VIEWS

# Say what, Al Gore, Ivanka Trump and Donald Trump?

Good for Al Gore for meeting with Donald Trump on Monday. Good for Ivanka Trump for inviting Gore to come in for a talk on climate change, and good for President-elect Trump for embracing the encounter.

Alas, though, a single meeting does not an environmental policy make; skepticism is in order. The ultimate proof will only come from the appointments Trump makes for his key environmental and energy jobs and the direction he gives them — whether to press ahead with U.S. leadership on mitigating climate change and introducing clean energy and efficiency standards, or abandon that role, as Trump previously indicated he might, and try to revive the U.S. coal industry and unleash more drilling for fossil fuels from sea to shining sea.

Ivanka clearly has an influence on her father's thinking, and the fact that she went out of her way to set



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up a meeting with Gore, who has done more to alert the world to the perils of climate change than anyone else on the planet, and the fact that Gore described the meeting as "a sincere search for areas of common ground ... to be continued," offer a glimmer of hope.

When my publisher had Trump in to *The Times* recently, it became clear to me that very few people had thought he would win the election, and so the people who were gathered around him for the last year and a half were not exactly America's best and brightest.

Extreme, long-shot campaigns often attract a Star Wars bar collection of extreme opportunists and conspiracy theorists — and the

Trump campaign was the Good Ship Lollipop for many such types.

For a man who seems to learn mostly from those in his friendship circle, or from TV news shows, such an unbalanced team made many of Trump's bad instincts worse. Some of those characters were from the coal and oil industries, and they saw in Trump their last chance to kill the renewable energy revolution at a time when many other Republicans were already moving on.

One hopes that Ivanka is telling her father that nothing would force his critics — in America and abroad — to give him a second look more than if he names serious scientists to the key environmental jobs.

And I suspect that Trump himself discovered during the campaign that outside of the U.S.' coal-mining regions, a vast majority of Americans understand not only that human-generated climate change is real — but also that when residents

of both Beijing and New Delhi can't breathe, clean energy systems will become the next great global industry. They represent a huge manufacturing export market.

It would be flat-out crazy for America to give up its leadership in this field by turning back to burning dirty lumps of coal when wind and solar are beginning to beat fossil fuels in price without subsidies.

I don't expect Trump to abandon his effort to increase oil drilling or to ban coal. But I laud Gore for trying to work with him on this issue, because if Trump was to embrace the science of climate change, it would be game over for the fossilized climate deniers who remain in his own party. (Many Republican lawmakers would be relieved.) It's also probably his single best peacetime possibility to unite Americans.

A fantasy? Maybe. But it is worth remembering how the last

Republican administration evolved. Texas oilman George W. Bush went from shocking the world by announcing a U.S. withdrawal from the Kyoto climate treaty to embracing "wind and solar" and calling for Americans "to address the serious challenge of climate change" in his 2007 State of the Union address.

Bush also appointed experts in environmental law and practitioners and directed them to promote clean energy through bipartisan legislation and regulation that remain the basis of a lot of policy today. Bush decried the fact that America was "addicted to oil" and ended up creating a "major emitters" conference that helped pave the way for the Paris climate agreement.

In short, I am not sure Trump realizes all this — that impugning climate science and just unleashing coal and oil would be a departure from the last two Republican administrations.