



Voters' Pamphlet

Oregon General Election
November 3, 2020

Certificate of Correctness

I, Bev Clarno, Secretary of State of the State of Oregon, do hereby certify that this guide has been correctly prepared in accordance with the law in order to assist electors in voting at the General Election to be held throughout the State on November 3, 2020. Witness my hand and the Seal of the State of Oregon in Salem, Oregon, this 21st day of September, 2020.

Bev Clarno
Oregon Secretary of State

Oregon votes by mail. Ballots will be mailed to registered voters beginning October 14.

BEV CLARNO
SECRETARY OF STATE



ELECTIONS DIVISION
STEPHEN N. TROUT
DIRECTOR
255 CAPITOL ST NE, SUITE 501
SALEM, OREGON 97310
(503) 986-1518

Dear Oregon Voter,

The information this Voters' Pamphlet provides is designed to assist you in participating in the **November 3, 2020**, General Election. I know it is hard to know what information to trust with all the information and misinformation we experience in our lives today, especially during a presidential election. Yours is a difficult job to sort through it all to make an informed decision. And while I know it is hard, I know you can and will do it.

We recognize that with unlimited sources of information it can be challenging to find information that is accurate and trustworthy. Fortunately, there are some simple questions you can ask yourself to help identify misinformation: 1) Is there any data or evidence presented to support the information? 2) Does this information seem designed to push my political buttons? 3) Is there something about this information that doesn't seem right or too bizarre to be true? 4) Who is sharing this information? 5) Does this individual or group have an agenda? Be an informed voter and don't believe everything you see or hear.

I can assure you that Oregon's elections are better and more secure than ever. Oregon elections officials work hard to make sure that every eligible Oregonian has the opportunity to register to vote and cast a ballot so that you, the voters, get to decide who wins the election and it is not impacted by the voting rules or system.

The biggest threat we have to elections today continues to be misinformation. It can be found in many sources — social media, traditional media, statements by candidates and elected officials, email lists, text message chains and mailers. Misinformation can even be spread through candidate statements and measure arguments in this voters' pamphlet. Candidates pay a fee to have the statements printed and they are not fact checked.

Ballots will be mailed beginning October 14. After you have filled out your ballot, you can return it by mail or take it to any official drop box. If returning by mail, no stamp is necessary because the postage has been pre-paid by the state and we encourage you to return it as soon as you can, but not later than October 27. Remember your ballot must be physically received at a county elections office or in an official drop box by **8 pm November 3**. Postmarks do not count! Although there has been much discussion about the post office recently, most of what has been reported is misinformation. We work closely with our postal partners and are confident service levels for your ballot continue to be high as they were in the May Primary. To track your ballot or to find your nearest drop box, visit oregonvotes.gov/myvote.

It has been an honor to serve you as Secretary of State. Conducting elections in a nonpartisan way and having record turnout in the May Primary is something we all can be proud of together. Other states continue to look to Oregon as election pioneers and I am happy to have been able to play a part.

Sincerely,

Bev Clarno
Oregon Secretary of State

Voters’ Pamphlet

General Election
November 3, 2020

Displaced by wildfire?

You can still vote! To learn how,
visit or call:

 **oregonvotes.gov/fires**

 Your county elections office

Table of Contents

General Information	
County Contact Information	4
Dates to Remember	5
Oregon Voter Bill of Rights	11
Party, Candidate & Measure Information	13
Election Results	24
Voter Registration Information	158
Voter Registration Card	159
Voting Information	
Frequently Asked Questions	6
Don't Be Fooled	8
Election Security	9
Voters with Disabilities	10
Voting & Ballot Prohibitions	12
Political Party Statements	
Constitution Party	14
Democratic Party	15
Independent Party	16
Libertarian Party	17
Pacific Green Party	18
Progressive Party	19
Republican Party	20
Working Families Party	21
Candidates	
List of Candidates & Measures	22
Partisan Candidates	26
Nonpartisan Candidates	46
Index	
Index of Candidates	25
Measures	
Measure 107	48
Measure 108	60
Measure 109	84
Measure 110	120

This is a joint voters' pamphlet.

County Voters' Pamphlet starts after page

80

To save on mailing and production costs a county that prepares a voters’ pamphlet may insert the pamphlet into the center of the state voters’ pamphlet for distribution. It includes information about candidates and measures from local governments located within the county.



For questions about:

- registering to vote
- updating your registration
- absentee ballots
- elections and voting
- completing and returning your ballot
- signature requirements
- replacement ballots



Contact your County
Elections Office.

Deschutes County

1300 NW Wall St Ste 202
Bend, OR 97703-1960

PO Box 6005
Bend, OR 97708-6005

541-388-6547

TTY 1-800-735-2900

fax 541-383-4424

elections@deschutes.org

www.deschutes.org

Español

Algunas partes del Guía del Elector están disponibles en español en línea en oregonvotes.gov. Le invitamos a imprimir y compartir la versión en línea con aquellos electores que no tienen acceso al internet.

vote!

Dates to Remember



→ **Tuesday, October 13**

Last day to register to vote or
change political party affiliation
for this election.

→ **Wednesday, October 14**

First day for counties to mail ballots



→ **Tuesday, November 3**

Election Day

Ballots must be received by 8 pm



oregonvotes.gov/myvote

Use this online tool to check or update your
registration status and track your ballot.

How do I vote in Oregon?

In Oregon, we vote by mail. There are no polling places. Instead you can complete your ballot anywhere you choose. There are privacy booths available at your county elections office.

Your county elections office will automatically mail you a ballot packet for every election that you are eligible to vote in. Inside the packet, you will find the ballot and instructions on how to complete and return the ballot. [Follow the instructions!](#)

What if my ballot doesn't come?

Your ballot packet will automatically be mailed to you between **October 14** and **October 20**. If you have not received your ballot packet by **October 23**, call your county elections office.

What if I've moved?

Ballots are not forwardable. If you were registered to vote by **October 13** but now have a different address, call your county elections office for instructions on how to update your registration and receive a ballot.

How do I get a ballot if I will be out of town when ballots are sent?

Absentee ballots are available 45 days before the election. You must complete the Absentee Ballot Request Application at oregonvotes.gov/myvote or call your county elections office.

Can I vote online?

There is no online voting in Oregon. A ballot may be emailed to a military or overseas voter, but there is no website where you can cast a ballot.

Do I have to vote on every office or measure?

No. You don't have to vote on every contest. Those you do vote on will still count.

What if I make a mistake, damage or lose my ballot?

If your ballot is lost, destroyed, damaged or you make a mistake in marking your ballot, you may call your county elections office and request a replacement ballot.

Can I change how I voted?

If you have not yet returned your ballot, you can change how you voted. Follow the instructions included with your ballot. Once you have put your ballot in the mail or official drop box it is considered cast and cannot be changed.

How do I return my ballot?

You can return your ballot by mail or take it to any county elections office or official drop box. You can find the nearest drop box, along with a map of how to get there, at oregonvotes.gov/dropbox or by contacting your county elections office.

Do I have to pay postage?

If returning by mail, no stamp is necessary because the postage has been pre-paid by the state.

When are ballots due?

Your voted ballot must be physically received by a county elections office or be in an official drop box by **8 pm, Tuesday, November 3**. [Postmarks do not count!](#) County elections offices are open election day from **7 am to 8 pm**.

How can I track my ballot?

As a registered voter, you can track the status of your ballot at oregonvotes.gov/myvote.

Will my ballot be counted if I forgot the secrecy envelope or sleeve?

The county elections office will maintain the privacy of your ballot if you forget the optional secrecy envelope or sleeve and your ballot will still count.

Why do I have to sign the outside of my ballot return envelope?

Your signature is a security measure used to verify identity. County personnel who have received training in forensic handwriting analysis compare it to signatures in your voter registration record. Your ballot may only be counted if the signatures match.

If your signature does not match the county will notify you. You will have until 14 days after the election to prove you were the one who signed the envelope.

Can I ask a family member to sign the envelope for me?

Only the voter may sign the ballot return envelope. Power of Attorney documents do not apply to voting. If you cannot sign your name you may use a signature stamp or other indicator as your signature. Contact your county elections office for more information.

What if I forget to sign the ballot return envelope?

If you forget to sign your ballot envelope the county will notify you. You will have until 14 days after the election to sign the envelope.

Is my vote really kept secret?

Yes, how you voted is secret, but whether or not you returned your ballot is public record. To ensure your vote remains a secret, your ballot is separated from the return identification envelope before it is reviewed.

What is a Provisional Ballot and why do I need one?

If there is a question about your eligibility as a voter or you need to vote at a county elections office in a county other than the one you live in, you will be issued a provisional ballot. In order to obtain a provisional ballot, you need to fill out a Provisional Ballot Request Form in person at the county elections office. Your provisional ballot will not be counted until it is determined that you are eligible to vote.

When will election results be known?

Initial results are released at **8 pm November 3** and will continue to be updated through election night. Final certified results will be available 30 days after the election.

What is the Electoral College?

Established in the US Constitution, the Electoral College is the group of people (electors) who meet to select the president and vice president. Each state has as many electors in the Electoral College as it has US Representatives and US Senators. Oregon has 7 electors.

When you vote for a presidential candidate you are not voting directly for the candidate. Instead you are voting for the 7 people who have pledged to support that candidate. Oregon's Electoral College votes will be cast by the electors who support the candidate who receives the most votes in Oregon.

How do I file a complaint?

Any registered voter may file a written complaint alleging that a violation of an election law has occurred. The complaint should provide evidence showing a violation. The complaint must be signed by the elector. Anonymous complaints will not be accepted. The complaint should be sent to:

Secretary of State, Elections Division
255 Capitol St NE, Suite 501
Salem, OR 97310

Would you...

give someone going door to door your ballot to put in a drop box for you?

Not safe. In 2018, 97 people did this and had their vote not count because the ballot was turned in after Election Day. Don't be fooled.

believe a talk radio personality who says your political party is changed when you go to DMV?

Not true. The political party you are registered with never changes because of a DMV transaction. If you are not already registered you will be registered as not affiliated. Don't be fooled.

believe a story that non-citizens are registered to vote when they get a driver's license?

Not true. Only individuals who show proof of citizenship at DMV are automatically registered to vote. Don't be fooled.

believe a social media post, phone call or text message that your voter registration has been cancelled?

Not true. Anytime your voter registration is updated, you are sent a confirmation of the changes. Don't be fooled.

register to vote on a website you saw on social media instead of registering at the official Secretary of State site, oregonvotes.gov/register?

Not safe. In 2018 many people used third party sites thinking they were registering to vote. But the information was never sent to the Elections Division and they could not vote. These sites can also steal your personal info. Don't be fooled.

trust election information like deadlines, drop box locations and results from any website other than the official Secretary of State site, oregonvotes.gov?

Not safe. Only use official information located on the Secretary of State's website or your county elections website. Don't be fooled.

believe a social media post that says your ballot can be rejected without you knowing about it?

It can't. If your ballot is rejected you will be notified and may have the chance to fix it. Plus you can view the status of your ballot at oregonvotes.gov/myvote. Don't be fooled.

believe a social media post that says because of record high voter turnout, Democrats vote on Tuesday and Republicans vote on Wednesday?

Not true. All ballots are due by 8 pm, Tuesday, November 3, 2020. Don't be fooled.

believe a picture on social media with the same candidate listed twice and another candidate missing?

Not true. People have photoshopped ballot images before. Don't be fooled.

believe a headline that says it is too late to secure the upcoming election?

Not true. Election security in Oregon has never been stronger and is continually being improved. Don't be fooled.

Don't Be Fooled



Ensuring the Accuracy of Your **Vote!**

Oregon elections are secure. They're secure, not because there aren't any threats, but because we have detailed processes and procedures in place that are continuously evaluated to identify improvements and to develop contingency plans, ensuring our systems and our votes are secure.

Some security measures you may be more familiar with than others. For example the signature on your ballot return envelope is compared to the signatures in your voter registration record and your ballot is only counted if the signatures match. Another security feature is that all elections in Oregon must be conducted using a paper ballot.

Other security features which you may not be as familiar with include:

- Every county elections office files a security plan with the Secretary of State every year that details the tools and processes they use to secure elections in their county.
- Each day a copy of the voter registration database is backed up and saved to ensure accurate information is preserved should a bad actor gain access.
- All voting systems (machines and programs) used to count ballots in Oregon have been certified by a federally accredited voting system test laboratory and have been further analyzed to ensure the system is secure before the Secretary of State approved of their use.
- The Department of Homeland Security has conducted onsite physical and cyber threat assessments at each of Oregon's 36 county election offices.
- All ballots are counted in secure rooms at each of Oregon's 36 county election offices. Security cameras are in place to record 24 hours a day. No voting systems are connected to the internet.
- The Oregon TIGER (Threat Information Gathering and Election Resources) Team identifies threats and vulnerabilities to Oregon's election system and applies the resources of federal, state, and local governments to mitigate those threats and vulnerabilities. Members of the TIGER Team consist of the Oregon Elections Division, US Cybersecurity and Infrastructure Security Agency, Oregon Emergency Management, Oregon Chief Information Officer- Cyber Security Services, Oregon National Guard, Oregon Titan Fusion Center, US Postal Service Inspector General's Office and FBI.
- Prior to any ballots being counted, counties test voting systems for logic and accuracy. This testing entails marking test ballots and running them through the vote counting machines to ensure results produced by the voting machines match how the test ballots were marked. This same process is followed after the election to confirm there was no change to the programming.

The US Department of Homeland Security and the FBI have confirmed that no vote tally systems in Oregon, or anywhere else in the US have been hacked. You can have confidence that your ballot will be counted as you mark it and that there will be no tampering with the ballot at any step in the election process. Voting in Oregon has never been more secure or more accurate.



Voters with Disabilities

For more detailed information on accessible voting contact **your county elections office**. County contact information is on page 4.

What are the different ways I can vote?

→ HTML ballot

You mark this ballot using any computer with assistive technology, print and return it. You may also use the accessible tablets or computer stations located in every county elections office.

→ Large print ballot

→ Ask for help

Who can help me vote my ballot?

→ Anyone except your employer or union

You can get help from a friend, family member or other trusted person. Under Oregon law you cannot receive help from your employer or union.

→ County Voting Assistance Team

You do not have to ask for help from someone you know. County Voting Assistance Teams are available to help you vote your ballot privately and independently.

What if I cannot sign my ballot return envelope?

→ You may use a signature stamp or other indicator as your signature

You must complete a signature stamp attestation form along with a voter registration card before using the stamp or mark to sign your ballot envelope.

What other accessible resources are available?

→ Statewide Voters' Pamphlet

Available in digital audio or accessible text at oregonvotes.gov.

→ Easy Voting Guide

Available in print and accessible HTML at easyvotingguide.org.

You have the right to **vote!**

If you are a US citizen, live in Oregon, are 18 years old and have registered to vote.

- **You have the right** to vote even if you are homeless.
- **You have the right** to vote if you have been convicted of a felony but have been released from custody, even if you are on probation or parole.
- **You have the right** to vote even if you have a guardian and even if you need help reading or filling out your ballot.
- **You have the right** to vote or cast your ballot if you are in line by 8pm on Election Day.
- **You have the right** to know if you are registered to vote.
- **You have the right** to choose whether or not you want to register as a member of a political party.
- **You have the right** to use a signature stamp or other mark but first you have to fill out a form. No one can sign for you.
- **You have the right** to ask for help from elections staff or from a friend or family member. There are some people who cannot help you vote, for example, your boss or a union officer from your job.
- **You have the right** to a secret vote. You do not have to tell anyone how you voted.
- **You have the right** to get a “provisional ballot,” even if you are told you are not registered to vote.
- **You have the right** to get a new ballot if you make a mistake.
- **You have the right** to vote for the person you want. You can write in someone else’s name if you don’t like the choices on your ballot.
- **You have the right** to vote “yes” or “no” on any issue on your ballot.
- **You have the right** to leave some choices blank on your ballot. The choices you do mark will still count.
- **You have the right** to use a voting system for all Federal Elections that makes it equally possible for people with disabilities to vote privately and independently.
- **You have the right** to know if your ballot, including a “provisional ballot,” was accepted for counting.
- **You have the right** to file a complaint if you think your voting rights have been denied.

for more information about voter rights



1 866 673 8683

se habla español

TTY 1 800 735 2900

for the hearing impaired



It is against the law to:

- sign another person's ballot return envelope for them
- vote more than once in an election or cast a fraudulent ballot
- vote a ballot if you are not legally qualified to do so
- coerce, pressure or otherwise unduly influence another voter
- sell, offer to sell, purchase or offer to purchase another voter's ballot
- obstruct an entrance of a building in which a voting booth or official ballot dropsite is located
- deface, remove, alter or destroy another voter's ballot, a posted election notice or election equipment or supplies
- attempt to collect voted ballots within 100 feet of an official ballot dropsite
- establish a dropsite without displaying a sign stating "Not An Official Ballot Dropsite"

Any violations of the identified election laws are subject to civil and/or criminal penalties.

For more information about voting in Oregon or
if you think your rights as a voter have been violated

 **oregonvotes.gov**



1 866 673 8683

se habla español

TTY 1 800 735 2900

for the hearing impaired

Political Party Statements

At the General Election, a statewide political party may file for inclusion in the state voters' pamphlet, a statement that argues for the success of its principles and the election of its candidates on a statewide or county basis or opposes the principles and candidates of other political parties or organizations on a statewide or county basis. Included in this pamphlet are statements from all statewide political parties. They appear in alphabetical order.

Candidates

Oregon statute (ORS 254.155) requires the Secretary of State to complete a random order of the letters of the alphabet to determine the order in which the names of the candidates will appear on the ballot.

The alphabet for the **2020 General Election** is:

P, M, W, T, F, Z, A, B, I, R, J, H, U, Q, C, G, N, K, L, X, V, Y, D, E, O, S

Candidate statements included in the pamphlet are separated by office type and position and are further arranged in the same random order in which the names of candidates will be printed on the ballot.

Statements are arranged in the following manner:

- partisan candidates by position in ballot order
- nonpartisan candidates by position in ballot order

Candidates pay a fee, or submit signatures in lieu of paying the fee, for space in the voters' pamphlet. The information required by law—pertaining to occupation, occupational background, educational background and prior governmental experience—has been certified as true by each candidate.

Measures

Measures are proposed changes to the Oregon Constitution or to state laws. For the measure in this voters' pamphlet you will find the following information:

1. the ballot title;
2. the estimate of financial impact;
3. the complete text of the proposed measure;
4. the explanatory statement; and
5. arguments filed by proponents and opponents of the measure.

Ballot Title

The ballot title is drafted by the Attorney General's office and distributed to interested parties for public comment. After review of any comments submitted, a ballot title is certified by the Attorney General's office. This certified ballot title can be appealed and may be changed by the Oregon Supreme Court.

Estimate of Financial Impact

The estimate of financial impact for each measure is prepared by a committee of state officials including the Secretary of State, the State Treasurer, the Director of the Department of Administrative Services, the Director of the Department of Revenue and a local government representative selected by the committee members. Working from information provided by state agencies and comments provided in a public hearing process, the committee estimates only the direct impact on state and local governments. The estimate assumes that the measure will be implemented as stated and expresses annual costs in ranges wherever it can be calculated accurately.

The committee also consults with the Legislative Revenue Office to determine whether the measure may have an impact on the overall state economy, should appropriate analysis be available. Further explanation of the estimate can be added by the committee in a second statement if they view it to be necessary. Only the procedures used by the committee, not the content of the statement, can be challenged in the Oregon Supreme Court.

Complete Text of the Measure

This provides you with the actual changes that will be made by the measures to the Oregon Constitution or to state laws.

Explanatory Statement

The explanatory statement is an impartial statement explaining the measure. Explanatory statements are written by a committee of five members, including two proponents of the measure, two opponents of the measure and a fifth member appointed by the first four committee members, or, if they fail to agree on a fifth member, appointed by the Secretary of State. Explanatory statements can be appealed and may be changed by the Oregon Supreme Court.

Measure Arguments

Any person or organization may file arguments in favor of, or in opposition to, a measure on the ballot by purchasing space for \$1,200 or by submitting a petition signed by 500 voters. Arguments in favor of a measure appear first, followed by arguments in opposition to the measure, and are printed in a random order within each category.

Disclaimer

Information provided in statements or arguments by a candidate, a political party, an assembly of electors, or a person supporting or opposing a measure have not been verified for accuracy by the State of Oregon.

Constitution Party

All our nominees are pledged to defend the following three Principles, (1) The Creator God in heaven, made known to us through the Holy Scriptures, rules in the affairs of men and is the ultimate King, Lawgiver, and Judge of all mankind. He is to be honored and His Word is to be heeded if we expect to receive His blessing on the works of our hands individually or corporately; (2) the Family is the first and highest civil institution designed by God to propagate, educate, and nurture human life. Both Church and State are to support and defend that institution; and, (3) God has assigned the first priority of civil government to protect innocent human life from conception to natural death, to protect freedom of conscience, and to protect private property.

We are pleased to offer you a true choice in the candidates we present to you.

No longer do you need to vote for the incrementally lesser of two evils. When you see one of our candidates on your General Election ballot, you can know that they stand for what is right, not what is just politically expedient. They are all committed to restoring the Constitutional Republic that our Founders gave us. Our candidates are not backed by monied interests. Typically, you will see them on the ballot only, not here in the voter's pamphlet, which would cost each candidate lots of money.

To provide you this choice we must satisfy Oregon ballot access requirements. This forces us to run at least one statewide partisan candidate each election cycle and achieve a minimum percentage of the vote or we must have a minimum number of voters registered with our party. Please help us avoid the unfortunate need to run our good candidate against another party's good candidate, by registering with us to meet the other requirement. Do it immediately after the Primary Election.

The Constitution Party of Oregon maintains that our true heritage is freedom.

God-fearing men founded our nation. They wanted freedom from human tyranny. They wanted to obey the dictates of their consciences in accordance with the Bible. Oregon's history as a state is rooted in the desire of Native Americans to have the truth of the Book of Heaven, as they called the Bible. There are memorials on the capitol grounds of Oregon reminding us of the part that missionaries had in the formation of our state's civil and educational institutions. We know that the first missionary to Oregon, Jason Lee, was truly the Father of Oregon, assisting in the drafting of our state constitution and founding Willamette University that began as a mission school for Native Americans.

Government derives its just powers from the consent of the governed.

Oregon Constitution, Article I, Section 1, "... all men, when they form a social compact are equal in right: that all power is inherent in the people, and all free governments are founded upon their authority, and instituted for their peace, safety, and happiness..."

Our rights are inalienable, coming from the hand of the Creator.

Our system of laws is based on the Judeo-Christian moral code.

The powers of the federal government in our Republic are restricted to those specifically granted in the Constitution of the United States.

Vote your conscience; don't vote out of fear or greed!

You rarely hear from us, because it takes money to do mailings and we don't have your email address or phone number. If you pay Oregon income tax you can make a refundable gift of \$50 (couples can give \$100) to the Constitution Party of Oregon every year, even if you are unable to volunteer in any other capacity. Please consider doing this. Call for details. Hope to hear from you soon...

Check us out at: www.constitutionpartyoregon.com

Chairman Jack Brown

1252 Redwood Avenue #68

Grants Pass OR 97527

(541)659-4313

(This information furnished by Constitution Party of Oregon.)

Democratic Party

**The Democratic Party of Oregon – over one million strong,
fighting for progress and working to elect Democrats from all corners of Oregon.**

We are a Party of more than one million Oregonians, coming from all walks of life, from all kinds of backgrounds and communities, and from all regions of our great state. **That diversity is our strength**, and reinforces the core beliefs that tie Democrats together:

Democrats believe that **we're greater together than we are on our own** – that this country succeeds when everyone gets a **fair shot**, everyone does their **fair share**, and everyone **plays by the same rules**. Our party is focused on building an economy that **lifts up all Americans**, not just those at the top.

The last four years have been a dark time for our nation.

Trump has marched us into the darkness by worsening already existing cultural divisions and forging new ones. He points a hateful finger and creates enemies out of neighbors. His incessant verbal bile pummels a hurting nation as he purposefully works to turn Americans against one another. Trump and his enablers are cruelly negligent and liable for unnecessary pain, suffering, and death across the country. No one is safe from their mismanagement and greed. More than 180,000 Americans are dead from COVID-19. Countless jobs and businesses have been lost while the wealthiest line their thick pockets even further.

Instead of addressing the pandemic or extending relief to millions of jobless Americans, the Trump administration has chosen a path that tears families apart, puts children in cages, unleashes blatant attacks on our democracy and elections, and turns their outright disdain for BIPOC communities into policies that further reinforce inequities and institutional racism. Meanwhile, Republicans at all levels of government sit idly by as millions of American lose everything.

Oregon Democrats are ready to take back our nation.

Oregon Democrats proudly stand with Joe Biden and Kamala Harris in the fight to save the soul of our nation. Our Democratic leaders – Sen. Ron Wyden, Sen. Jeff Merkley, Governor Kate Brown, our Democratic Congressional team, Oregon Attorney General Ellen Rosenblum, Treasurer Tobias Read, Labor Commissioner Val Hoyle, and our Democratic Legislators – have led the nation in resisting the Trump agenda. This election cycle, Democrats in Oregon are united to:

- Elect **Joe Biden** as our next President of the United States and **Kamala Harris** as our nation's first woman and person of color to serve as Vice President.
- Take back the U.S. Senate and grow our majority in the House of Representatives, by re-electing Sen. **Jeff Merkley**, Rep. **Peter DeFazio**, Rep. **Earl Blumenauer**, Rep. **Kurt Schrader**, Rep. **Suzanne Bonamici**, and electing **Alex Spenser** in the 2nd Congressional District.
- Protect our democracy by voting for State Senator **Shemia Fagan**, a voting rights champion who will protect Oregon elections, to serve as Oregon's next Secretary of State.
- Return progressive leaders like Oregon Attorney General **Ellen Rosenblum** and Treasurer **Tobias Read** to office.
- Build on the largest investment in Oregon's kids and education in our state's history, by maintaining and growing our **Democratic majorities in the Oregon House and Senate**.
- **Elect local Democrats** to key positions across Oregon.

Oregon Democrats recommend the following votes on November statewide ballot measures:

Yes on Measures 107, 108, 109, 110

We invite all Oregonians to join us in affirming our determination that Oregon continue to become a beacon of opportunity, tolerance, and freedom. Read more about the Democratic Party, what we stand for, and how to get involved at www.dpo.org, on Facebook at www.facebook.com/ORDems, on Twitter at @ORDems, and on Instagram at @OregonDems.

(This information furnished by The Democratic Party of Oregon.)

Independent Party

A 2018 PEW poll found only 40% of Americans have a favorable view of either the Democratic or Republican parties. In a recent poll 61% of Americans and 71% of millennials said we need a third major party. Are you one of them?

The Independent Party of Oregon (IPO) is that third party.

- We're the fastest growing party in Oregon, adding over 120,000 members since 2007.
- We have 31 candidates on the general election ballot for statewide and legislative offices.
- About 6.5% of all local office holders (city council members, commissioners, mayors) are IPO members.
- We're highly informed, rational, non-tribal voters.
- We support policies that are good for all citizens, even when it means we share in some sacrifice.
- Our platform is fiscally responsible, socially liberal, and environmentally aware.
- We fight to prevent big money from buying government policy at all levels of government.

If you agree, send a message: CHANGE YOUR REGISTRATION TO INDEPENDENT PARTY.

Search: "Oregon voter registration" and click on "Update"

Ordinary citizens don't have enough influence over government policy. Government is not accountable, and politics has become too partisan and dominated by special interests and their money. There is not enough problem-solving.

We work to:

- Oppose spending on inefficient government programs.
- Reduce special interest and "big money" influence over all government processes.
- Increase transparency in government, especially on how tax dollars are spent.
- Improve education and job training opportunities for Oregonians.
- Protect the environment from all types of insult.
- Protect Oregon consumers from ripoffs and abuse.
- Provide incentives for business creation and expansion in Oregon, but only if the incentives return greater public benefit than they cost.

We have led several fights in the Oregon Legislature for effective disclosure of campaign contributions, for transparency in government, and for more citizen participation in elections.

2020 PLATFORM

Our 2020 expanded platform (indparty.com/platform) is based on our member surveys. Our goal is to align public policies with the priorities of ordinary citizens in the areas of health care, education, campaign and ethics reform, and environmental policy. See our past Voters' Pamphlet statements at indparty.com/vp.

COMMUNITY BASED CANDIDATES

We support candidates who have the backing and trust of their local communities, not the special interests that dominate the Republican and Democratic agendas. These special interests accounted for 97 percent of the \$133 million spent on Oregon political campaigns in 2016 and most of the \$31 million spent on state-level lobbying. [UPDATE THESE NUMBERS?] In contrast, our small-donor democracy program provides support services for first time candidates.

WE ARE HAVING AN IMPACT

In 2017, we began urging the Oregon Legislature to strengthen regulations on industrial polluters. Neither the Republicans nor Democrats would confront large polluters. 3/4ths of all industrial polluters in Oregon were operating under invalid permits that in some cases were decades old. The EPA in 2015 revealed that Multnomah County and Portland are among the

1 to 2 percent worst places in America for airborne illness – including lung cancer – due to the high levels of pollution from industrial and vehicle emissions, particularly diesel trucks.

After a 2018 audit by Oregon's Secretary of State revealed that the Department of Environmental Quality was failing to meet its core regulatory functions, a coalition succeeded in passing the first major overhaul of the state's regulation of industrial polluters in more than two decades.

We were central to the coalition that reformed campaign finance in Multnomah County in 2016 and Portland in 2018. We also led the way in stopping the Legislature from making Oregon's campaign finance laws even worse. The Center for Public Integrity ranks Oregon's campaign finance system as the worst in America – except for Mississippi.

OREGON BALLOT MEASURES:

YES on Measures 107, 108, 109, 110

REGISTER AS INDEPENDENT PARTY MEMBER AND VOTE

www.indparty.com/register

VOTE. THINK. BE. INDEPENDENT.

www.indparty.com — info@indparty.com — 503-437-2833

(This information furnished by Independent Party of Oregon.)

Libertarian Party

The Libertarian Difference

When you vote for someone, do you typically *support* what the candidate says, or are you voting *against* someone you think will make things worse? Does it seem like government isn't listening to the calm voices explaining that well-meaning policies have real, serious, undesired consequences? That they might make things worse, not better?

If you want something different, you need to support something different. Join the Libertarian party, and vote for Libertarian candidates!

We are the only political party offering you *a true alternative* to the Democrats and Republicans who think they know how to spend your money better than you do and who outlaw what they think are bad decisions. Libertarians stand on principle and champion your freedom to do what you want with both your life and your money. We want to compassionately unravel our overbearing government while minimizing the pain to those who have been made dependent on it.

Libertarian Party Statement of Principles

We, the members of the Libertarian Party, challenge the cult of the omnipotent state and defend the rights of the individual.

We hold that all individuals have the right to exercise sole dominion over their own lives, and have the right to live in whatever manner they choose, so long as they do not forcibly interfere with the equal right of others to live in whatever manner they choose.

Governments throughout history have regularly operated on the opposite principle, that the State has the right to dispose of the lives of individuals and the fruits of their labor. Even within the United States, all political parties other than our own grant to government the right to regulate the lives of individuals and seize the fruits of their labor without their consent.

We, on the contrary, deny the right of any government to do these things, and hold that where governments exist, they must not violate the rights of any individual, namely:

1. the right to life – accordingly we support the prohibition of the initiation of physical force against others;
2. the right to liberty of speech and action – accordingly we oppose all attempts by government to abridge the freedom of speech and press, as well as government censorship in any form; and
3. the right to property – accordingly we oppose all government interference with private property, such as confiscation, nationalization, and eminent domain, and support the prohibition of robbery, trespass, fraud, and misrepresentation.

Since governments, when instituted, must not violate individual rights, we oppose all interference by government in the areas of voluntary and contractual relations among individuals. People should not be forced to sacrifice their lives and property for the benefit of others. They should be left free by government to deal with one another as free traders; and the resultant economic system, the only one compatible with the protection of individual rights, is the free market.

Be A Libertarian

If these principles appeal to you, we invite you to switch your voter registration to "Libertarian" to join the cause of advancing liberty and freedom. There are never any dues or fees required to participate in our elections or conventions, or to be a candidate for public office, and party leadership is directly elected by our members. There are many opportunities for true grassroots activism.

Please vote **NO** on Measure 107. The political contribution limits allowed by this measure would make it impossible for us to continue our privately-funded primary elections. (Democrats and Republicans have *their* primary election conducted at *taxpayer* expense.) Our primary election is what enables us to run more candidates for public office than all other minor parties combined, giving you genuine choices on your ballot. Don't let the diversity of candidates be collateral damage from imposing political contribution limits. Blocking our primary election does *nothing* to fight corruption. Electing Libertarians to office *does* fight corruption.

For more information, visit our website: <http://lporegon.org>
Facebook group: <http://www.facebook.com/groups/lporegon>

(This information furnished by the Libertarian Party of Oregon.)

Pacific Green Party

Pacific Green Party: Neither Left, Nor Right - But Up Front!

Leading the Way to a Green Economy for the 99%

The global pandemic and the emergence of the critically important Black Lives Matter movement demonstrates how the Pacific Green Party has consistently been at the forefront of political innovation.

The Green Party platform has always called for **universal health care** (never more important than now) and **reparations** to help right the series of wrongs this country has inflicted on our African American citizens.

Green Party members serve in governments throughout the world, across the country, and right here in Oregon. We are united by Four Pillars: Grassroots Democracy, Sustainability, Non-violence and Social Justice.

We support:

- **Ranked Choice Voting** -allows you to vote for the candidate you really want, knowing your vote will always count. Voters rank candidates in order of preference instead of voting for just one candidate. **Ranked Choice Voting (RCV) means there are no more "spoiler" candidates and no more "wasted votes."** RCV will be used this election in Benton County thanks to Greens. It is used in Maine, Ireland, Australia, and San Francisco, and will be used soon in New York City. FMI: fairvote.org/rcv
- **The Green New Deal-divest from militarization and carbon fuels and invest in an economy based on sustainability, conservation and equity. Recognizing the rights of nature to exist,** persist, maintain and regenerate its vital cycles, as well as the right to restoration, which will create living wage jobs by repairing infrastructure while decreasing our dependence on non-sustainable fossil fuels and chemicals. Fully support all workers in a transitional economy. Our country has always found the money to subsidize Big Business. Instead, it's time that our taxes went to support working people!
- **Economic and social justice** –Defund militarized police agencies and end the cash bail system. Treat addiction and mental illness as issues for medical treatment and not jail. Protect community rights above profits: communities have a right to protect themselves from toxic chemicals and rogue corporations. **Fund and develop affordable housing; house the homeless and implement a living wage** so people don't have to spend more than 30% of their income on housing. We need immigration reform and we must stop putting children in cages! Fund child care for all!
- **Universal Health Care– The global pandemic, and historic levels of unemployment, show how inadequate and insane it is to tie health insurance to employment.** We should settle for nothing less than comprehensive health care for all--including dental, vision, and mental health care.
- **End Corporate "Personhood"** – because money is property, not speech; corporations are legal entities, not persons. FMI: movetoamend.org

Support our Green Party Candidates

Howie Hawkins, President

Angela Walker, Vice President

Ibrahim Taher, U.S. Senate

Alex DiBlasi, U.S. Congress 3rd District

Daniel S. Hoffay, U.S. Congress 4th District

Nathalie Paravicini, Secretary of State

Chris Henry, Treasurer (*Endorsed*)

Shauleen Higgins, OR Senate District 5

Jim Hinsvark, OR Senate District 9 (*Endorsed*)

Tim Dehne, OR House District 17

Alex Polikoff, OR House District 23

Mike Beilstein, Benton County Board of Commissioners

www.gp.org/platform

Join us! Change your party registration at OregonVotes.gov or tear out and use the page in the front of this voter guide.

Already a Green? Help us reach you. The state voter database does not have your phone or email. Please update your name and contact information at pacificgreens.org.

Take action, contact us: PacificGreens.org (541) 516-6059, info@pacificgreens.org, facebook.com/pacificgreens @pacificgreens

(This information furnished by Pacific Green Party.)

Progressive Party**OUR CANDIDATES**

Chris Henry	State Treasurer	Ibrahim Taher	U.S. Senate	Sarah Iannarone	Portland Mayor
Nathalie Paravicini	Secretary of State	Jackie Leung	State House #19		
Dario Hunter	U.S. President	Alex Polikoff	State House #23		

We fight for economic justice, human rights, environmental protection, and grassroots democracy.

WE OPPOSE: the corruption of elections by Big Money, Wall Street bailouts, wars in Afghanistan and Iraq/Syria, “corporate personhood,” and WTO and other “free trade” agreements that let corporations destroy policies to protect labor, the environment, and consumers.

WE SUPPORT: real campaign finance reform, Medicare for All, equal rights (including same-sex marriage), and \$15 (at least) minimum wage for all, now.

We are very different from the Establishment parties.

	Democratic	Republican	Progressive
Real campaign finance reform, particularly <u>in Oregon</u>	NO	NO	YES
“Medicare for All” comprehensive health care	NO	NO	YES
Oregon Green New Deal; tax emissions that cause climate change; invest in efficiency and renewables	NO	NO	YES
Demilitarize the Police – Ban Choke Holds	WEAK	NO	STRONG
Equal rights for all; same-sex marriage	NUVR*	NO	YES
End “corporate personhood” & constitutional rights for corporations	NO	NO	YES
Use Instant Runoff or Ranked Choice voting to break 2-party domination	NO	NO	YES
Create Independent Redistricting Commission to prevent gerrymandering of Congressional and Legislative districts	NO	NO	YES
Increase minimum wage to living wage (\$15 or more) <u>now</u>	NO	NO	YES
Employment for all (public works projects, WPA style)	NO	NO	YES
Increase income taxes on big corporations and the wealthy	NO	NO	YES
Strictly regulate toxic air pollution, including diesel emissions	NO	NO	YES
Oppose “free trade” deals; support local products & services	NO	NO	YES
Oppose Wall Street bailouts	NO	NO	YES
Repair, improve infrastructure (transit, water systems, etc.)	WEAK	NO	STRONG
Oppose wars in Iraq, Afghanistan, Syria; bring troops home now	NO	NO	YES
Slash military spending and foreign bases	NO	NO	YES
Enable grass-roots efforts to effectively use the initiative and referendum, including electronic signatures to avoid spread of disease	NO	NO	YES
Establish an Oregon State Bank to provide funds for infrastructure, education, etc., without Wall Street fees	NO	NO	YES
No shipping fossil fuels for export from Pacific Northwest ports, including Jordan Cove	NO	NO	YES
Oppose offshore oil & gas drilling	NO	NO	YES
Require labeling of genetically engineered food	NO	NO	YES

*NUVR = Not Until Very Recently

OREGON ISSUES

Real Campaign Finance Reform: Oregon Democrats and Republicans have never enacted limits on political campaign contributions. **Campaign spending for Oregon state offices has skyrocketed from \$4 million in 1996 to \$50 million in 2016 to \$71 million in 2018.** Winning a contested race for the Legislature (about 10-15,000 votes needed for a House seat) now typically costs over \$750,000 and sometimes over \$1 million per candidate. Oregon Legislature candidates rely more on big contributors (over \$1,000) than anywhere other than California and Illinois.

The Center for Public Integrity ranks Oregon 2nd worst of 50 states in control of “Political Financing” to avoid corruption, beating only Mississippi.

Get involved at honest-elections.com.

Invest in Oregon: Oregon's \$115 billion of state investment funds should be invested in public works and jobs for Oregonians, instead of being sent to vulture capitalists, corporate raiders, leveraged buyout artists, and fossil fuel corporations. **We need a State Bank.**

Fair Taxation: Oregon has the 4th highest income taxes of any state on lower-income working families and is still at the bottom in taxes on corporations.

Stop Government Promotion of Gambling: Including video poker.

Other Issues: See our testimony on hundreds of bills at the Oregon Legislature: progparty.org/leg

“YES” ON THESE OREGON MEASURES AND LOCAL MEASURES:

107	campaign finance reform	108	increase tobacco taxes
109	legalize psilocybin (mushroom) treatments	110	decriminalize possession of some drugs

PORTLAND MEASURE 26-213 (levy for parks)**MULTNOMAH COUNTY MEASURES:**

26-211 (bond for libraries) 26-214 (universal pre-school)

TROUTDALE MEASURE: 26-212 (elect “top 3” city councilors)

progparty.org --- info@progparty.org --- 503-548-2797

(This information furnished by Progressive Party.)

Republican Party**Had enough? Vote Republican!**

The following are recent examples of failed Democrat leadership in Oregon:

- Unrestrained rioting, violence and destruction in Portland, which is now spreading across Oregon
- Mismanagement of the COVID-19 pandemic, resulting in catastrophic small business losses
- Record level unemployment with no relief for hundreds of thousands of Oregon employees
- No viable plan for re-opening schools, leaving parents and students fearful and uncertain
- Denied citizens the right to fully protect themselves as guaranteed by the Constitution
- Attempted to deprive Oregon's working families of jobs using faulty environmental policy
- Attempted to deprive Oregon's families their right of medical and religious freedom
- Failed to address the PERS crisis that threatens the economy and government retirees
- Overturned the will of the voters by granting Oregon driver's licenses to illegal aliens
- Overturned the will of the voters by reversing ballot measures that limited taxation
- Repeatedly supported the use of the "emergency clause" on Non-emergency legislation

Oregon is in decline under Democrat leadership

Upon her election Governor Kate Brown promised to increase state government transparency and represent the needs of all Oregonians. Instead, with the help of key Democrat legislators, she has blocked access to public information and repeatedly exhibited a blatant disregard for the will of the voter, even to the point of denying voters their right to vote on issues.

When Governor Brown does not get her way legislatively, she bypasses the legislative process with executive orders to implement policies that are destroying the lives and livelihoods of tens of thousands of Oregon families, such as happened with Cap and Trade, which does nothing to improve the environment. These policies cost Oregonian's dearly every year. Meanwhile, pressing issues like homelessness and the PERS crisis go unaddressed.

Governor Brown's leadership style is that of a dictator looking after their own special interests while pursuing a highly partisan agenda driven by out-of-state interests that allows for no compromise. This arrogance and overreach has resulted in eroding freedoms and opportunity for Oregonians and has earned her the rating of 4th most unpopular governor in the U.S. She has abused her office and create a toxic political environment that can no longer be tolerated by Oregonians.

It is time to replace the governor and her enablers in the legislature.

Help restore Oregon by becoming a PCP in your county

Over 700,000 registered Republicans make up the grassroots of the Oregon Republican Party. Precinct Committee Persons (PCPs) are chosen from among those Republican voters to organize and advocate for Republican principles in their own neighborhoods and communities. They volunteer to help elect Republican candidates to office.

The PCPs also control the Oregon Republican Party. They elect the office holders in their county Republican party, who in turn set policy for and elect the officials of the state party. The PCPs also select the delegates to the state and national Republican conventions.

PCPs, and the county party officers they elect, are the primary organizing and directing force for the thousands of additional Republican volunteers who rise up from the electorate to work on behalf of Republican principles and candidates.

Principles that will allow Oregon to prosper again

- The strength of our nation lies with the individual. Each person's dignity, freedom, ability, and responsibility must be protected and honored.
- Equal rights, law and order, equal justice and equal opportunity for all Americans, regardless of race, creed, sex, age or disability must be preserved.
- Free enterprise has made America a land of opportunity, economic growth, and prosperity. A free market economy is required for a free people.

As a registered Republican we invite you to join us in restoring Oregon!

Oregon Republican Party

info@oregon.gop

<https://oregon.gop>

503-595-8881

752 Hawthorne Ave NE, Salem, OR 97301

(This information furnished by Oregon Republican Party.)

Working Families Party

What is the Oregon Working Families Party?

The Oregon Working Families Party is about building an Oregon that works for all of us, not just the wealthy and well connected.

How do we build political power for working people?

The Oregon Working Families Party is a minor political party that uses fusion voting, which allows us to cross-nominate candidates from major parties if they support our values and our issues. If not, we can run our own candidates, but we prefer not to be spoilers or to waste your vote.

What does it mean when you see “Working Families” next to a candidate’s name?

It means you know that they have our seal of approval -- and you can vote for them with the confidence that they will do the best job of fighting for working people.

What do we stand for?

THE OREGON WORKING FAMILIES PARTY PLATFORM

A Democracy that Works for the 99%

We vigorously fight any efforts to suppress voters. We must eliminate the ability of wealthy donors and corporations to buy politicians and protect the integrity of our voting system from all threats, foreign and domestic.

Building Worker Power

We demand fair rules and legislation that strengthen unions and create fair working conditions for everyone. We encourage all workers to form or join unions and bargain collectively to determine their terms and conditions of employment. We must restore the right to strike.

Health Care and Housing for Everyone

Health care and quality housing are human rights. Society has an obligation to be certain that everyone has a decent place to live, access to health care, clean air, clean water, and a healthy climate. It’s long past time for us to join the rest of the world by establishing improved and expanded Medicare for all. Everybody in, nobody out.

Quality, Free Education

Quality education is the backbone of any society. We must make public pre-K- 12 a priority again and eliminate schemes that siphon public funds from the public system. From universal preschool to higher education -- including trade schools, public colleges, and universities – all must be tuition free.

Fixing our Broken Criminal Justice System

We demand an end to mass incarceration and the for-profit prison system. We oppose minimum sentencing requirements that have resulted in the world’s largest prison population. We demand accountability for police misconduct. We also must end forced arbitration schemes used to shield the abuse of corporations.

Comprehensive Immigration Reform

Our party stands for fair comprehensive immigration reform that realigns legal immigration standards to reflect today’s conditions, a system not based on race. The two decades old experiment called ICE has failed; it’s time to eliminate ICE.

Creating a State Bank

We don’t need billionaire bankers. We need a state owned bank to support small businesses and family farms and keep Oregon’s money in Oregon.

Fair Trade, Fair Economy

We need trade rules that build strong economies among all trading partners, that enable enforcement of domestic labor and environmental laws, and that regulate and tax global capital. We fight for a just transition away from the global fossil fuel economy that guarantees working families sustainable livelihoods for generations to come.

Tax the Rich

It’s high time that wealthy individuals and corporations pay their fair share of taxes. Their greed impacts every aspect of our lives. We must reestablish the tax rates of the 1950’s and 60’s when our country built a strong middle class and the infrastructure necessary for a strong economy.

The Oregon Working Families Party will leave no one behind. Join us!

We are working to create a party that represents all working people of all identities. Vote for OWFP-nominated candidates and help us build an organization that can truly represent working people in Oregon politics. www.OWFP.org

(This information furnished by Working Families Party of Oregon.)

Partisan Candidates

President

Donald J Trump / Michael R Pence
Republican

Joseph R Biden / Kamala D Harris
Democrat

Jo Jorgensen / Jeremy (Spike) Cohen*
Libertarian

Howie Hawkins / Angela Walker*
Pacific Green

Dario Hunter / Dawn Neptune Adams*
Progressive

US Senator

Jo Rae Perkins
Republican

Jeff Merkley
Democrat, Independent, Working Families

Ibrahim A Taher
Pacific Green, Progressive

Gary Dye
Libertarian

US Representative

2nd District
Robert Werch*
Libertarian

Cliff Bentz
Republican

Alex Spenser
Democrat

Secretary of State

Nathalie Paravicini
Pacific Green, Progressive

Kyle Markley
Libertarian

Kim Thatcher
Republican, Independent

Shemia Fagan
Democrat, Working Families

State Treasurer

Michael P Marsh
Constitution

Tobias Read
Democrat, Working Families

Chris Henry
Independent, Progressive, Pacific Green

Jeff Gudman
Republican

Attorney General

Ellen Rosenblum
Democrat, Independent, Working Families

Lars D H Hedbor*
Libertarian

Michael Cross
Republican

State Senator

27th District
Eileen Kiely
Democrat, Working Families

Tim Knopp
Republican, Independent

28th District
Hugh Palcic
Democrat, Independent

Dennis Linthicum
Republican

30th District
Carina M Miller
Democrat

Lynn P Findley
Republican

State Representative

53rd District
Jack Zika
Republican, Libertarian

Emerson Levy
Democrat, Independent

54th District
Cheri Helt
Republican, Independent, Libertarian

Jason Kropf
Democrat, Working Families

55th District
Barbara Fontaine
Democrat

Vikki Breese-Iverson
Republican

59th District
Arlene C Burns
Democrat, Independent, Working Families

Daniel G Bonham
Republican

Nonpartisan Candidates

Judge of the Supreme Court

Position 4
Christopher L Garrett*

Judge of the Court of Appeals

Position 9
Jacqueline S Kamins*

Judge of the Circuit Court

11th District, Position 4
Alycia N Sykora

*Candidate chose not to submit a voters' pamphlet statement.

This is a complete listing of federal and state candidates for the November 3, 2020, General Election, as prepared by the Secretary of State for counties covered in this pamphlet. County and local government candidates are listed only if those offices are eligible to appear in this pamphlet. The ballot you receive may include additional local candidates and measures that do not appear in this pamphlet.

Measures

107

Amends Constitution: Allows laws limiting political campaign contributions and expenditures, requiring disclosure of political campaign contributions and expenditures, and requiring political campaign advertisements to identify who paid for them

108

Increases cigarette and cigar taxes. Establishes tax on e-cigarettes and nicotine vaping devices. Funds health programs.

109

Allows manufacture, delivery, administration of psilocybin at supervised, licensed facilities; imposes two-year development period

110

Provides statewide addiction/recovery services; marijuana taxes partially finance; reclassifies possession/penalties for specified drugs

vote!

Oregon



View unofficial election results

starting at 8 pm on November 3

Unofficial results will be updated through election night. Final certified results will be available December 3.



results.oregonvotes.gov

Name	Page
Bentz, Cliff	32
Biden, Joseph R	27
Bonham, Daniel G	45
Breese-Iverson, Vikki	44
Burns, Arlene C	45
Cross, Michael	38
Dye, Gary	31
Fagan, Shemia	35
Findley, Lynn P	41
Fontaine, Barbara	44
Gudman, Jeff	37
Harris, Kamala D	27
Hawkins, Howie	28
Helt, Cheri	43
Henry, Chris	37
Hunter, Dario	29
Jorgensen, Jo	28
Kiely, Eileen	39
Knopp, Tim	39
Kropf, Jason	43
Levy, Emerson	42
Linthicum, Dennis	40
Markley, Kyle	34
Marsh, Michael P	36
Merkley, Jeff	30
Miller, Carina M	41
Palcic, Hugh	40
Paravicini, Nathalie	34
Pence, Michael R	26
Perkins, Jo Rae	30
Read, Tobias	36
Rosenblum, Ellen	38
Spenser, Alex	32
Sykora, Alycia N	46
Taher, Ibrahim A	31
Thatcher, Kim	35
Trump, Donald J	26
Zika, Jack	42

President



Donald J Trump

Republican

Occupation: President of the United States of America

Occupational Background: CEO, Trump Organization

Educational Background: Wharton School of Business, University of Pennsylvania, Philadelphia. New York Military Academy.

Prior Governmental Experience: None

As your President, nothing is more important to me than upholding my oath to the Constitution and protecting the citizens of this country. Unfortunately, the elected politicians in Portland have forsaken their oath, allowing a violent criminal organization calling themselves "Antifa" to take over the city streets of Portland and other bedrock communities across the state of Oregon.

For too long, the failed Democrat politicians in Oregon have allowed lawlessness to run rampant. Families are less safe and businesses are forced to close their doors, stifling economic prosperity. This is not the America we all know and love.

You have my solemn promise as President that I will continue to do everything in my power to put an end to the vicious destruction in your beautiful state. Those who violate the law and sow chaos will be brought to justice.

Failed leaders like the Portland Mayor and the radical antifa mob that he coddles will never understand that America will never accept the dangerous and violent ideology they put on full display every night. Burning buildings, attacking innocent bystanders, and assaulting our police is not the American, or the Oregon way.

This November, it's up to you to decide what direction this country chooses. Will you allow radical leftists who wish to defund our police and export the chaos in Portland to communities across our country? Or will you vote to support our men and women in blue and say no to the dangerous radicals who embrace violent mobs like Antifa.

As your President, I support our law enforcement officers, and I will always put America and American values first. I will continue to fight for the soul of our nation and Make America Great Again.

-Donald J. Trump

(This information furnished by Donald J. Trump for President, Inc.)

Vice President



Michael R Pence

Republican

Occupation: Vice President of the United States of America

Occupational Background: None Submitted

Educational Background: Indiana University Robert H. McKinney School of Law, Hanover College.

Prior Governmental Experience: Governor of Indiana, Congressman for Indiana's 6th Congressional District.

Four years ago, President Donald J. Trump ran on a promise to put America First, and he has kept that promise. President Trump fought the establishment to lower taxes for hardworking middle-class families, create better trade deals that stopped the offshoring of American jobs, and rebuild our military.

President Trump stands by his oath to defend and protect the American people. That's why, as your President, Donald J. Trump has stood up to the radical left that would defund our police, allow our cities to devolve into lawless zones, and make our families less safe.

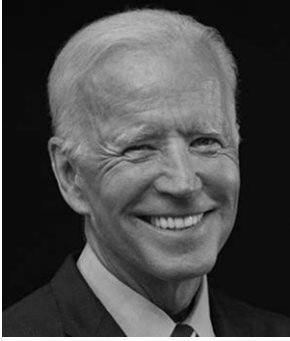
President Trump stands proudly with our law enforcement who, day in and day out, put their lives on the line to keep our families and our children safe from dangerous criminals. Our men and women in blue deserve a President that has their back, who will work with them to make sure criminals are brought to justice, and not someone that would side with rioters that burn our buildings and destroy our communities.

As your President, Donald J. Trump will continue to deliver on his promise to Make America Great Again, by holding China accountable for the virus they unleashed upon the world. We can and we will defeat the invisible enemy, so we can continue the economic prosperity that President Trump delivered when he was elected.

Vote to put America First and to Make America Great Again. Vote Donald J. Trump for President.

(This information furnished by Donald J. Trump for President Inc.)

President



Joseph R Biden

Democrat

Occupation: Former Vice President of the United States

Occupational Background: U.S. Senator, attorney, public defender

Educational Background:

Syracuse University College of Law (J.D.); University of Delaware (B.A.)

Prior Governmental Experience: U.S. Senator, New Castle County Councilmember, Delaware Public Defender's Office

Joe Biden is running for President to unite our country, rebuild the middle class, and restore the soul of our nation. We're facing unprecedented crises: a deadly pandemic, deep recession, racial injustice, and climate change. It's never been clearer how much elections matter. With experience and empathy, Joe Biden will end the chaos and rebuild a fairer, more just America.

Biden has spent his whole life in public service, fighting for working families. As Vice President, he led the 2009 Recovery Act, lifting our country from recession, rescuing the auto industry, and sparking a record 113 months of job growth. He fought to pass the Affordable Care Act, protecting 100 million Americans with pre-existing conditions; helped seal the Paris Climate Accord; and launched the Cancer Moonshot, to end cancer as we know it. He defeated the NRA, twice, passing background checks and a 10-year assault weapons ban; and he wrote the landmark Violence Against Women Act, transforming how government supports survivors.

Biden has always brought people together to get big things done – and he'll beat today's crises to build our country back better. As President, he'll work with experts and scientists to beat COVID. He'll expand the Affordable Care Act, making health care a right for everyone. He'll rebuild our economy by reviving American manufacturing, building a clean energy future, boosting caregiving to ease the squeeze on working families, and making racial equity central to our recovery – creating millions of good-paying jobs.

In a crisis, character is revealed. And in this election, the character of our country is on the ballot. Biden has the experience and heart to heal our divisions and restore America's promise for everyone.

(This information furnished by Joseph R. Biden.)

Vice President



Kamala D Harris

Democrat

Occupation: U.S. Senator for California

Occupational Background: Attorney General, District Attorney

Educational Background:

University of California, Hastings College of the Law (J.D.) Howard University (B.A.)

Prior Governmental Experience: Attorney General of California, District Attorney of San Francisco, Deputy District Attorney of Alameda County

Kamala Harris has devoted her life to making real the words carved over the entrance to the U.S. Supreme Court: "Equal justice under law." The daughter of immigrants, she was raised to believe in the promise of America, and to fight until it's fulfilled for all Americans.

As a District Attorney, she stood up for crime victims and against the abuse of power. As California's first woman Attorney General, she prosecuted human traffickers and transnational gangs. She tackled the gun lobby, defended a landmark climate law, protected Obamacare, and helped to win marriage equality. She took on the big banks for mortgage fraud, winning \$20 billion for homeowners who'd faced foreclosures; and \$1.1 billion for students and military veterans who'd been scammed by for-profit educators.

In the U.S. Senate, Harris has continued fighting for working families, for a \$15-minimum wage, to reform cash bail, and defend immigrants and refugees. On the Intelligence, Homeland Security, and Judiciary Committees, she deals regularly with our most sensitive national security threats, and pushes daily to hold Administration officials accountable.

As Vice President, Harris will champion Joe Biden's vision for a more decent, more united America – working beside him to beat COVID and build our economy back better. She'll fight for an education system where no child's future is determined by income or zip code, and cost doesn't keep young people from college. She'll fight for health equity and environmental justice, for workers' rights and equal pay for women, and to finally dismantle racial injustice and get every American a fair shot and renewed future.

(This information furnished by Kamala D. Harris.)

President



Jo Jorgensen

Libertarian

Occupation: I am currently a senior lecturer in psychology at Clemson University

Occupational Background: Prior to entering education, I was a business partner in a consulting firm, a marketing

representative for IBM, and an owner and president of a software duplication company.

Educational Background: I earned a B.S. in Psychology from Baylor University in 1979, followed by an MBA from Southern Methodist University, and then a Ph.D. in Industrial/Organizational Psychology from Clemson in 2002.

Prior Governmental Experience: I was a candidate for the House of Representatives in South Carolina in 1992 and appeared on all fifty state ballots as the Libertarian candidate for vice president in 1996.

We can reduce healthcare costs without putting government in charge of highly personal medical decisions and creating a one-size-fits-all system.

We can prioritize our national security without being involved in unnecessary foreign wars and stationing troops around the world in dozens of countries away from their families.

We can protect our communities without sacrificing freedom through failed initiatives like civil asset forfeiture, no-knock raids, qualified immunity, and the War on Drugs.

We can value necessary responsibility for workers and employers without endless barriers of entry to professions and new businesses. We can balance the budget without raising taxes.

By ending excessive government overspending, we can also eliminate the federal income tax.

I'm running for President not just to present a new way of addressing important issues.

I'm running because Oregon deserves a better way — solutions that create real change for real people.

(This information furnished by Jo Jorgensen for President.)

President



Howie Hawkins

Pacific Green

Occupation: Retired Teamster

Occupational Background: warehouse worker, construction worker

Educational Background: Dartmouth College, 1975

Prior Governmental Experience: Three-time Green Party candidate for New York governor in 2010, 2014, and 2018, each time receiving enough votes to qualify the Green Party for the ballot for 4 years. First US candidate to campaign for a Green New Deal in 2010.

Real solutions can't wait!

We need real solutions to life-or-death issues.

Covid-19 Pandemic — The accelerating growth of Covid-19 in the US shows that the two governing parties are presiding over a failed state. I will create a federal Test, Contact Trace, and Quarantine program to suppress community spread of the virus so we can safely re-open the economy and schools.

Police Brutality and Systemic Racism — I will push for community control of the police and enact a reparations program, including a massive federal investment in jobs, housing, schools, healthcare, and businesses in racially-oppressed communities that have been impoverished by generations of segregation, discrimination, and exploitation.

Economic Inequality — I will enact an Economic Bill of Rights to end poverty and economic despair, including a job guarantee, a guaranteed income above poverty, affordable housing, Medicare for All, free public education from pre-K through college, and doubling Social Security benefits for a secure retirement for every senior.

Climate Crisis — I will enact an emergency Green New Deal to achieve zero carbon emissions and 100% clean energy by 2030. We will ban fracking and new fossil fuel infrastructure.

Nuclear Arms Race — I will cut military spending by 75%, withdraw from the endless wars abroad, pledge no first use of nuclear weapons, and disarm to a minimum credible deterrent. On the basis of these tension-reducing peace initiatives, I will go to the other nuclear powers to negotiate complete and mutual nuclear disarmament.

For more information: www.howiehawkins.us.

(This information furnished by Howie Hawkins.)

President

Dario Hunter

Progressive

Occupation: Rabbi

Occupational Background:
environmental attorney,
teacher, educational administrator,
anti-fracking and anti-war activist

Educational Background: BA, Princeton University; LLB, University of Windsor; JD, University of Detroit Mercy; LLM, Wayne State University

Prior Governmental Experience: Youngstown, Ohio Board of Education (2016-2020) ; Former Chair of the Mahoning Valley Pride Center

I am an unapologetically Black, proudly gay, Jewish son of an immigrant who engages in activism on behalf of all those communities. My campaign focuses on environmental, social and racial justice and seeks to empower all oppressed and underserved Americans. Along with my running mate, Indigenous rights activist Dawn Neptune Adams of the Penobscot nation, our platform includes:

- Addressing COVID-19 with Medicare-for-All, publicly-controlled medical supply, universal basic income, hazard pay, no mortgage foreclosures, no evictions, and building housing for the unhoused.
- Guaranteed living wage employment, housing, food and essential utilities for ALL.
- Reversing climate change through REAL Green New Deal, transitioning to 100% renewable energy by 2030.
- Reparations now and an end to the genocide against Black and Brown people. Under our 4D plan, we will Demilitarize, Defund, Disestablish and Devolve police power to a community care system defined by a strong, inclusive, democratic community control.
- Free college and early childhood education, fighting privatization and protecting community educational control.
- Ending corporate personhood, taking corporate money out of politics, ensuring public funding, more choices at the ballot box (e.g. through STAR voting), proportional representation and open debates.
- Affirming Indigenous sovereignty and ending colonialism - abroad and closer to home (e.g. Puerto Rico).
- Ending environmental and educational racism and improving access to healthcare in minority communities.
- Ending inhumane deportations, detentions, family separations.
- Ending war and the so-called "War on Drugs," ceasing funding, ending sanctions.
- Closing over 700 U.S. military bases abroad and creating a Department of Peace.

For Justice for the Earth and all its People.

Hunter/Adams 2020

dariohunter.com

(This information furnished by Dario Hunter and Oregon Progressive Party.)

US Senator

Jo Rae Perkins

Republican

No Photo
Submitted**Occupation:** Retired**Occupational Background:**Insurance Agent, Financial
Advisor/Planner; Banker;
Realtor; Office Management/
Support; Business Owner**Educational Background:** Oregon State University
BS-Political Science, Minor-Speech Communication;
University Portland, Executive Certificate-Financial Planning;
Linn-Benton Community College AS-Business Management**Prior Governmental Experience:** Albany Human Relations
Commission, 2019 - Present; Albany Visitors Association
Board Member and Chair; Senior Services Cascades West
Council of Government, board member; As well as sup-
porting numerous other community service and non-profit
organizations.Elected as the Republican US Senate nominee is an honor. I
am a Main Street American, married to George since 1978,
two children, 14 grandchildren. I love Oregon and the USA.Carrying the voice of 4.3 million Oregonians to Washington,
should not be taken lightly. Members of Congress take an
oath to defend the US Constitution. I commit to this obliga-
tion as our forefathers envisioned. We have allowed the
Federal Government, to expand their authority beyond what
our founders intended.My staff and I will read every bill before I vote on it. If the bill
is outside the role of the Federal Government, I will vote no.**Issues:**

- **Guns/Firearms:** You have the right of self-protection. I support the 2nd Amendment as intended
- **Immigration:** E-Verify, finish the fence, vet all immigrants
- **Land Management:** Should be local not federal
- **Natural Resources:** Are vital to creating/sustaining Opportunities for Oregonians. We must support, rebuild, grow, Timber, Fishing, Mining, and Farming Industries
- **Veterans:** Their health care needs should be our first priority.
- **Medical Freedom:** Parents have the right to choose what is best for their children. No forced vaccinations.
- **Pro-Life:** Life begins at conception, should end naturally
- **Term Limits:** 12 years maximum in Congress

Expanded explanation on these and other issues are available
at <https://www.PerkinsForUSSenate.Vote>**If you agree WE need a US Senator that**

1. Has a broad understanding of Oregon's diverse culture
2. Is committed to sensible fiscal stewardship of taxpayers money
3. Will develop solutions to reduce waste, fraud, and abuse

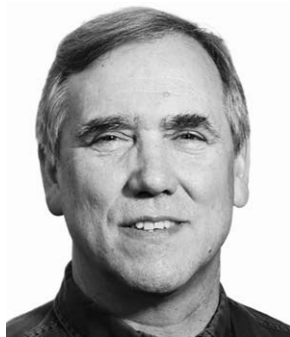
I **boldly** ask for your voteEmail: JoRae@PerkinsForUSSenate.Vote

Office: 541-730-3570

#MAGA*(This information furnished by Jo Rae Perkins.)*

US Senator

Jeff Merkley

Democrat
Independent
Working Families**Occupation:** U.S. Senator**Occupational Background:**Portland Habitat for Humanity;
Pentagon and Congressional

Budget Office; World Affairs Council of Oregon

Educational Background: Bachelor's, International Relations;
Master's, Public Policy**Prior Governmental Experience:** State Representative and
Oregon House SpeakerThe son of a union mechanic, Jeff attended public schools
and was the first in his family to go to college. He still lives in
the blue-collar neighborhood he grew up in and never needs
to be reminded who he's fighting for.Jeff fights for all of Oregon, holding town halls in every
county every year and battling for their priorities. He led the
fight to save 40 rural Oregon post offices; to put Oregon at
the forefront of mass-timber engineering; to fund irrigation
piping to help farmers and the Deschutes River; to save
the Coast Guard rescue helicopter and deliver dredging for
coastal ports; to win fair compensation for ag, forest, and
fishing industries battered by fires and storms; and to invest
in rural housing and rural broadband.Jeff is leading the fight to restore integrity in elections by
combatting gerrymandering, voter suppression, and dark
money. The people should choose their politicians, not the
other way around. He wrote the bill to stop Members of
Congress from trading on insider information.Jeff believes we need universal healthcare and has written
the bill to end drug-price gouging. Americans should get the
best price among developed countries, not the worst.We must tackle the COVID-19 crisis with major investments
in protective equipment, testing and tracing and rebuild
the economy from families up, not Wall Street down. That
means better unemployment insurance and small-business
programs, stopping evictions and foreclosures, and creating
good-paying jobs building America's infrastructure, boosting
American manufacturing, and creating a renewable energy
economy that tackles climate chaos.Jeffs' fight for all of Oregon includes public education,
veterans' benefits and secure Social Security."If you believe in a prosperous future for all Oregonians, I
would appreciate your vote!" -JeffJeffMerkley.com*(This information furnished by Jeff Merkley for Oregon.)*

US Senator



Ibrahim A Taher

Pacific Green
Progressive

Occupation: self-employment

Occupational Background:
Teacher

Educational Background: M.A.
Philosophy

Prior Governmental Experience: none

Our corporate-owned government has decided to wage war on the people! Thanks to Democrats and Republicans, what used to be a free society now is regressing into a form of modern slavery. The ruling class has decided that our current imperialism, economic elitism, and social injustice are not enough for their greed and their thirst for power, but totalitarian technocracy is the ultimate goal. The past few months showed us how both sides of the aisle are standing with elitists against 'we the people' by using the COVID event to advance their heinous agendas. Agendas that started with destroying small businesses, transferring the wealth to the top, and continued with increasing government spying, forced unjustifiable isolation, limited freedoms, deploying the military, and unlimited censorship.

I am running for peace, democracy, social and economic justice, and against the two-headed one-party system. Our government spends more 56% of our tax dollars on illegal wars, sanctions, and covert military operations to maintain their global dominance and advance their imperialistic projects, violating by that our constitution, international law, and the universal declaration of human rights. Unlike my opponents from the two war-parties, I advocate for peace and for ending all of our acts of aggression.

Globalizing our economy and concentrating the wealth has stripped the people's power and hijacked our democracy. We the people need to reclaim our economic power by localizing the economy, breaking up the monopolies, repealing Citizens United, strengthening unions, and investing in local and small businesses. Also, we have to restore our democracy by prohibiting all types of all PACs money from influencing politics, adopting ranked-choice or STAR voting, limiting the Supreme Court authority, and decentralizing our government.

This year, Oregonians have another choice. A choice to send a different message to the entire country that it is time for a real change and it is time to fight

(This information furnished by Ibra A Taher.)

US Senator



Gary Dye

Libertarian

Occupation: Engineer

Occupational Background:
Engineer

Educational Background:
BSChE, BSMATH, BSPhysics,
MBA

Prior Governmental Experience: Candidate

Our country is disintegrating. Democrats and Republicans caused this, and won't cure it. I will be your Senator to try my hardest to prevent it. My opponent won't; it's business as usual for him -- busy helping his career, his donors, and his party, with his donors and party helping him in return. He doesn't care about you; he never did. I care about you -- the individual. You are my special interest; my only interest.

Since the Great Recession, our national debt has tripled; the money supply (dollars) has doubled, and both are spiraling out of control. To avoid default, government will print even more money, which will create hyperinflation, and the economy WILL collapse. A Great, Great Depression is in your future. Do you like today's protests/riots? Watch what happens when the economy collapses, and government money to fix it (and you) is worthless. Watch who takes over the country. It won't be Libertarians -- quite the opposite. Totalitarians. And they'll use all available technology to make you behave. And make you believe. You and everyone else will be a slave of the government. Forever, I'm afraid.

I have the answers to prevent the above. I know what to do, and how to do it: A smart, stepwise, and above all -- compassionate -- plan to successfully get from the edge of catastrophe to a society that is truly fair, just, prosperous, and full of happiness for everyone. And not full of hate and despair!

Do you like what you see in today's society and government? If not, and you want REAL change, you have to do something different than voting for yet another Democrat or Republican. Vote for me, a Libertarian -- an individual, just like yourself.

Take a chance this election. And trust me -- I'm the one you've been looking for.

www.garydye2020.wordpress.com

Facebook: GaryDye2020

(This information furnished by Gary L Dye.)

US Representative, 2nd District



Cliff Bentz

Republican

Occupation: Small business owner, Farmer

Occupational Background: Rancher, legislator, farmer, attorney (water and business law)

Educational Background: J.D. Lewis and Clark College; B.S. Eastern Oregon State College

Prior Governmental Experience: State Representative (2008-2018); State Senator (2018-2020); Board Member, Ontario 8C School District (2005-2008); Commissioner, Oregon Water Resources Commission (1988-1995).

"Cliff Bentz is hands down the best choice to represent our part of Oregon. He proved in the Legislature that he works hard to solve problems. He's smart, respectful and hardworking. He has my full support."

CONGRESSMAN GREG WALDEN

CLIFF BENTZ: PRO-2nd AMENDMENT, PRO-LIFE, PRO-BUSINESS & PRO-VETERAN!

Cliff Bentz will fight to resolve the water, land, forest, small business, health care, child care and infrastructure challenges facing CD2. He supports Donald Trump, our Republican President, and will work with him to reduce costly regulations, lower our taxes and protect private property rights, personal freedom, and rural Oregon.

Cliff Bentz is endorsed by: Oregon Farm Bureau Federation, Oregon Right to Life PAC, Oregon Trucking Association, NFIB Federal PAC, Murphy Company, Oregon Rural Electric Cooperative Association, Oregon Cattlemen's Association, AG-PAC, Associated Oregon Loggers, American Forest Resource Council, and Oregonians for Food and Shelter

Kathy DeBone, Deschutes County Business Leader

"Cliff has the knowledge and background to help both rural and urban Oregon businesses get back on track and create jobs close to home."

John Murphy, Murphy Company

"Cliff Bentz is an advocate for our timber industry and supports responsible forest management to reduce the impact of devastating forest fires that destroy our lands & damage rural economies."

Senator Bill Hansell

"I've served with Cliff in the trenches of the Senate. Whether during the walkout, or building conservative consensus among his colleagues, Cliff Bentz is effective and hardworking - the best choice to serve us in Congress."

Todd Nash, Oregon Cattlemen's Association

"Senator Bentz's advocacy for our public lands and water rights make him the obvious choice for the Cattlemen's endorsement for Congress."

www.cliffbentz.com

(This information furnished by Cliff Bentz for Congress.)

US Representative, 2nd District



Alex Spenser

Democrat

Occupation: Writer/Poet/Motivational-Speaker/Performance-Coach/Copperwright/Campaign-Strategist

Occupational Background: Campaign-Strategist/Raz

Mason for Oregon; Writer, Performance-Coach/Raz Mason for Oregon & Jamie McLeod-Skinner for Congress; Writer, Performance-Coach, Writing-Coach, Relationship-Coach - www.WordsWithWings.com

Educational Background: Texas A&M University/Richland College

Prior Governmental Experience: Campground Host-Lava Beds National Monument/-Death Valley National Park

I am Alex Spenser and I want to be **Your Voice in Congress**.

We need a **Path to Unity**.

The COVID-19 Revolution that has been thrust upon us has left us needing leadership-**leaders** willing to stay in the room and do the hard work of communication-**leaders** who realize that we now need Universal Healthcare.

So many lost their Healthcare when they lost their jobs-We need Healthcare as a matter of **good government infrastructure** that cares for everyone as a basic right-just as **good government** ensures our roads and bridges are safe-it is time we care for our community-in the most basic of ways-by providing a **Universal-Healthcare-System** that keeps everyone well-and ensures we are all cared for in a pandemic-like the one facing us now.

Please take a few moments to look at my website-there you will find an in-depth look at what I will work for on your behalf-You can also tell me what is important to you-so I can be **Your Voice in Congress** www.SPENSER2020.com

Join me **every Thursday at noon for my Virtual-Town-Hall** via Zoom. Meeting ID: 901-379-386 I look forward to meeting you there.

What I'm working on for **you**:

- Bringing Congress together through thoughtful **communication** to get the hard work done.
- Building a **Universal-Healthcare-System** that supports everyone-by taking the profit out of people's-suffering.
- Working to bring folks together to ensure we have enough **clean-cold-healthy water** for irrigation and to keep our families and wildlife safe and-healthy.
- Support **Common Sense Gun-Responsibility** that will keep us all safe and educated-while protecting our rights.
- **Infrastructure** from roads-bridges and broadband-to an elevated high-speed-rail system that connects Oregon and provides a relief-valve in a catastrophic event of the **Cascadia-Subduction-Zone**.

I will be **Your Voice in Congress**.

(This information furnished by SPENSER2020.)



Did You Know?

- The county compares the signature on the ballot envelope to the signatures in the voter's registration record. They do this for every signature on every ballot.
- County personnel who verify signatures on ballots receive training in forensic handwriting analysis.
- If you forget to sign your ballot envelope, or your signature does not match, the county will notify you. You will have until 14 days after the election to sign it or prove it was you who signed it.

Secretary of State



Nathalie Paravicini

Pacific Green
Progressive

Occupation: Naturopathic Doctor, ND

Occupational Background: Destination Management Co.: Owner Manager; Construction

Equipment Latin America: Associate Publisher; Community Doula Program: Executive Director

Educational Background: MBA, UofH, TX, Naturopathic Doctor, NUNM, OR

Prior Governmental Experience: former Treasurer Gulfcoast Houston Association for Smog Prevention (GHASP), Gulf Coast CHIP Coalition, Episcopal Health Charities Technical Advisory Committee

As Secretary of State (SOS), these are my priorities:

1. **Ensure objective redistricting following the 2020 census results.** If the Legislature cannot agree over changes to congressional and legislative redistricting, the duty falls to the SOS. A Green/Progressive SOS is non-partisan and unbiased.
2. **Work to achieve limits on campaign contributions and spending,** disclosure of the largest funders on political ads and full enforcement of campaign finance laws. Oregon's campaign finance system ranked 2nd worst in the U.S. (publicintegrity.org).
3. **Strengthen the electoral process by facilitating the implementation of Ranked Choice Voting (RCV).** RCV eliminates the "spoiler" effect, fostering political debate and allowing minor party and independent candidates a chance to win (Fairvote.org). These measures encourage voter enfranchisement and participation.
4. **Shift economic policies to redistribute wealth** from the financiers to the producers whose work makes our collective prosperity possible. The SOS chairs the Oregon Sustainability Board and serves on the State Land Board. The Board's role should be to manage public lands to fund services long-term and not to sell public property. For far too long we have pitted jobs and education against the health of our environment. Yet resource-rich rural areas remain economically depressed and underserved, with the added environmental degradation to contend with.
5. **Focus on the needs of small business, the cornerstone of a healthy economy.** The SOS issues the charters that govern corporations, large and small, profit and non-profit. A proactive SOS can facilitate inter-agency cooperation to provide business owners wrap-around services for success.

Nathalie Paravicini - paravicini4sos.org

*Furthering Democracy, Ensuring Sustainability,
Supporting Small Businesses*

Nominated by: Pacific Green Party, Oregon Progressive Party

(This information furnished by Nathalie Paravicini.)

Secretary of State



Kyle Markley

Libertarian

Occupation: Engineer, Intel

Occupational Background: Microprocessor debug

Educational Background: BS Computer Science, Iowa State University

Prior Governmental Experience: Joint Interim Task Force on Campaign Finance Reform, member, 2015-2017

FREE AND FAIR ELECTIONS

I will oversee an open, impartial elections system that encourages participation by minimizing the red tape that burdens voters, candidates, political organizations, and political expression.

I am strongly opposed to Measure 107, which is an attack on the Oregon Bill of Rights. That ballot measure would enable government censorship of political speech. **I wrote and published a large number of arguments opposing Measure 107 in this Voters' Pamphlet at my personal expense. Please read them before you vote on it.** Chances are that you have never read a principled opposition to political censorship, and you will appreciate the new perspective.

Contrary to the claims of its supporters, Measure 107 would not make elections "fair" or "honest" – it would make them dramatically *unfair* by making it even harder for challengers to unseat incumbents, reduce your options to vote for third party candidates, and stifle your ability to express your political opinions by yourself or in association with others. Supporters *dishonestly* claim that Measure 107 would reduce corruption, in defiance of the data, while conveniently forgetting to mention that the sweeping powers granted by Measure 107 would enable them to censor ballot measure campaigns where corruption isn't even possible.

Limiting your political speech gives them a political advantage. Limits on political speech *always* benefit the incumbents – that's why oppressive regimes like China, Russia, Turkey, and North Korea suppress speech. If you give away your freedom of speech, you'll never get it back.

AUDITS and PUBLIC RECORDS

Audits are an essential tool for identifying problems in government systems and for suggesting improvements. Your taxes should be spent responsibly.

More public records should be available online *without* needing to submit public records requests. The Public Records Advocate should be independent of the Governor.

<http://kylemarkley.org>
kyle@kylemarkley.org

(This information furnished by Kyle Markley.)

Secretary of State



Kim Thatcher

Republican
Independent

Occupation: Owner; KT Contracting and Highway Specialties, State Senator - District 13

Occupational Background:

Construction Projects Management

Educational Background: Oregon City High, Portland State University

Prior Governmental Experience: State Representative 2005-2014, Help America Vote Act State Steering Committee

Legislative Committees: Senate Judiciary; Senate Wildfire Reduction/Recovery; Joint Committee: Legislative Audits; Joint Committee: Legislative Counsel; Public Records Subcommittee; Oregon Transparency Commission; Public Records Advisory Council.

Membership: National Association of Women in Construction

Personal: Married 36 years, Mother, Grandmother

KIM THATCHER WILL PROMOTE ACCOUNTABILITY, TRANSPARENCY, AND INTEGRITY FOR ALL OREGONIANS

When Secretary of State Dennis Richardson passed away unexpectedly, he'd already kept every campaign promise to Oregonians who voted people before party and entrusted him with the job. As our next Secretary of State, I'll continue on Dennis' mission of restoring voter trust and transforming this office to help Oregon families thrive.

That's why I'm honored to be endorsed by Dennis' wife Cathy.

"Kim Thatcher is the candidate who will pick up where Dennis left off and move Oregonians forward." Cathy Richardson

EXPERIENCED LEADER RESPECTED BUSINESSWOMAN
EFFECTIVE LAWMAKER

"Trust Kim to manage fair, impartial elections; implement campaign finance reform; and preserve the citizens' right of the Initiative/Referendum system."

– Bev Clarno, Secretary of State

"Kim understands rigorous audits will inform decision-makers and the public about how we can improve government outcomes for families and save tax dollars."

– Joshua Marquis, lifelong Democrat, retired District Attorney

National Federation of Business/ORPAC, Oregon Farm Bureau Federation, Oregon Small Business Association PAC, and TIMBER UNITY PAC endorse Kim because she's the ONLY CANDIDATE that will help working Oregonians and businesses rebuild an economy devastated by the Covid-19 crisis.

"Kim's proven track record supporting government transparency and public records access is unmatched."

– Kim Sordyl, Former Oregon State Board of Education Member

Proudly Endorsed:

Oregon Coalition of Police and Sheriffs (ORCOPS)
Oregon Moms Building Excellent Schools Together
Local Jobs Matter/Unified Business Oregon

"I'd be honored to earn your vote!" – Kim Thatcher

www.KimThatcher.com

<https://www.facebook.com/kimthatcheroregon/>

(This information furnished by Friends of Kim Thatcher.)

Secretary of State



Shemia Fagan

Democrat
Working Families

Occupation: Senator, Civil Rights Attorney

Occupational Background: Legislator, Attorney

Educational Background:

Lewis and Clark Law School

Prior Governmental Experience: David Douglas School Board, State Representative

Shemia Fagan grew up poor in rural Oregon, raised by her single dad while her mom battled addiction and homelessness. Public schools and hard work gave Shemia the opportunity to succeed. As an Oregon lawmaker, and a mom to two young children, Shemia has never forgotten those tough times.

Shemia is running for Secretary of State to make sure Oregon families and small businesses hit hard by the pandemic have a fighter in their corner to make sure that government is working for them.

As an Oregon lawmaker, Shemia:

- Created the Office of Small Business Assistance in the Secretary of State's office
- Made it easier for Oregonians to vote from home
- Protected Oregonians from losing their homes to COVID
- Invested in our schools
- Passed paid sick leave

"As Secretary of State, Shemia Fagan will watchdog and audit the employment department. She understands that it is totally unacceptable that so many Oregonians have had to wait for so long to receive crucial unemployment benefits. Shemia will put politics aside and strongly protect Oregon's vote by mail elections."

– U.S. Senator Ron Wyden

Shemia will hold agencies accountable:

- Auditing the employment department so Oregonians who lose their jobs always get the help they deserve.
- Ensuring tax dollars are invested where Oregon families and small businesses need them most.

Shemia will protect Oregon's elections:

- Protecting our elections from misinformation and partisan attacks.
- Securing Oregon's voter registration database from cyberattacks.
- Defending Oregon's Vote-By-Mail system and the U.S. Postal Service.

Endorsements:

U.S. Senators Ron Wyden and Jeff Merkley
Senator Mark Hass
Oregon Nurses Association
Oregon State Fire Fighters Council
American Federation of Teachers
Planned Parenthood PAC of Oregon
Oregon League of Conservation Voters
Former Secretaries of State Jeanne Atkins,
Bill Bradbury, and Barbara Roberts

Learn more: shemiafororegon.com

(This information furnished by Committee to Elect Shemia Fagan.)

State Treasurer

Michael P Marsh

Constitution

No Photo
Submitted**Occupation:** Retired**Occupational Background:**
Maintenance**Educational Background:**
Fullerton Junior College**Prior Governmental****Experience:** US Army 1968 -1971

Ever since candidate Donald Trump announced that his administration would benefit the American people and not just the global banks and corporations, those working for the Democrat Party have been rioting, assaulting people, looting, and committing arson. The billionaires that own the Democrat party doesn't just hate Donald Trump, they hate America.

Due to Kate Brown's management of COVID-19 crisis, Oregon will have a \$2 Billion shortfall in revenue. The tax increases wanted by the Democrat controlled legislature and Governor will destroy what's left of Oregon's economy.

I will work with the new legislature to repeal all taxes passed in the last two years, to cut some items from the budget; taxpayer funded abortion being one example. I will also make recommendations to eliminate the State education bureaucracy and make direct payments to children's education of parent's choice. I will advocate that the State Child Protection Agency be abolished and its function be turned over to the counties.

I will divest in China and invest in Oregon and United States companies. The State has renewable natural resources, specifically trees that we can sell and replenish.

The Democrat billionaires and their politicians including Joe Biden, Ted Wheeler, and Kate Brown, want to destroy our Constitutional Republic and replace it with a Marxist dictatorship. Voters need to decide if they want Tyranny and Poverty or Liberty and Prosperity.

Vote Michael Marsh
for
Life, Liberty and Limited Government!

(This information furnished by Michael Marsh.)

State Treasurer

Tobias ReadDemocrat
Working Families

Willamette University

Educational Background: University of Washington, Master's of Business Administration, Willamette University, BA.

Prior Governmental Experience: State Treasurer, 2017-present; State Representative, 2007-2016; Oregon Innovation Council; Oregon Business Development Commission.

"It's my job to keep Oregon financially strong, despite the economic fallout of Covid."

We've kept our investment funds among the best performing and most secure in the country, signed up a record number of Oregonians into personal retirement plans, and helped families to start investing in their children's education on day one.

When it comes to money, I believe the future depends on what we do now."

- State Treasurer Tobias Read

Protecting Taxpayer Money

Experts agree Oregon's \$100 billion investment portfolio is among the best managed in the country. Treasurer Read has taken key decisions away from Wall Street firms to instead be handled at Treasury, resulting in roughly \$500 million for state retirees. Read uses our financial leverage to help reduce investment risks like climate change, poor corporate governance, and excessive CEO salaries.

Investing in Oregon's Future

Read has broadened the education tax benefit, and began investing the first \$25 in each college savings plan account opened in a child's first year or kindergarten year.

Safeguarding a Path to Retirement

Treasurer Read established OregonSaves, making Oregon the first state in the nation to offer an opt-out retirement plan for its working people. It has already enabled 70,000 Oregonians to save \$65 million towards their retirement.

Preserving our State Lands

Read led the effort to keep the Elliott Forest publicly-owned, with increased conservation and recreational access, as a research forest that helps Oregon develop more effective forest management while meeting our commitment to future generations.

"I may not be the flashiest public official, but I know doing my job well means our seniors, children and state have economic security even through uncertain times. I humbly ask for your continued support."

www.tobiasread.com

(This information furnished by Friends of Tobias Read.)

State Treasurer



Chris Henry

Independent
Progressive
Pacific Green

Occupation: Union Truck Driver

Occupational Background:
UAW Aircraft Mechanic,
Rockwell Int'l and McDonnell

Douglas; Construction Equipment Operator

Educational Background: Student, PSU

Prior Governmental Experience: Boards: Oregon Consumer League; Oregon Voter Rights Coalition, Neighborhood Associations

Prior Civic Leadership: Boards: Oregon Consumer League; Oregon Voter Rights Coalition, Neighborhood Associations

VOTE MAIN STREET, NOT WALL STREET!

Wall Street bankers and hedge fund operators are ripping Oregon off by nearly \$1 billion yearly.

The State of Oregon has over \$115 billion of investment funds, much placed with those bankers and operators. They charge Oregon huge fees (not disclosed), likely over \$1 billion annually, and invest almost 100% in businesses outside of Oregon.

That includes \$223 million in "an Israeli company whose smartphone spyware has been used against dissidents, human rights defenders and journalists by repressive regimes" and "two prison companies that run immigrant detention facilities." -- *Associated Press* (November 19, 2019)

Oregon and its counties, cities, and districts also pay to Wall Street huge fees of about 5% of the \$3 billion in public works bonds floated annually.

**So Wall Street gets paid to take our money
and then gets paid again to loan it back to us.**

Eject the middle men: create a **STATE BANK OF OREGON** to avoid fees and use our investment funds for Oregon-based public works, housing, small business opportunities. Local governments should borrow needed funds from our State Bank at much lower interest rates. See <http://www.orepub-licbank.org>. The State Bank could obtain funds from the U.S. Treasury at near zero interest.

**OREGON PUBLIC BROADCASTING SAYS OREGON'S
TREASURER
RECEIVES "A TORRENT OF OUTSIDE MONEY"
FROM NEW YORK LAW FIRMS SEEKING
"LUCRATIVE LAWSUITS HAT OREGON FILES"**

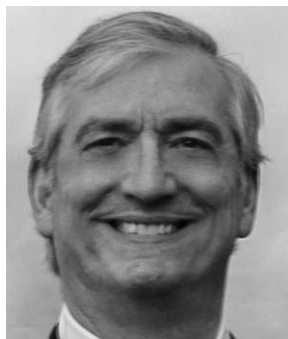
OPB (January 15, 2020): over 40% of Treasurer Tobias Read's campaign funds "came from big-time firms" on the East Coast. (search "OPB Tobias")

He has received 32 contributions of \$10,000 or more. His 2020 funds are 53% from contributions \$5,000 or higher; 3% from contributions under \$200. <http://bit.ly/readfunds>.

chrishenry.org

(This information furnished by Chris Henry.)

State Treasurer



Jeff Gudman

Republican

Occupation: Financial Analyst,
Investor

Occupational Background:
Treasurer, Controller

Educational Background: MBA,
Finance and Management,

Wharton School of Business, University of Pennsylvania; BA, Economics, Pomona College

Prior Governmental Experience: Lake Oswego City Council, Lake Oswego Budget Committee

Community: Past Treasurer of Legacy Emmanuel Hospital Foundation, Past Treasurer of USA Olympic Swimming, Past Chair of Northwest Pilot Project, Past Chair Financial Executives International Portland Chapter.

Why Should You Care Who is Treasurer?

Because Oregon can do more with the revenue we already have. How we manage our finances determines what we can afford; roads, schools, bridges – even PERS. As an experienced treasurer and analyst, I offer reliable management of our state's finances to put Oregon back on strong financial footing.

A Track Record of Success

As a Lake Oswego City Councilor, I established myself as a budget hawk. Under my fiscal leadership, we dramatically reduced our unfunded liability for road maintenance, rebuilt our operations and maintenance center, and rebuilt city hall **without asking taxpayers for an additional dime.**

Real World Budget Experience

I have been Treasurer of the Legacy Emmanuel Hospital Foundation, USA Olympic Swimming and two subsidiaries of Northwest Natural Gas. I've also worked as an analyst and investor for more than thirty years.

Not a Career Politician

For me, the Treasurer's position is not a stepping-stone to higher office. I've spent my entire career in finance for private industry, utilities and non-profits. I've spent just enough time as a public servant to understand the system without having been corrupted by it.

I ask for your vote so we can create a vibrant and stable economic future for all Oregonians!

"We need to vote for the person that is best suited for the job, not by a party. I am voting for Jeff and I hope you will too."
Tom Potter, Mayor of Portland 2005-2009

Please visit JeffGudman.org for a long list of bipartisan endorsements.

(This information furnished by Friends of Jeff Gudman.)

Attorney General

Ellen Rosenblum

Democrat
Independent
Working Families

Occupation: Oregon Attorney General

Occupational Background: Prosecutor; private practice;

trial and appellate court judge

Educational Background: University of Oregon, BS, JD

Prior Governmental Experience: Oregon Attorney General; Oregon Court of Appeals Judge; Multnomah County District and Circuit Court Judge; Assistant United States Attorney

THE PEOPLE'S ATTORNEY

Ellen has dedicated her career to serving Oregonians. As Oregon's first woman Attorney General, she stands up to anyone who aims to harm or take advantage of the people of our state, from Big Pharma to the federal government.

Ellen Holds Bad Actors Accountable

- Protecting Oregonians from scams, fraud and price-gouging.
- Taking on opioid manufacturers and distributors for their role in so many deaths and the addiction epidemic.
- Holding for-profit colleges and loan servicers accountable for their part in the student-debt crisis.

Ellen Stands Up For the Most Vulnerable Oregonians

- Fighting elder abuse and protecting kids' and consumers' online data.
- Leading statewide task forces to fight hate crimes and police profiling.
- Suing the Trump administration to protect SNAP food assistance and Oregon's DREAMers.
- Supporting legislation to improve police accountability — and eliminate excessive use of force.

Ellen Defends Oregonians' Health, Civil Rights, and Environment

- Protecting affordable healthcare.
- Leading a national lawsuit to defend Oregonians' reproductive rights.
- Taking over 180 environmental actions against the Trump administration to preserve our air, land, and water.

"Oregonians can rest assured that our constitutional freedoms will remain protected as long as Ellen is our AG."

- Emily McLain, Planned Parenthood PAC of Oregon

Join Us in Voting for Ellen!

NARAL Pro-Choice Oregon PAC; Oregon AFL-CIO; SEIU; Oregon Education Association; College Democrats of Oregon; NW Oregon Labor Council; Oregon League of Conservation Voters; Oregon AFSCME Council 75; Basic Rights Oregon Equality PAC; Oregon Nurses Association; AFT-Oregon; Oregon School Employees Association; Oregon State Building & Construction Trade Council; Pacific NW Regional Council of Carpenters; Oregon State Fire Fighters Council; UFCW Local 555; Oregon Machinists Council; IBEW Local 48; Young Democrats of Oregon

EllenRosenblum.com

(This information furnished by Elect Ellen Rosenblum for Attorney General.)

Attorney General

Michael Cross

Republican

Occupation: Entrepreneur, Software Designer, Small Business Owner

Occupational Background: Past United States Air Force, Bio & Green Fuels Developer, President

Global Communications, President ClearWater Resources Corporation, President Pan Pacific Holdings, a Property Holding Company. President Super Green Fuels, a company engaged in developing Alternative Energy, Biodiesel, Biomass Waste to energy conversions using Anaerobic Digester Equipment to produce Ecologically responsible Energy.

Educational Background: US Air Force Technical Training, Leadership Training, Realtors School.

Prior Governmental Experience: United States Military.

In my opinion, Credentials alone do not solve issues. If that was the case, Forcible Rape would not be up 60%. Assaults against women would not be up 40% and Portland would not look like a war zone!

A good Attorney General holds elected officials accountable. Rosenblum is not doing that. The Covid closure was limited to 28 days according to ORS 433.441(5)

The Governor's abuse regarding the State closure did not follow State Law, costing MANY people their jobs, income, housing; people have lost their businesses. This is INEXCUSABLE!

Rosenblum erred by suing to block arrests and stop officers from wearing protective riot gear. That act alone was unconscionable! She lost her case in court- of course.

There's a difference between the healthy exercise of your First Amendment Rights and hurting people, threatening people, killing people and destroying our public and private property!

I WILL ENFORCE THE LAW AND I WILL PROTECT ALL OREGONIANS.

People do not feel safe. That's a problem! I will ensure justice is swift and fair.

Transparency and general Government accountability is woefully inadequate, costing Oregonians exorbitant waste in resources and taxes. The average Oregonian is not being represented or listened to.

I have the solution to the Homeless Crises, which has only been getting worse!

We need our lives back, our jobs back, we need PEACE, TRANQUILITY, and SAFETY in our neighborhoods again! I will accomplish that.

I will be YOUR strong Attorney General to hold ALL ELECTED officials accountable.

michaelcross4oregon.com

(This information furnished by Michael Cross For Oregon.)

State Senator, 27th District**Eileen Kiely**

Democrat
Working Families

Occupation: Retired financial controller, mountain guide, ski instructor

Occupational Background: Fortune 500 financial manager,

major contract negotiator

Educational Background: MBA University of Minnesota, BFA Wright State University

Prior Governmental Experience: Officer, 10 years US Naval Reserve, 4 on Active Duty

Fighting for Central Oregon's Working Families

A veteran and experienced business executive, Eileen Kiely spent her career managing budgets for a Fortune 500 company. She knows that to rebuild after COVID-19 we must invest in working people.

Supporting Workers

When workers make enough to meet their basic needs, and a little bit more - that little bit more fuels economic growth. That's why Eileen will fight for fair wages, affordable health care, child-care, and housing. She'll ensure our tax dollars are used fairly to help Central Oregon come back stronger after COVID.

Protecting Education

As a mom, Eileen knows schools serve a critical role for working families. She'll protect education funding and ensure all students have the resources they need, including helping families navigate remote learning.

Lowering Health Care Costs

As someone on the health care exchange, Eileen knows health care is out of reach for too many people. She'll work to expand access to care and lower costs. She knows when more people have care, costs go down.

As a small business owner, I want a leader who understands how to balance budgets and stands up for those who power our community - working people. I know Eileen Kiely will be a fighter for us."

- Rhonda Ealy, Co-owner, Strictly Organic

"As we confront a global health crisis, we need state leaders who will stand up for science and protect our frontline health-care workers. I know Eileen, and I trust her to fight for us."

- Oliver Tatom, Registered Nurse/Paramedic

Endorsements:

The Mother PAC
Oregon Federation of Nurses and Health Professionals
Oregon Education Association
Sierra Club
Oregon League of Conservation Voters
Planned Parenthood PAC of Oregon
SEIU
OSEA

www.Kiely4OR.com

(This information furnished by Eileen Kiely for Oregon.)

State Senator, 27th District**Tim Knopp**

Republican
Independent

Occupation: Executive Vice President, Non Profit; State Senator

Occupational Background: Small Business Owner;

Laborer; Logger

Educational Background: Center for Professional Studies Continuing Education; York Community High School

Prior Governmental Experience: State Senator; State Representative; U.S. Department of Labor

Rebuilding the Economy for Working Families

Tim Knopp, a 40-year resident of Deschutes County, has nearly 20 years of experience as a small businessowner.

He knows how to create and maintain jobs. Tim defended local jobs, supported lower prescription drug costs, and supports affordable health care options.

Public Safety and Security

Tim supported legislation for the use of body cameras for law enforcement to protect the public and officers, and reformed college campus security with Kaylee's law.

Ensuring Equal Protection For All

Tim crafted policies that protect victims of harassment and helped pass equal pay for all Oregonians, regardless of color, gender and orientation. Tim is working for justice and equity for all Oregonians.

Fighting Against Job Killing Taxes

Tim fought against legislation that would eliminate jobs and fundamentally damage Oregon's economy. Tim fought increasing your cost of living on grocery, gas, and utility costs. Tim also fought against the Corporate Activities Tax (CAT), a hidden sales tax, which unfairly taxes businesses even if they lose money.

Trusted Champion For Affordable Housing

Tim passed legislation that increased the number of affordable homes built in Central Oregon and helped build homes as a board member for non-profits for affordable housing.

Standing With Veterans

Tim supported a constitutional amendment that guarantees a percentage of lottery funds for programs that assist veterans. He urged Congress to improve healthcare for injured veterans.

Educational Opportunity

Tim supports more choices for our students and their families, including career and technical education. Tim sponsored, and voted for legislation to fully fund education.

Protecting Tax Refunds

Tim protected on average \$700 per family this year in Kicker tax refunds. Tim supports a freeze on property taxes for low income seniors and the disabled.

www.timknopp.com

(This information furnished by Tim Knopp for State Senate.)

State Senator, 28th District



Hugh Palcic

Democrat
Independent

Occupation: Community Management Consultant

Occupational Background: Community Management - General Manager, Director of

Community Development

Educational Background: Marist College, BA-Political Science (New York State Senate Internship)

Prior Governmental Experience: Deschutes County Planning Commission (Chair), Oregon Liquor Control Commissioner, La Pine Parks & Rec. Selection Committee, Deschutes County Brownsfields Committee

Palcic For Senate District 28 - A Man With A Plan

Our District has never been presented with such a clear choice. A choice between two different visions of the future.

One continues on the failed path of ineffective leadership with no plan for our future. This has resulted in high unemployment, underfunded schools, and the loss of family farms.

Or, another vision, on the path towards a brighter future. One founded on skilled and effective leadership that is inclusive and yields real results. My vision consists of real plans to tackle our very real issues.

I have plans to move us forward. The plans built into my vision will:

- Create living-wage jobs
- Secure needed infrastructure projects
- Address our affordable housing needs
- Provide rural broadband access for all
- Invest in our next generation by improving schools
- Address climate change, capitalizing on renewable energy
- Unlock our region's outdoor recreation and tourism economies
- Employ a post pandemic recovery strategy
- Defend property rights and environment by opposing the Jordan Cove pipeline

I run, not simply to oppose someone. I run because I have strong feelings about what must be done before it is too late. And, I run because I am compelled to do all that I can to make a difference.

It is not a matter of getting government out of the way, it is a matter of harnessing government to most effectively work and deliver for all. There is a better way forward. I humbly ask for your vote to deliver this vision of change.

Read the plans at hughpalcic.com

Endorsements

Oregon League of Conservation Voters

Basic Rights Oregon Equality PAC

Oregon AFSCME Council 75

Oregon School Employees Association

(This information furnished by Hugh Palcic.)

State Senator, 28th District



Dennis Linthicum

Republican

Occupation: Software developer; rancher, small business owner

Occupational Background: Senior VP software development; CEO, ASLAN Enterprises; speaker/writer, Dirt Road

Economist; Klamath County rancher

Educational Background: UCLA, BA-Economics; Biola University, MA-Christian Apologetics

Prior Governmental Experience: OR Senator D28; Klamath County Commissioner; O&C Board; Klamath County Budget and Public Safety Committees

Family: Married 40 years; children and grandchildren thriving in Oregon.

Dennis Linthicum for Senate District 28

I will champion individual liberty, free markets, fiscal conservatism and limited government.

Oregon desperately needs Senators who will **battle the onslaught of ever-expanding social engineering programs and tax initiatives which lead to fiscal irresponsibility**. Working people, businesses and taxpayers are harmed by our legislature's unwillingness to hold the executive branch and administrative agencies accountable. I will stand for **Constitutional principles** as a leader.

Our rights to life, liberty, and the risks and rewards of our own pursuits are **not granted by government**. Minimizing government **intrusion into family affairs**, businesses, private rights for property, water, timber, land and other natural resources will be a priority. Natural events, federal **mismanagement and ceaseless litigation** have destroyed giant swaths of public and private lands, resulting in public land closures, scarred watersheds, spoiled wilderness and lost jobs. Therefore, I will strive to protect our independent economies while **restoring local control** to rural Oregon communities.

Together, we can make our communities **prosperous and resilient**. We need to get **government out of the way** so our small and medium-sized businesses can **grow and thrive**. I will fight **over-regulation, inefficiency and the bureaucracy that creates government waste**. I will **demand accountability** in government spending **to restore fiscal sanity**.

Dennis is endorsed by:

- Oregon Right to Life PAC
- Oregon Firearms Federation Political Action Committee
- Oregon Farm Bureau Federation
- Oregonians for Medical Freedom PAC
- AG-PAC
- Oregon Dairy Farmers Association
- Oregon Coalition of Police and Sheriffs
- Oregon Chiefs of Police Association
- Sheriffs of Oregon
- Coalition for a Healthy Oregon
- Oregonians for Food and Shelter
- Associated Oregon Loggers

ElectDennis.com

(This information furnished by Committee to Elect Dennis Linthicum.)

State Senator, 30th District

Carina M Miller

Democrat

Occupation: Economic research analyst, Warm Springs Community Action Team

Occupational Background: Social worker, Head Start teacher, Warm Springs Tribal Council member.

Educational Background: B.S. Ethnic Studies, University of Oregon

Prior Governmental Experience: Columbia Gorge Commissioner. Expertise in Tribal, local, State, and Federal policy and legislation.

Member of the Confederated Tribes of Warm Springs and descendant of the Yakama and Wasco people.

FIGHTING FOR FAMILIES

The daughter of loggers and ranchers, Carina knows first-hand how average families struggle to afford the rising cost of living and the toll that takes on rural communities. We can trust Carina to fight for:

- Better education that prepares ALL children to be successful
- Living wage jobs for all workers
- Increased opportunity through apprenticeships, affordable community college and distance learning opportunities

PROTECTING THE ENVIRONMENT

In Oregon, we depend on a healthy environment to support strong local economies and a better quality of life as well as to ensure the well-being of families and children.

Carina will stand up for:

- Keeping our water and air clean and pure, strengthening environmental protection
- Reversing climate change threatening our children's futures
- Creating a clean energy economy, reducing carbon reliance and supporting sustainable use of natural resources

BUILDING STRONG COMMUNITIES

Services that support families are essential for healthy, thriving communities. Carina will work tirelessly to:

- Address the roots of addiction, suicide and violence
- Improve infrastructure in rural Oregon, including high-speed broadband, clean drinking water and safe roads
- Support programs that promote equity, diversity and inclusion to build resilient, respectful communities

We support Carina Miller for Senate!

Warm Springs Chairman Raymond Tsumpti
Governor Ted Kulongoski; Jamie McCleod-Skinner
Senator Jeff Merkley; Senator Ron Wyden; Senator Rob Wagner
Mike Schmidt, Multnomah County DA; John Hummel,
Deschutes County DA; Matthew Ellis, Wasco County DA
Representative Tawna Sanchez
National Association of Social Workers-Oregon
NARAL PAC; Unite Oregon PAC; Oregon WINPAC; SEIU;
Sierra Club; Next UP Action Fund; Oregon Education Association
and more!

www.carinamiller.com

(This information furnished by Carina for Oregon.)

State Senator, 30th District

Lynn P Findley

Republican

Occupation: State Senator, District 30

Occupational Background: Oregon State Senator, District 30; Oregon State Representative, District 60; Vale City Manager; Fire and

Aviation Management, Bureau of Land Management, 32 years

Educational Background: Vale Union High School; Treasure Valley Community College

Prior Governmental Experience: Oregon State Representative, District 60; Malheur County Planning Commission; Lakeview City Planning Commission; Malheur County Rural Lands Committee, Southeast Area Commission on Transportation, Malheur County Economic Development, Wildfire Response Council and Greater Eastern Oregon Regional Solutions Committee

I'm honored to serve as your Senator in Oregon's Senate District 30 and I'm asking for your trust and your vote this November.

I will continue advocating for agriculture and natural resources, removing barriers to economic development, fighting for lower taxes and smarter spending, and ensuring issues that impact rural and eastern Oregon are a top priority for our legislature.

As your Senator, I have:

- Stood up against Portland special interests' bogus cap & trade proposal;
- Voted against a commercial activities tax that hurts our small businesses;
- Fought for over \$250 million in emergency relief funds for rural Oregon during COVID-19, including \$50 million for our rural hospitals;
- Funded \$7.8 million for the Warm Springs Water and Wastewater Infrastructure;
- Created an education plan with realistic metrics to re-open rural, eastern and frontier Oregon schools this fall;
- Implored Gov. Brown to safely re-open our rural counties for business and stop the early release of prison inmates.
- Voted for \$35 million in emergency funds to send \$500 immediately to unemployed and struggling Oregonians

Proudly endorsed by

Oregon Farm Bureau Federation PAC
Oregon Cattlemen's Association
Oregonians for Food and Shelter
Oregon Dairy Farmers
Associated Oregon Loggers
AG-PAC
Timber Unity PAC
Oregon WheatPAC
Oregon Small Business Association PAC
Taxpayers Association of Oregon
NFIB/ORPAC
Sheriffs of Oregon
Oregon Chiefs of Police Association
Oregon Right to Life PAC
National Rifle Association-Political Victory Fund
Coalition For A Healthy Oregon

**By working together,
I am confident we can move Oregon forward.**

VisitLynnFindley.com

(This information furnished by Lynn Findley for State Senate.)

State Representative, 53rd District**Jack Zika**

Republican
Libertarian

Occupation: State Representative, President of COAR, REALTOR and Father

Occupational Background: Housing and Human Services,

Energy and Environment, Veterans and Emergency Preparedness, Rules Committees, Central Oregon Childcare Taskforce, Small Business Owner, Volunteer, City Planning, Finance.

Educational Background: University of Cincinnati; Oregon Leadership Academy

Prior Governmental Experience: Redmond Planning Commissioner; Redmond Neighborhood Revitalization Committee; Downtown Strategic Plan Committee

With the various difficulties facing central Oregonians, we need a strong voice in Salem now more than ever. I have shown that I will push back on bad policies, and I want to continue fighting for you, Central Oregon.

With our state government flexing its muscle in unprecedented ways, the legislature must be an effective check on government overreach. It is an honor to advocate on your behalf on the most critical issues we face.

SMALL BUSINESS AND JOBS – I fought against the new \$1 billion business tax that combined with Governors mandated closures, slows our economy, and kills jobs when we need them most.

SCHOOLS – Sponsored a bill that ensures funds received for schools go directly to them.

LAW ENFORCEMENT – I strongly support our law enforcement officers.

CHILD CARE – I have sponsored bills to cut state red tape for opening daycares and created plans with the Early Learning Division to fund childcare.

HOUSING COSTS – I sponsored and passed a bill to allow Redmond to build workforce housing and have fought costly housing regulations.

FOREST FIRES – I sponsored and passed legislation to reduce fuel loads and the risk of wildfire. I support putting Central Oregonians back to work thinning public forests to prevent wildfire.

VETERANS – I supported legislation to help prevent veterans from losing their homes to foreclosure.

JACK ZIKA IS ENDORSED BY:

National Federation of Independent Business/ORPAC; Oregon Farm Bureau Federation; Associated Oregon Loggers; Oregon Chiefs of Police Association; Sheriffs of Oregon; Oregon School Employees Association

With your support, I will continue to fight for Central Oregon values in Salem.

www.jackzika.com

(This information furnished by Jack Zika.)

State Representative, 53rd District**Emerson Levy**

Democrat
Independent

Occupation: Attorney

Occupational Background: Private sector legal and finance

Educational Background: Brigham Young University,

B.S., International Business; Whittier Law School, J.D.; Member of Oregon State Bar

Prior Governmental Experience: None

Community Involvement: Former President MOMS Club of Bend

As a mom and a professional, I know about competing priorities and the need for steady work and reliable paychecks to support my family. I believe in the good that the government can do in support of everyday people, working hard in their everyday lives. I am determined that Central Oregonians have equal access to what we all need to be successful:

- **Jobs + Economic Stability**
 - Deschutes County needs solutions that work for us. We must create new energy jobs, strengthen our local economy, and invest in our workforce.
- **Public Education**
 - I believe public education is the foundation for a happy and healthy start. We must ensure our students' and staff's health and safety are prioritized.
- **Childcare**
 - We are short 3,000 childcare spots. I have a plan to address the childcare shortage through a private and public service model.
- **Affordable Housing + Infrastructure**
 - Deschutes County remains the fastest growing county in Oregon. We need to expand our housing options, transportation, and community resources to support continued development.
- **Clean Air + Clean Water**
 - Central Oregon's resources must be protected. I will fight to make sure Central Oregon continues to be the beautiful place we are all are lucky to call home.

Endorsed By:

Senator **Jeff Merkley**

Senator **Ron Wyden**

Tobias Read, Oregon Treasurer

Liz Goodrich, Redmond School Board

Alan Unger, Former Deschutes County Commissioner
School Board Members: **Amy Tatom**, **Caroline Skidmore**, **Carrie Douglass**, **Melissa Barnes Dholakia**, **Shimiko Montgomery**

Brian Lepore, Rancher

Erick Petersen, Co-Founder Bend Entrepreneur Conference

Amy Sabbadini, Teacher

Stephanie Krause, Early Childhood Consultant

Oregon League of Conservation Voters

Vocal Seniority

Planned Parenthood Advocates of Oregon

The Mother PAC

Learn more: EMERSONVOTES.COM

(This information furnished by Elect Emerson Levy for State Representative HD 53.)

State Representative, 54th District



Cheri Helt

Republican
Independent
Libertarian

Occupation: Local restaurant owner

Occupational Background: Restaurants

Educational Background: B.S., Michigan State University

Prior Governmental Experience: State Representative; 8 Years, Bend-La Pine School Board

A WORKING MOM...WORKING FOR US

*Pro-Choice. Pro-Business. Pro-LGBTQ. Pro-Science.
Pro-Education. Pro-Taxpayer. Pro-Gun Safety.*

Anti-Trump.

TWICE NOMINATED BY THE INDEPENDENT PARTY OF OREGON MODERATE. INDEPENDENT. EFFECTIVE.

- Passed strongest paid family medical leave plan in the nation
- Took-on science deniers to ensure vaccinations for kids in school
- Protected family budgets from rising taxes and fees on rents, utilities, gas, cell phones
- Voted for tougher gun safety law to protect survivors of domestic violence
- Leading for affordable housing solutions
- Helped organize early local COVID-19 preparedness
- Fighter for unemployment and health benefits for those in-need

A PROVEN PUBLIC EDUCATION LEADER

- Supported strongest K-12 budget in state history
- Boosted Bend graduation rates by 10%
- Built 4 new schools to relieve classroom overcrowding
- Delivered new safety entrances in 22 local schools
- Replaced dirty diesel engines with earth-friendly fuels

LOCAL REPUBLICANS + DEMOCRATS + INDEPENDENTS TRUST CHERI HELT

"Cheri's unwavering work ethic is why I'm proud she represents Bend in Salem. I like her "no-nonsense" and grounded approach to issues we face locally and statewide." - Beth Irish, Republican

"Cheri works diligently across party lines to create smart solutions. I am proud to support (again) Cheri Helt."
- Ruth Williamson, Democrat

"I can't think of anyone more highly qualified or motivated to represent Bend than Cheri Helt. She's exactly the person who will work hard to bring our children and students endless opportunities." - Peggy Kinkade, Non-affiliated

"One thing I put above party is leadership and that's why I will be voting for Cheri. Leaders are open-minded, open heartened, transparent, and not afraid to make hard decisions."
- Erick Petersen, Democrat

A FEW ENDORSING ORGANIZATIONS

Oregon Farm Bureau Federation; Humane Voters Oregon
Oregon Chiefs of Police Association and Sheriffs of Oregon
National Federation of Independent Business/ORPAC
Coalition for a Healthy Oregon; Oregonians for Food & Shelter

WWW.CHERIHELT.COM

(This information furnished by Cheri Helt for State Representative.)

State Representative, 54th District



Jason Kropf

Democrat
Working Families

Occupation: Deputy District Attorney, Deschutes County

Occupational Background: Public Defender, Foster Child Advocate

Educational Background: B.S., Oregon State University; J.D., University of Oregon School of Law

Prior Governmental Experience: Board of Directors, Bend Park and Recreation District; Member, City of Bend Accessibility Advisory Committee

Jason Kropf: Standing Up for Bend's Values

A father, fourth-generation Oregonian, and Oregon public schools graduate, Jason will bring Bend's values to Salem.

With a global crisis and Donald Trump threatening our health, economy and our public schools, **it's more critical than ever to elect a State Representative who will fight for what we believe in.**

Jason will stand up for:

- **Our public schools**, with greater investments in K-12, career and technical education, and affordable college.
- **An economy that works for every Oregonian**, including living wage jobs, and affordable housing.
- **Affordable, accessible health care**, lower prescription drugs costs, and greater access to mental health care.
- **Oregon's environment** by working to combat climate change, including wildfire mitigation, tougher penalties for polluters, and creating green energy jobs.

"Jason's a trusted advocate for youth and families in our community. **Jason will fight for every student to have a bright future** by removing barriers and ensuring access to high-quality education."

— Rev. Shimiko Montgomery, Bend-La Pine School Board Member

"In the midst of the COVID crisis, we need a leader like Jason who will stand up to make sure every child, family and senior can get the care they need in Central Oregon."

— Debra Dymock, Registered Nurse

"**Jason's the only pro-choice candidate in this race** endorsed by Planned Parenthood PAC of Oregon. Women like me trust him to stand up for reproductive health care in Central Oregon."

— Laurie Gould, Pro-Choice Advocate

Endorsed by:

The Mother PAC

Bend Education Association

Planned Parenthood PAC of Oregon

Oregon Sierra Club

Bend Firefighters Local 227

Oregon Nurses Association

Basic Rights Oregon Equality PAC

Awarded the Moms Demand Action
Gun Sense Candidate Distinction

JasonKropfForBend.com

(This information furnished by Jason for Bend.)

State Representative, 55th District



Barbara Fontaine

Democrat

Occupation: Retired forester

Occupational Background: 30 years USDA Forest Service, Ochoco NF

Educational Background: BS Forest Management, Oregon

State University

Prior Governmental Experience: As a forester I was a government employee

I am a candidate for HD 55 because I believe good government serves the people.

- Rural Oregonians want a path to a future of sustainable, vibrant communities that support our agricultural and natural resource based productivity.
- We recognize the value of supporting and attracting new business that complements our rural life.
- We cherish our diverse public lands, recreational opportunities, wildlife and fisheries.
- We understand the value of inclusion and diversity for building community and the importance of promises kept.

The **Covid-19** pandemic reveals the fragility of our critical government systems when basic health and safety needs are forcing severe economic tradeoffs. We need action, or the coming tax revenue shortfall will be long-lived and force cuts to critical government services. We need to prevent a long-term economic downturn through tax and budget reform that is equitable, sustainable and stable.

This moment in the **Black Lives Matter** movement shows us how much we still need to do to create a truly inclusive community that works for everyone. Let's make sure there is an appropriate balance between law enforcement needs and community vitality by investing in education, health care, treating and preventing drug addiction, child care, safe and affordable housing.

Meanwhile, **Climate Change** impacts Central and Eastern Oregon with increased drought, wildfires, and loss of groundwater. We need to stop the environmental destruction and reduce greenhouse gas emissions. We must improve efficiency in the use of scarce energy, water and soil resources to ensure we sustain viable ecosystems and the livelihoods of those who rely on them.

Oregon needs representatives willing to seek solutions to our complex problems. I want to work through tough issues to provide long term solutions.

I won't walk away.

<http://fontaineforhd55.com>

(This information furnished by Fontaine for HD 55.)

State Representative, 55th District



Vikki Breese-Iverson

Republican

Occupation: Real Estate Broker, Cattle Rancher, State Representative

Occupational Background: Policy aid, dance instructor

Educational Background: Central Oregon Community College, Oregon State University, Crook County High School

Prior Governmental Experience: State Representative District 55

ABOUT VIKKI BREESE IVERSON

Vikki is a 5th generation rancher from Prineville. She now raises her two boys; Alex and Brit with her husband, Bryan Iverson of 15 years on the same ranch she was raised on. Vikki and Bryan operate many small businesses in her district, including her real estate business.

Endorsed by Oregon REALTORS PAC

FIGHTING FOR RURAL OREGON

Vikki will continue to stand up for our Traditional Oregon Values that we all share in rural Oregon. she fought against a \$2 billion cap and trade tax, anti 2nd amendment bills, and will continue to stand up for our way of life.

ENDORSED BY

Oregon Dairy Farm Association
Oregon Farm Bureau Federation/AG PAC
Oregonians for Food and Shelter
Oregon Cattlemen's Association

DON'T PORTLAND OUR OREGON

Vikki continues to push back against Portland policies that give more money, resources and services to Portland disproportionately than the rest of the state.

PROTECTING POLICE DEPARTMENTS

Vikki will stand up against efforts to defund law enforcement. Our communities value our police and sheriffs, not lawlessness and rioting. **Vikki will stand strong for the 2nd amendment.**

ENDORSED BY

Oregon Chiefs of Police Association
Sheriffs of Oregon

WORKING FOR MEANINGFUL WILDFIRE LEGISLATION

Our natural resources need to be managed for ALL OREGONIANS. Wildfires present a real threat to our quality of life and threaten one of our greatest commodities. Vikki will continue to work on positive reforms to managing the forests and fighting wildfires.

ENDORSED BY

Crook County Commissioners Brian Barney and Jerry Brummer
Lake County Commissioners Bradley Winters, Mark Albertson and James Williams
Jackson County Commissioners Colleen Roberts, Bob Strosser and Rick Dyer
Klamath County Commissioner Kelley Minty Morris
Deschutes County Commissioner Phil Henderson
Oregon Right to Life PAC

Learn more at:

FRIENDSOFVIKKI.com

(This information furnished by Friends of Vikki.)

State Representative, 59th District**Arlene C Burns**

Democrat
Independent
Working Families

Occupation: Mayor of Mosier,
Film Producer

Occupational Background:
International expedition leader

Educational Background: Geology (BS), University of South Carolina

Prior Governmental Experience: Third term Mayor of Mosier, City Council President

If you value independence, respect, and integrity over unproductive partisanship, I would like to be your representative in Salem! Three parties have chosen me as their candidate. Cooperation and collaboration are the ultimate ways to solve problems, large and small.

Health & Wellness:

I lost my husband to brain cancer. As his advocate and caregiver, I know how crucial it is that everyone has access to affordable healthcare, especially during a pandemic.

Rural Economies:

Rural Oregon is dependent on small businesses and small farms. I will prioritize the needs of locally owned businesses to achieve resilience in challenging times.

Tribal Dignity:

Warm Springs Tribal members must be assured potable water and their traditional way of life. I will support tribal members with diligent and persistent representation in Salem.

Education & Broadband:

I will prioritize funding for rural community broadband and robust funding for rural schools during the COVID era -- and after. This is critical for our children's access to education and employment.

Agriculture & Stewardship:

Agriculture is the backbone of our district. Salem needs to seriously address the challenges facing Oregon agriculture; decreasing water supplies, soil depletion and climate fluctuations. We need resources and opportunities for transition to regenerative agriculture.

Energy & Infrastructure:

I support energy independence, renewable resources, and technology training, enabling our constituents generate power -- and profit -- from their own land.

"In this time of increased polarization, she has what it takes to integrate ideas, transcend partisanship and bring folks together in support of a better future for everyone."

Steven Thompson, owner of Saddle View Orchards & Analemma Winery (Hood River News 04/2020)

Endorsements:

Jeff Merkley, US Senator
Ron Wyden, US Senator
Oregon League of Conservation Voters
United Food & Commercial Workers, Local 555
Oregon School Employees Association
WINPAC

VoteForArlene.com

(This information furnished by Friends of Arlene Burns.)

State Representative, 59th District**Daniel G Bonham**

Republican

Occupation: Legislator, Stove & Spa Shop Owner

Occupational Background:
Legislator, Stove & Spa Shop Owner

Educational Background:

Linfield College, Tigard High School

Prior Governmental Experience: The Dalles City Budget Committee; The Dalles Urban Renewal Budget Committee; 2019 Henry Toll Fellow, The Council of State Governments; Graduate of Legislative Energy Horizon Institute

Daniel Bonham is a happily married father of two, who runs local businesses and serves actively in our community. Whether for his family, his employees, his customer, or his constituents, Daniel is driven to positively serve everyone he encounters. Daniel understands life's financial challenges and is committed to a more prosperous future for our community.

Protecting Small Business

For years, Oregon has tried to tax its way to prosperity. It's time for the legislature to stop increasing fees and taxes that make it difficult for businesses to survive. By reducing tax burdens and allowing economic growth, our state's broadened tax base can support investments in our educational system and responsibly support our social services.

Supporting Stronger Education

Daniel believes that a strong educational system is the key to Oregon's future. By funding our schools first and providing consistency— Oregon can build momentum towards an elite education system. Oregon has no greater obligation than to ensure it is providing the resources necessary for a quality education. A stronger education system means greater opportunities for the future of our kids, community, industry, and our state.

Standing up for Rural Oregon

Salem needs strong advocates that will stand up to the interests of Portland and give a voice to rural Oregon. Daniel has helped passed legislation that improves the management of our federal forestland, reduced forest fire risk, and provides additional resources to watershed management.

Endorsed by:

NFIB/ORPAC
Oregon Dairy Farmers Association
Oregon Chiefs of Police Association
Oregon Cattleman's Association
Oregon Farm Bureau
Oregonians for Food & Shelter
Sheriffs of Oregon
Associated Oregon Loggers
Oregon Right to Life PAC
Timber Unity PAC

www.danielbonham.com

(This information furnished by Committee to elect Daniel Bonham.)

Judge of the Circuit Court, 11th District, Position 4

Alycia N Sykora

Nonpartisan

Occupation: Deschutes County Circuit Court Judge

Occupational Background: Judge Pro Tem, Deschutes County Circuit Court (2012-13, 2014-Oct. 2019); Arbitrator, Deschutes County Circuit Court

(2014-Oct. 2019); Attorney, Deschutes County, Oregon (2002-Oct. 2019); Attorney, Oregon Health & Science University (2001-02); Honors Attorney, Oregon Department of Justice, Appellate Division and Business Activities Section (1999-2001); Judicial Clerk, Oregon Supreme Court (1997-99).

Educational Background: University of Oregon Law School, JD; University of Michigan, BA.

Prior Governmental Experience: Judge Judge Pro Tem, Deschutes County Circuit Court; Arbitrator, Deschutes County Circuit Court; Honors Attorney, Oregon Department of Justice, Appellate Division and Business Activities Section; Judicial Clerk, Oregon Supreme Court.

Judge Sykora's community service includes: Central Oregon Coordinator, American Constitution Society, Annual Constitution in the Classroom Project (2009-present) (organizing local attorneys and judges to visit Central Oregon students); Instructor, *Introduction to Comparative Politics*, Central Oregon Community College (2005-07); presenter for local and state continuing legal education events.

Judge Sykora's professional activities and memberships include: Past Chair and Member, Executive Committee, Constitutional Law Section, Oregon State Bar (2006-present); Member, Executive Committee, Appellate Practice Section, Oregon State Bar (2018-present); Member, Oregon Bench and Bar Commission on Professionalism (2018-present); Past President, current Secretary and Continuing Legal Education Committee Chair, Deschutes County Bar Association (2004-present); Member, Executive Committee, University of Oregon Law School Alumni Association (2010-present); Member, Oregon Women Lawyers (2010-present).

Judge Sykora received the 2015 Edwin J. Peterson Professionalism Award from The Oregon Bench and Bar Commission on Professionalism.

(This information furnished by Alycia N. Sykora.)



Did You Know?

- Only those who provide proof of citizenship to DMV are automatically registered to vote under Oregon Motor Voter. If you don't show proof of citizenship you are not automatically registered.
- The Voters' Pamphlet is mailed to every residential address in Oregon. It arrives before the voter registration deadline so anyone not registered to vote can use the registration form in the Pamphlet, or go online to **oregonvotes.gov**, to register in time to vote in the election.
- Only registered voters are eligible to sign petition.

Senate Joint Resolution 18 – Referred at the 80th Legislative Assembly’s 2019 Regular Session to the Voters of the State of Oregon for their approval or rejection at the November 3, 2020, General Election.

Measure No.

107

Amends Constitution: Allows laws limiting political campaign contributions and expenditures, requiring disclosure of political campaign contributions and expenditures, and requiring political campaign advertisements to identify who paid for them

Estimate of Financial Impact	48
Text of Measure	49
Explanatory Statement	49
Legislative Argument in Support	50
Arguments in Favor	50
Arguments in Opposition	55

Result of “Yes” Vote

“Yes” vote allows laws, created by the Legislative Assembly, local governments or voters that limit contributions and expenditures made to influence an election. Allows laws that require disclosure of contributions and expenditures made to influence an election. Allows laws that require campaign or election advertisements to identify who paid for them. Campaign contribution limits cannot prevent effective advocacy. Applies to laws enacted or approved on or after January 1, 2016.

Result of “No” Vote

“No” vote retains current law. Courts currently find the Oregon Constitution does not allow laws limiting campaign expenditures. Laws limiting contributions are allowed if the text of the law does not target expression.

Summary

The Oregon Supreme Court has interpreted the Oregon Constitution to prohibit limits on expenditures made in connection with a political campaign or to influence the outcome of an election. Limits on contributions are allowed if the text of the law does not target expression. The proposed measure amends the Oregon Constitution to allow the Oregon Legislative Assembly, local governments, and the voters by initiative to pass laws that limit contributions and expenditures made in connection with a political campaign and contributions and expenditures made to influence an election. The measure would allow laws that require disclosure of political campaign and election contributions and expenditures. The measure would allow laws that require political campaign and election advertisements to identify who paid for them. Laws limiting campaign contributions cannot prevent effective advocacy. Measure applies to all laws enacted or approved on or after January 1, 2016.

Estimate of Financial Impact

This measure will have no financial effect on the expenditures or revenues of the state, counties, cities, or special districts in Oregon.

Committee Members:
Secretary of State Bev Clarno
State Treasurer Tobias Read
Katy Coba, Director, Department of Administrative Services
Betsy Imholt, Acting Director, Department of Revenue
Tim Collier, Local Government Representative

(The estimate of financial impact was provided by the above committee pursuant to ORS 250.127.)

Text of Measure

Be It Resolved by the Legislative Assembly of the State of Oregon:

PARAGRAPH 1. Section 8, Article II of the Constitution of the State of Oregon, is amended to read:

Sec. 8. (1) The Legislative Assembly shall enact laws to support the privilege of free suffrage, prescribing the manner of regulating, and conducting elections, and prohibiting under adequate penalties, all undue influence therein, from power, bribery, tumult, and other improper conduct.[—]

(2) The Legislative Assembly, the governing body of a city, county, municipality or district empowered by law or by this Constitution to enact legislation, or the people through the initiative process, may enact laws or ordinances within its jurisdiction that:

(a) Limit contributions made in connection with political campaigns or to influence the outcome of any election in a manner that does not prevent candidates and political committees from gathering the resources necessary for effective advocacy;

(b) Require the disclosure of contributions or expenditures made in connection with political campaigns or to influence the outcome of any election;

(c) Require that an advertisement made in connection with a political campaign or to influence the outcome of any election identify the persons or entities that paid for the advertisement; and

(d) Limit expenditures made in connection with political campaigns or to influence the outcome of any election to the extent permitted under the Constitution of the United States.

(3) Subsection (2) of this section applies to laws and ordinances enacted by the Legislative Assembly or the governing body of a city, county, municipality or district, or enacted or approved by the people through the initiative process, on or after January 1, 2016.

PARAGRAPH 2. The amendment proposed by this resolution shall be submitted to the people for their approval or rejection at the next regular general election held throughout this state.

Note: **Boldfaced** type indicates new language; *[brackets and italic]* type indicates deletions or comments.

Explanatory Statement

Ballot Measure 107 amends the Oregon Constitution to allow laws to place limitations on political contributions and expenditures, to require disclosure of campaign contributions and expenditures and to require political advertisements to identify who paid for them.

Courts currently find that the Oregon Constitution prohibits limits on expenditures made in connection with a political campaign or to influence the outcome of an election. Limits on campaign contributions are allowed if the text of the law does not target expression.

Ballot Measure 107 amends the Oregon Constitution to allow the Legislative Assembly, local governments and the people through the initiative process to pass laws or ordinances that limit contributions and expenditures made in connection with a political campaign or to influence the outcome of an election. The measure also allows laws that require disclosure of contributions and expenditures made in connection with a political campaign or to influence the outcome of an election and laws that require an advertisement made in connection with a political campaign or to influence the outcome of an election to identify who paid for the advertisement. Laws limiting campaign contributions cannot prevent effective advocacy.

The proposed amendment applies to laws and ordinances enacted or approved on or after January 1, 2016.

Committee Members:

Senator Ginny Burdick
Senator Tim Knopp
Senator Rob Wagner
Representative Cheri Helt
Representative Paul Holvey
Representative Dan Rayfield

Appointed by:

President of the Senate
President of the Senate
President of the Senate
Speaker of the House
Speaker of the House
Speaker of the House

(The above committee was appointed to provide an impartial explanation of the ballot measure pursuant to Section 7, Chapter 674, Oregon Laws (2019). The Oregon Supreme Court modified their statement pursuant to Oregon Laws 2019, chapter 674, section 6(2). This is the modified statement.)

Legislative Argument in Support

Passing Measure 107 will allow the Oregon Legislature, local governments, and Oregonians using the initiative process to adopt campaign contribution limits and enhance the disclosure of money in our elections process. We strongly recommend a Yes vote.

Currently, Oregon campaign finance laws do not set limits on the amounts of campaign contributions to candidates for state office. Oregon is one of just five states that do not have any limits on campaign contributions. Passing Measure 107 will make it crystal clear that Oregon can adopt and enforce limitations on campaign contributions by explicitly permitting limits in Oregon's constitution.

Lawmakers from across Oregon worked together to craft this measure and the legislature approved the measure by a broad, bipartisan vote.

Oregonians have a fundamental right to know the true source of money that influences our state's elections process. Voting Yes on Measure 107 will allow Oregon to require strong transparency measures that will give voters more insight and information about how campaign spending tries to impact our democracy. For example, Measure 107 will allow laws that require campaigns to say who paid for their election ads.

Voting Yes on Measure 107 will help lift the voices of everyday Oregonians in our democratic processes. We hope that campaign finance reforms will lower the barrier of the high costs of mounting a serious campaign for public office and give more Oregonians the ability to run for office and serve in government.

Please join us in voting **Yes on Measure 107**

Committee Members:

Senator Rob Wagner
Representative Christine Drazan
Representative Barbara Smith Warner

Appointed by:

President of the Senate
Speaker of the House
Speaker of the House

(This Joint Legislative Committee was appointed to provide the legislative argument in support of the ballot measure pursuant to ORS 251.245.)

Argument in Favor

Vote YES on Ballot Measure 107 to Fight Back Against Corporate Interests

The outsized influence of money in politics is corrupting election and policy outcomes across the country – and without limits on campaign contributions, Oregon is Ground Zero for the problem. Fortunately, voters have an opportunity to start fixing it by passing **Ballot Measure 107**.

The stakes are high: without comprehensive reform, politicians will continue to answer to corporate special interests and billionaire donors, instead of answering to the people.

Let's start with common-sense solutions like campaign contribution limits and strong transparency laws that give Oregonians the right to know the real sources of the money behind the endless ads that try to influence your vote. **By allowing these reforms to move forward, Ballot Measure 107 will root out corruption and make government more accountable.**

The nation is once again looking to Oregon for an example of how to fix our democracy. End Citizens United is proud to support Yes for Fair and Honest Elections' efforts to pass Ballot Measure 107.

(This information furnished by Sonny M Mehta, Campaign Manager, Yes for Fair and Honest Elections.)

Argument in Favor

A Democrat and Republican Agree, Vote YES for Ballot Measure 107

We know Ballot Measure 107 well. We were the Democratic Chair and the Republican Vice-Chair of the Senate Campaign Finance Committee that approved sending it to Oregon voters.

We see many issues very differently, but we agree on this: before we can achieve lasting solutions to Oregon's problems, we have to loosen the grip of big money, provided by donors with big stakes in how issues are decided, on our elections.

Passing this measure is the first step in that direction. It will clarify beyond any doubt that Oregonians have the power to limit and regulate the financing of political campaigns, and the right to know clearly who's donating to candidates.

With that clarity in our constitution, we'll be able to join the company of the 46 other states that limit campaign contributions.

You've likely heard a politician, when asked about a particular donation, insist that his or her vote is not for sale. But our problem is more subtle than that. Coming to complex public policy decisions, very often close calls, is an intensely demanding task.

It calls for our best thinking and undivided attention. At a time when running competitive races costs too much money, when citizens are so overwhelmed with pitches from every direction, the appeal of five- and six-figure contributions becomes fierce.

Even for officials of the highest integrity, it can be nearly impossible to keep the mind from wandering to what the big donors are likely to think. That distraction, right on the brink of critical decisions, doesn't lead to sound government of, for, and by people.

Please join us in taking this historic step. You can help shift political influence from big campaign donors to Oregonians as a whole with a **yes vote on Measure 107**.

Senator Jeff Golden, *Southern Oregon District 3*

Senator Tim Knopp, *Central Oregon District 27*

(This information furnished by Sonny M Mehta, Campaign Manager, Yes for Fair and Honest Elections.)

Argument in Favor

Vote YES on Ballot Measure 107 for More Transparent Elections.

Each election, special interests spend millions of dollars to buy results that benefit their own bottom lines, at great cost to ordinary people. Increasingly, they do this in secret, laundering their money through shadowy front groups to hide their undue influence from public view and avoid accountability.

Over the last decade, more than \$1 Billion in secret money has flooded into American elections. **It's time to put an end to this corrupt practice.**

Oregonians have a **fundamental right to know the true sources of money being spent to influence the way they vote**. By shining a light on big-money special interests and the candidates and issues they support, voters can be sure they are casting a vote in their own interest -- and electing a government that really works for them.

Measure 107 would take meaningful steps forward on the problem of big-money influence in Oregon, paving the way for strong transparency laws that will hold special interests accountable.

That's why Voters' Right to Know supports Ballot Measure 107, and **urges you to vote YES in November.**

(This information furnished by Jay Costa, Executive Director, Voters' Right to Know.)

Argument in Favor

Get Big Money Out of Politics

Vote Yes for Measure 107

The League of Women Voters of Oregon urges your support of Measure 107. The League's studies, member consensus and positions support measures to "improve methods of financing political campaigns in order to ensure the public's right to know, combat corruption and undue influence, enable candidates to compete more equitably for public office and promote citizen participation in the political process."

Laws adopted in the past were rigged because those with the most money have the most influence over the government. When that happens, we no longer have a government that works for us. By limiting campaign contributions, we will all have more of a voice.

What does Measure 107 do?

Oregon Measure 107, for Fair and Honest Elections, was referred to the voters with bipartisan support and is championed by numerous grassroots advocates. It will enable laws and voter initiatives to:

- Require disclosure of political contributions and spending
- Require limits on campaign contributions and spending
- Require disclosure of who pays for political ads
- Such laws are allowed at all levels of state and local government, but may need to be passed into statute or ordinance by new legislation.

Why now?

Special interests contribute millions of dollars to sway Oregon elections, investing to increase their own profits. We won't be able to make government work for all of us until we end the role of big money in politics.

- When dark money attack ads flash on our screens, we can't tell who's paying for them.
- When drug companies make large political contributions, we all pay through higher prescription drug prices.
- When major polluters influence elections using obscured big-money donations, we all pay the price with weaker clean air regulations.

This reform is long overdue. **Vote YES for Measure 107** and tell big-money special interests to stay out of Oregon elections.

Rebecca Gladstone
President, League of Women Voters of Oregon

(This information furnished by Rebecca Gladstone, President, League of Women Voters of Oregon.)

Argument in Favor

Community Organizations Support Measure 107

For too long, Black, Indigenous, and people of color have been under-represented and under-served because our campaign system favors the wealthy. By limiting campaign contributions, **Ballot Measure 107 will make it possible for more diverse candidates to run for office and finally give under-served communities a voice in the decisions that affect them most.**

In Oregon, the absence of contribution limits means that the cost of running a political campaign has risen exponentially over recent years. Essentially, to run a successful campaign, one must have a wealthy network who is able to spend significant amounts of money to ensure a community is represented by its leaders. Grassroots fundraising, especially during COVID, is nearly impossible due to the widespread unemployment. Rising campaign costs creates a barrier to elected office for historically disenfranchised communities where wealthy networks often do not exist.

This dynamic exacerbates long-standing disparities in representation. Too often, underrepresented communities are the ones most impacted by the crises of our time - the coronavirus pandemic, economic upheaval, climate change, and lack of voting access. A fair limit on campaign donations increases the opportunities for those on the frontlines of these crises to be equitably represented in the decisions that affect them more than any other community.

Leadership in Oregon does not reflect the community it represents. Every community in Oregon deserves to be represented by those who share their lived experiences.

Reigning in the influence of big money in elections will make elections more equitable and result in policies that lift up our communities.

A healthy democracy is one where women, communities of color, and immigrants can win public office, not just the wealthy. Ballot Measure 107 will ensure that every voter's voice is heard, and every voice counts equally.

Groups Supporting YES on Ballot Measure 107:

- Asian Pacific American Network of Oregon
- Basic Rights Oregon
- Unite Oregon
- PCUN, Farmworkers and Latinx Families United
- Causa of Oregon
- Brown Hope

(This information furnished by Trent Lutz, Oregon Education Association.)

Argument in Favor

Alliance for Democracy, Oregon says **Vote Yes on Measure 107.**

Our mission is to create true democracy, to end corporate domination of politics, economics and media and to build a just & sustainable society for nature and all people.

For 22 years one of our goals has been to reduce the influence of Big Money in campaigns in order to take political power out of the hands of rich & powerful people and corporations; to return it to regular people, where it belongs.

Measure 107 amends the Oregon Constitution to allow laws that limit campaign contributions and expenditures, or require campaign ads to affirmatively name their largest donors.

Oregon is one of a handful of states that have no limitations on campaign contributions or expenditures.

Both the US and Oregon Constitution guarantee the right to free speech. Both constitutions have been interpreted to mean that "Money is Speech", so limiting the amount of money in campaigns is an infringement on free speech. Corporations have used this argument to create their "right" to free speech allowing them to outspend real people to influence elections and elected officials.

The result is that most elected offices are beyond the reach of most people, preventing many people from even considering running for office. Corporations are given free-reign in Oregon's political system, weakening our environmental & labor laws.

Read more about the devastating effect of corporate money in Oregon elections in The Oregonian's award-winning series, *Polluted by Money* by Rob Davis.

We know that money is only property, not speech, and can be subject to limits enacted by the People or their legislative bodies. Limiting contributions or expenditures is not an infringement on free speech rights.

Voters deserve representatives who don't feel beholden to Big Money, who feel free to act on behalf of their constituents. Voters also deserve to know who's donating how much money to whom.

For more info:

- Alliance for Democracy: <https://www.afd-pdx.org>
- Honest Elections: <https://www.honest-elections.com/>

(This information furnished by Sonny M Mehta, Campaign Manager, Yes for Fair and Honest Elections.)

Argument in Favor

Vote YES on Ballot Measure 107 to end the influence of big polluters on Oregon's politicians.

Oregon ranks #1 in the country in corporate political donations to lawmakers, according to The Oregonian's investigative reporting. Logging companies, in particular, spend big money, giving more to Oregon lawmakers than to lawmakers in any other state. And these big corporations are not using their influence to look out for our best interests.

Big Timber and Big Oil use their influence to roll back state environmental protections, including our air and water protections. And polluters have spent big money trying to stop smart solutions to address climate change, even as Oregonians overwhelmingly want climate action now.

Until we end the role of big money in politics by voting YES on Ballot Measure 107, Oregon's environmental legacy will be at risk.

It's not a coincidence that Oregon is one of just five states without campaign contribution limits. Corporations who put profit above the health of people, communities and the environment currently contribute millions of dollars to sway the outcome of Oregon elections, buying results that help their own bottom lines.

If we want elected leaders who prioritize our right to clean air and water, protection for our forests and rivers, and a livable future for our kids over the profits of big corporations, then we must pass Ballot Measure 107.

Groups Supporting YES on Ballot Measure 107:

- Oregon League of Conservation Voters
- Oregon Climate and Agriculture Network
- Climate Solutions
- Center for Biological Diversity
- Native Fish Society
- Oregon Wild
- Oregon Physicians for Social Responsibility
- Portland Clean Air
- Southern Oregon Climate Action Now
- WaterWatch of Oregon

(This information furnished by Sonny M Mehta, Campaign Manager, Yes for Fair and Honest Elections.)

Argument in Favor

SENATOR KIM THATCHER – SECRETARY OF STATE CANDIDATE SAYS:

VOTE YES ON MEASURE 107

OREGONIANS NEED CAMPAIGN FINANCE REFORM

In the Oregon Senate, I voted to send SJR18, now Measure 107, **to the people** because I believe Oregonians deserve to have a voice on campaign finance reforms.

During the May 2020 election, *Willamette Week* reported **about a dark money campaign** that unfolded in the Democratic Secretary of State primary.

A political action committee called "Oregonians for Ballot Access" **spent nearly \$75,000 advertising a fake voter-transparency website**, pretending to be a "neutral" arbiter of who was a better Democratic Secretary of State candidate.

Willamette Week uncovered the truth: it was really a special-interest PAC supporting their hand-picked candidate (Shemia Fagan, now my opponent).

It was so egregious, Democratic State Representative Alyssa Keny-Guyer chastised Fagan, quoted in the *Willamette Week* saying:

"In addition to the obscene amounts of money from so few sources going into your campaign, now there is an Independent Expenditure cleverly called OREGONIANS FOR BALLOT ACCESS, made to 'appear' neutral since it offers one example of an endorsement for Mark and two for Jamie."
(*Willamette Week*, May 13th, 2020)

It's time to fix our elections. It starts with following the money.

When voters approve Measure 107, we'll need a thoughtful, robust public process ensuring we'll no longer have examples like this of **special-interest groups trying to buy our elections.**

Once passed, the new Secretary-elect should immediately convene a citizen's group this November comprised of diverse Oregonians, reflecting political and geographical compositions of the electorate, to make legislative recommendations about:

- Campaign finance reforms.
- Updating Oregon's campaign finance software so EVERY dime raised and spent is accounted for transparently.
- **Disallowing dark money PACS** by requiring transparency about who's paying for campaign expenditures.
- Holding campaign finance violators accountable for their actions.

Voters deserve better. As a candidate for Secretary of State, I'm ready to work on implementing reforms.

(This information furnished by Kim Thatcher, Republican and Independent Party of Oregon Candidate for Oregon Secretary of State.)

Argument in Favor

These organizations dedicated to fair and honest elections in Oregon urge you to Vote Yes on Measure 107:

- AFSCME Oregon
- Alliance for Democracy, Oregon
- Asian Pacific American Network of Oregon
- Basic Rights Oregon
- Bernie PDX
- Brown Hope
- Causa of Oregon
- Center for Biological Diversity
- Climate Solutions
- Common Cause
- Democratic Party of Oregon
- Eastside Democratic Club
- Ecumenical Ministries of Oregon
- Governor Kate Brown
- Health Care for All Oregon
- Honest Elections Oregon
- Independent Party of Oregon
- Indivisible North Coast Oregon
- League of Women Voters Oregon

- Move to Amend Portland
- NARAL Pro-Choice Oregon
- Native Fish Society
- Next Up
- Onward Oregon
- Oregon Climate and Agriculture Network
- Oregon Education Association
- Oregon League of Conservation voters
- Oregon Physicians for Social Responsibility
- Oregon Progressive Party
- Oregon Unitarian Universalists Voices for Justice
- Oregon Wild
- PCUN, Farmworkers and Latinx Families United
- Planned Parenthood Advocates of Oregon
- Portland Clean Air
- Portland Forward
- Represent Us Oregon
- Social Justice Council, First Unitarian Church of Portland
- Southern Oregon Climate Action Now
- Unite Oregon
- WaterWatch of Oregon
- Wolf-PAC Oregon

Learn more:

www.FairAndHonestElections.org

(This information furnished by Sonny M Mehta, Campaign Manager, Yes for Fair and Honest Elections.)

Argument in Favor

MEASURE 107 IS NEEDED FOR LAWS REQUIRING DISCLOSURE OF POLITICAL CAMPAIGN FUNDERS

We have worked on getting big money out of Oregon politics for decades. Oregonians of all political stripes support reasonable limits on campaign contributions and “tagline” requirements that political advertisements reveal their true sources of funding. Oregonians say loudly and clearly that big money special interests should not be able to purchase government office, and that’s exactly what Measure 107 enshrines in the Oregon Constitution.

Of particular importance is Measure 107’s protection for “tagline” requirements. In 2016 (Multnomah County) and 2018 (City of Portland) voters overwhelmingly (87-89%) approved requirements that all political advertisements name their 5 largest true funders and their businesses--not just nice-sounding names of political committees or nonprofit corporations.

Voters should know who are paying for political ads in order to judge credibility of the messages.

State laws requiring that political advertisements identify their source are in place in 46 states but not Oregon. Several states have funder “tagline” requirements, including California, Washington, Connecticut, Maine, and Minnesota. But not Oregon. Even when sponsors voluntarily identify themselves, they often hide their purposes with nice names.

- “Oregonians for Food and Shelter PAC” is funded by chemical, pesticide, and GMO corporations (including Monsanto and Dow) and logging companies.
- “Good Neighbor Farmers PAC” is also chemical corporations, including Monsanto, DuPont, Bayer, BASF, Dow, and other agri-corporations.

Even if the advertisement is paid for by the candidate’s political committee (“PAC”), Oregon state law does not require the PAC to name any contributors.

Taglines give voters critical information.

Taglines on candidate ads in Richmond, California, foiled the massive attempt of Chevron, Inc. to take over the city council and mayorship in 2014. Chevron spent over \$3 million promoting its 4 candidates (\$281 per voter), outspending opposing candidates by 50-fold.

But California’s “tagline” law required that the ads identify their major funder: Chevron. **All of Chevron’s candidates lost.**

VOTE YES MEASURE 107

Honest Elections Oregon
honest-elections.com

(This information furnished by Dan Meek, Honest Elections Oregon.)

Argument in Favor

COMMON CAUSE On Measure 107

Everyone wants a say in the future of our community, state, and nation.

With an equal voice and equal vote, we can all have a say in setting the course for government. We need a democracy that works for all of us:

- **Black, brown and white, Indigenous, Latinx and Asian** – dismantling entrenched systems of racism, sexism and economic disparity that keep our government from being fully reflective and representative,
- **Where people matter more than money** in deciding the fate of our communities.

Big money should not dictate our elections. Money should not buy more speech any more than it does more votes. And those who contribute to campaigns should not do it in secret -- everyone has a right to know who is trying to influence our votes, our legislators, and our government

Voting YES for Fair & Honest Elections ensures that Oregonians have the right to know who’s funding our campaigns and candidates and the right to limit money’s influence on our democracy.

Common Cause works to realize the still unfulfilled promise of democracy. We are millions of Americans – tens of thousands of Oregonians. For the past six years, we’ve worked hard to get this measure on the ballot, leading efforts, with a broad coalition of organizations and people, to get this done.

Together – all of us – now have a chance to be the heroes of this story.

**We urge your YES vote for
Fair & Honest Elections**

(This information furnished by Kate E Titus, Common Cause Oregon.)

Argument in Favor

OREGON NEEDS THE CAMPAIGN FINANCE REFORM MEASURE 107 WOULD ALLOW

Measure 107 is needed to fight the corruption caused by unlimited political campaign contributions.

Only Oregon and 4 other states have no statewide limits on political contributions. Campaign spending on Oregon candidates has skyrocketed 17-fold (1,700%) since 1996--from \$4 million to over \$70 million.

The State Integrity Investigation of the Center for Public Integrity and Public Radio International grades Oregon “F” in systems to avoid government corruption. Oregon ranked 2nd worst of the 50 states in control of “Political Financing,” beating only Mississippi.

The OREGONIAN reported that candidates for the Oregon Legislature:

- **raise and spend more in their campaigns, per capita, than in any other state, except New Jersey**

- **take more money (per capita) from corporations than in any other state**

A 2020 study by the National Institute on Money in State Politics found that Oregon politicians rely more on big contributions (over \$1,000) than in any states except California and Illinois.

The average spent by the top 10 Oregon Senate candidates is now about \$750,000 each; by the top 10 Oregon House candidates is about \$800,000 each. Many spend over \$1 million (often over \$70 per vote). The bigger spending candidate for Oregon Legislature won 94% of the time (2014 - 2016).

In 1998 the candidates for Governor spent \$2.5 million. That rose to \$20 million in 2010 and \$40 million in 2018. Both 2018 candidates received less than 10% of their campaign funds from contributions of less than \$500. Both received more than 70% of their campaign funds from contributions of \$10,000 or more each.

Data from 1980-2006 show that contribution limits of \$500 or less for individual contributors and political action committees (PACs) made elections for state legislatures more competitive and significantly less likely to re-elect incumbents [New York University's Brennan Center].

Honest Elections Oregon

honest-elections.com

info@honest-elections.com

Oregon Progressive Party
progparty.org
503-548-2797

Independent Party of Oregon
indparty.com
503-437-2833

(This information furnished by Dan Meek, Honest Elections Oregon.)

Argument in Favor

Oregon Workers Support Measure 107

Most winning candidates in Oregon currently take big contributions from wealthy special interests. Unfortunately, working people with great ideas who don't have access to big money can't compete. As a result, those who serve as the backbone of Oregon's economy are left underrepresented.

By voting yes on Ballot Measure 107, we can limit the influence of the wealthy and well connected in the halls of power of Oregon. No longer will having a network of large donors be a requirement for participating in democracy.

Oregon is lifted up by those who teach our children, clean our offices, repair our bridges, farm our crops, maintain our parks, care for our seniors and disabled, and on and on. Yet, they are far too often not financially able to run for office and advocate for the issues and communities where they have dedicated their lives.

Limiting campaign spending has never been more important for Oregon:

- Decisions about how to safely reopen schools during a pandemic should be made by those who teach, not those individuals and corporations who can write the biggest check.
- Rebuilding Oregon's economy should be led by those on the front lines, not those who have received donations from the business community.

Contribution limits will let people who understand our communities' needs serve in office and represent all of us.

When voting, think of the nurse who is putting their life at risk to save others. Think of the educator working 10 hours a day in their classroom and at home to support students. Think of the farmworker who labors to ensure you have fresh food in our markets and at your table.

A yes vote for Ballot Measure 107 will ensure that important decisions are made with the best interests of working people in mind.

Oregon workers across the state support Measure 107.

- PCUN, Farmworkers and Latinx Families United
- Oregon Education Association
- Oregon AFL-CIO
- Oregon AFSCME

(This information furnished by Trent Lutz, Oregon Education Association.)

Argument in Favor

Get Big Money Out of Politics

We have a fundamental right to know the true sources of money spent on our elections. This measure will allow us to shine a light on the big money special interests trying to influence our votes.

The rules are rigged because those with the most money have the most influence over the government. When that happens, we no longer have a government that works for us. By limiting campaign contributions, we will all have more of a voice.

What does Ballot Measure 107 do?

The Oregon Fair and Honest Elections Measure, Measure 107, is championed by grassroots advocates and referred with bipartisan support. It will allow laws and voter initiatives that:

- Require the disclosure of political contributions and spending
- Limit campaign contributions and spending
- Require that political ads disclose who paid for them

Why now?

Special interests contribute millions of dollars to sway the outcome of Oregon elections, buying results that help their own bottom lines. Until we end the role of big money in politics, we won't be able to make government work for all of us.

- When attack ads from dark money groups flash on our screens, we have no way to know who's behind them.
- When drug companies make large political contributions, we all pay the price with higher prescription drug prices.
- When major polluters use secret big money donations to influence elections, we all pay the price with weaker clean air regulations.

The time for a change is long overdue. Send a message and tell big money special interests to stay out of our elections by voting **Yes on Measure 107**.

(This information furnished by Sonny M Mehta, Campaign Manager, Yes for Fair and Honest Elections.)

Argument in Opposition

An argument against large political contributions is that large donors might gain “undue influence” over an elected official. But do contributions actually influence the behavior of politicians?

If my campaign slogan is “a chicken in every pot,” and the National Chicken Council gives my campaign a million dollars, they aren’t *influencing* me – I *already* supported their interests. Indeed, that’s why they chose to support me! There is no corruption, just honest support of a like-minded candidate.

Consider a hypothetical case of special interest favoritism:

1. Legislative candidate announces platform
2. Special interest likes their platform
3. Special interest makes large contribution
4. Candidate spends contribution on political speech
5. Political speech persuades voters
6. Candidate wins election, becomes legislator
7. Legislation favoring special interest is introduced
8. Contribution causes legislator to support legislation
9. Legislator votes for legislation
10. Legislation becomes law
11. Special interest benefits

The locus of corruption is in step #8, where the legislator’s vote was swayed by the campaign contribution. This can only happen when the legislator considers the special interest’s future support as essential to their political career, as a legislator in an uncompetitive district needs no support, and a retiring or term limited one doesn’t need to please anyone. Also, the legislator must be ideologically *against* the law, or there’s no influence.

Contribution limits attempt to disrupt this sequence at #3, which is many steps removed from the problem. Contributions fund speech that *might* persuade voters enough for a candidate to win election, and then that legislator *might* be persuaded, *against their own ideology*, on the *hopes of future* contributions, to support a bad law. Should we censor political speech because of a very unlikely *tertiary* consequence of *other peoples’* actions? Of course not!

It’s wrong to take away one person’s rights because of someone else’s actions.

The fear of “undue influence” is overblown, anyway. It makes much more sense to support someone who already agrees with you than to give funding to your opponents.

Vote **NO** on 107.

(This information furnished by Kyle Markley.)

Argument in Opposition

It isn’t true that big money buys elections.

It *is* true that the candidate who spends the most money is very likely to win their race. But the idea that they win *because* they have more money **confuses correlation with causation**.

It is obvious that a better-liked candidate will get more votes. Being liked *also* helps candidates raise money. **Being liked is a cause, not an effect, of campaign funding.**

We should *expect* whichever candidate has the most popular positions to both raise the most money and to win the election. That correlation is **normal** and **is not evidence of corruption**.

The idea that big money can **buy** elections has been proven false time and again. Here are a few recent examples:

- In the 2016 Republican Presidential primary, Donald Trump spent \$76M to win but was outspent by *four* separate opponents (Carson, Rubio, Cruz, Bush) who cumulatively spent \$455M, *six times* as much.

Source: <https://tinyurl.com/no107-rp>

- In the 2016 general election, Donald Trump spent \$302M to win, despite Hillary Clinton’s \$640M, over *twice* as much.

Source: <https://tinyurl.com/no107-pe>

- Alexandria Ocasio-Cortez won her 2018 Democratic primary election in New York spending only \$585K, defeating the incumbent Joseph Crowley who spent over \$2 million!

Source: <https://tinyurl.com/no107-NY>
(sum of April, pre-primary, and July reports)

- The 2018 Florida primary election saw *four of six* statewide races won by candidates who were outspent, including Andrew Gillum who won the Democratic nomination for Governor after spending \$6.7M, defeating opponents who cumulatively spent \$54.1M, over *eight times* as much.

Source: <https://tinyurl.com/no107-FL>

- In the 2020 Democratic Presidential primary, Joe Biden sailed to victory spending just \$108M, easily defeating self-funding billionaires Michael Bloomberg (\$1,052M) and Tom Steyer (\$347M). He was also outspent by Bernie Sanders (\$204M) and Elizabeth Warren (\$124M).

Source: <https://tinyurl.com/no107-bi>

Michael Bloomberg’s billion dollars, even combined with his advantage of already being a successful politician, couldn’t defeat Joe Biden. **If Biden can win despite being outspent 16:1, it’s clear that money doesn’t buy elections.**

(This information furnished by Kyle Markley.)

Argument in Opposition

Is there too much money in politics? There’s surely a lot, but how much is too much? **How and at what level does it become a problem?**

Political spending is overwhelmingly for the purpose of communicating a political message to the voters. We can legitimately question how effective it is (I know my eyes glaze over when candidates’ ads come on!) but it’s intended to be informative and persuasive.

A well-informed electorate is a good thing, not a bad thing. We would not be better off if voters were ignorant.

Does all this money make it too expensive to get a message out? Bidding up the price of a fixed communication channel may sound plausible regarding broadcast television and radio advertising, but it’s manifestly untrue for direct mail, print advertising, online search, social media platforms like Facebook and YouTube, and other kinds of growing digital advertising.

It’s actually easier and cheaper than ever before to reach people with a political message. **Smaller voices aren’t being drowned out, they’re being empowered.** More spending on political speech gets us *more political speech*, rather than shifting who is doing the speaking.

Maybe it’s a problem that candidates (especially incumbents) spend too much time raising money and not enough time doing their jobs? Contribution limits would make that *worse*, not better, because they would need to convince *more* donors.

Is the problem that some claim rich people are able to buy elections? That's a popular bogeyman, but isn't true. I wrote a separate argument statement debunking it. (Please read it!)

Is the problem the fear of big donors influencing elected officials? That also isn't true. The short version is that politicians take their ideologies seriously, but I wrote the long version as a separate argument statement. (Please read it!)

The proponents of Measure 107 are trying to scare you. Don't let their damaging "solutions" to their unproven "problems" scare you into giving away your freedom of speech. Vote **NO**.

(This information furnished by Kyle Markley.)

Argument in Opposition

This measure does more than allow for censorship of political speech – in subsections (2)(b) and (2)(c) it has the power to **completely prohibit anonymous electioneering**.

Anonymous political speech is an important category of expression. It gave us foundational works such as *The Federalist Papers* and *Common Sense*.

Anonymous expression has a major virtue: it keeps the focus properly on **the content of the message itself**, without *ad hominem* distractions about the identity of the speaker, or even less usefully on the financial backers of the speaker.

Anonymity is also important to **protect speakers** from facing personal repercussions for advocating unpopular ideas. Imagine fearing losing your friends or angering your family if you lived in a conservative location and donated to causes like same-sex marriage or marijuana legalization. People have lost *careers* because, years earlier, they donated to the "wrong" cause – even if it was the prevailing opinion at the time! That isn't right. **Compelled disclosure chills political speech and participation.**

People should not be afraid to speak or to support the causes they believe in. **Ideological diversity is a strength**, and privacy protects and nurtures that diversity.

(The chilling effect of compelled disclosure *is actually the goal*. Make people afraid to participate, so they stop. The general public isn't actually interested in disclosure data: <https://tinyurl.com/no107-fd>)

Perhaps more importantly, anonymity shields people from **retaliation by elected officials**:

... a candidate challenging an incumbent state attorney general reported that some members of the State's business community feared donating to his campaign because they did not want to cross the incumbent; in his words, "I go to so many people and hear the same thing: 'I sure hope you beat [the incumbent], but I can't afford to have my name on your records. He might come after me next.'""

Citizens United v. Federal Election Commission, 558 U.S. 310, 4 (2010) (Thomas, J., concurring in part and dissenting in part).

Respect peoples' privacy! Vote **NO on 107**.

(This information furnished by Kyle Markley.)

Argument in Opposition

Campaign finance reform is being abused

Here's four current and upcoming problems:

1. **Public tax dollars fund politicians campaign pockets:** Portland dumped millions of public tax dollars into politicians' personal political campaigns (negative ads, spam emails, campaign legal bills over intern affair?) Campaign finance laws limit our ability to donate to candidates we like, while using our own tax dollars to support the candidates we don't like. It's perverse.

2. **Corporate welfare.** \$20 million of Oregon tax dollars went to Hollywood style film corporations. \$50 million in tax benefits went to build a private luxury Hyatt hotel in Portland. This should be illegal! Don't LIMIT the people's ability to donate to politics until you stop politicians from siphoning tax dollars to fund private corporations (who in turn donate to their campaigns).
3. **Rigged system favoring the rich:** The Supreme Court ruled there can be no limits on how much a person donates to their own campaign. So, a billionaire candidate can drop millions into his own campaign while middle-class candidates can be restricted to political donations from others that are maxed out at \$100/\$500 limits. Future contributions limits must not be too small otherwise you make it impossible for middle class candidates to compete against rich candidates.
4. **Invading our privacy.** Oregon law requires that if you make a small \$100 donation you must surrender your (1) name (2) home address (3) name of where you work (4) location of your work (5) your job title. It goes into a public database called ORESTAR. It's available on the internet for any stalker, predator, ex-lover and spam marketer to find you. Future laws should treat small donors with respect, not like criminals on a sex offender registry.

As Oregon experiments with future campaign laws made possible by passing #107 please remember these warnings.

-- Follow us online at OregonWatchdog.com (see also OregonCatalyst.com). We've been fighting government waste, fraud, abuse for over 20 years.

(This information furnished by Jason D Williams, Founder, Taxpayers Association of Oregon.)

Argument in Opposition

This measure is a fundamental attack on the Oregon Bill of Rights, removing all protections for electioneering speech.

No law shall be passed
restraining the free expression of opinion, or
restricting the right to speak, write, or print freely
on any subject whatever **except politics**

That's what this measure does to your freedom of speech.

This measure authorizes limits (including total prohibitions!) on contributions and expenditures "made **in connection with political campaigns** or to influence the outcome of **any election**."

It authorizes limits for **ballot measures**, where corruption is impossible because there is no elected official to corrupt. Government should not have *any* power to limit issue advocacy.

It authorizes limits for **private elections**, such as for corporate boards of directors, churches, professional societies, charities, and anything else. It's an invitation for the government to meddle where it doesn't belong.

It authorizes limits that are **obviously unfair**, such as banning electioneering by corporations but not by unions, or vice versa. (Supporters are hoping you don't notice this!)

This measure is **far too broad**. The ACLU and the NRA are both engaged in long-term issue advocacy political campaigns. Donations to groups like these could be limited even at times when they *aren't* supporting or opposing legislation.

This measure will limit **non-electioneering** activity, too. Political organizations may need to hire lawyers to defend their civil rights (e.g. *Farris v. Seabrook*, 677 F.3d 858 (9th Cir. 2012)), or to litigate matters of internal governance (e.g. *Reeves v. Wagner*, 295 Or App 295 (2018)), and contribution limits will **imperil their access to the courts**.

There are **no safeguards** on this power, and that's no mistake.

This measure *could have* been written to only cover elections “to public office.” It *could have* guaranteed that limits wouldn’t advantage some viewpoints over others. It *could have* required limits to be tied directly to electioneering activity.

It doesn’t have any of these protections, which tells you everything you need to know.

Vote **NO**.

(This information furnished by Kyle Markley.)

Argument in Opposition

A political organization is a group of individuals acting together to pursue shared political interests. Persuasive political speech on matters of public interest is the essential activity of such groups. **A political organization is a vehicle through which individuals cooperate to jointly exercise their individual rights to political expression.** Limits on an organization’s speech are actually limits on the speech of the individuals associated with that organization.

During the 2008 primary election season, a political advocacy nonprofit corporation named Citizens United wanted to distribute a documentary (*Hillary: The Movie*) through cable video-on-demand which was critical of then-Senator Hillary Clinton, who was running for President. Perhaps astonishingly, that was illegal – a *felony* – at the time. This overt censorship is what the case *Citizens United v. Federal Election Commission* was about.

The government argued in the case that it had the authority to ban *books*, to the astonishment of the Justices. **“The government’s position is that the First Amendment allows the banning of a book if it’s published by a corporation?”** (<https://tinyurl.com/no107-ct> page 28.)

It isn’t exaggeration to warn that political contribution and expenditure limits are tantamount to allowing books to be banned. The government has already argued to the United States Supreme Court that they are.

Citizens United was fundamentally about **your right to cooperate with others to express your political opinions.** It should be an irrelevant detail that the group was organized as a nonprofit corporation. Here was an association of people who pooled their resources for the purpose of publicly criticizing a sitting government official who was seeking higher office.

Should we celebrate such political engagement, or should the government be able to **protect incumbents from criticism by censoring their critics** during election season?

Measure 107 grants that power. It would be used to reduce or even extinguish the Oregon rights of individuals and organizations to participate in politics. But no one, whether individually or in cooperation with others, should be censored.

(This information furnished by Kyle Markley.)

Argument in Opposition

This dangerous Constitutional amendment will put peaceful political activists at risk of political persecution.

Does that sound far-fetched? It happened in a 2013 Wisconsin investigation:

The officers sat [the 16-year-old] down, read him the entire search warrant, and ordered him not to tell anyone about the raid – not even school officials. He asked if he could call his parents. They said no. He asked if he could call a lawyer. They said no.

The pretense for the October raids was suspected “coordination” between various conservative organizations and Wisconsin governor Scott Walker’s campaign – activity that a trial court has held constituted nothing more than entirely legal “issue advocacy,” if it even occurred.

<https://tinyurl.com/no107-pp>

The Wisconsin Supreme Court eventually shut down the politically-motivated investigation, but it had already achieved its intended effect of hobbling political advocacy organizations and chilling the political speech of people associated with them.

Lawmakers also want a piece of the action. Last year, Florida Congresswoman Frederica Wilson called for prosecution of people who didn’t respect members of Congress:

“Those people who are online making fun of members of Congress are a disgrace,” she said while speaking in Homestead. “We’re gonna shut them down and work with whoever it is to shut them down, and they should be prosecuted. You cannot intimidate members of Congress, frighten members of Congress. It is against the law, and it’s a shame in this United States of America.”

<https://tinyurl.com/no107-dw>

If making fun of elected officials is “made in connection with political campaigns or to influence the outcome of any election” then this ballot measure would enable prohibitions on any contributions or expenditures related to such disrespectful behavior, with potentially criminal sanctions. *You will respect the government, or else!*

Peaceful political activists should never fear persecution.

Even without charges ever being brought, the investigative process itself can and will be abused by politically-motivated officials to harass political activists that they disagree with.

Prevent persecution. Vote **NO**.

(This information furnished by Kyle Markley.)

Argument in Opposition

Measure 107 removes the Oregon Constitution’s protections for political speech, leaving us with just the federal protections from the U.S. Constitution.

How secure do you think those federal protections are?

If this ballot measure passes, and then President Trump or some terrible future President packs the U.S. Supreme Court until they say you *don’t* have the right to protest, or *don’t* have the right to criticize elected officials, are you prepared to let it all go?

What if there is a constitutional convention someday and the other states (whose constitutions still protect political speech) let the First Amendment be weakened? Too bad, Oregon?

No! Don’t accept that. The Oregon Constitution should continue to protect our rights, even if – perhaps *especially* if – the federal government goes off the rails.

A huge problem with this ballot measure is that it doesn’t constrain the government’s power. If the First Amendment went away, political expenditure limits **could legally be set to zero** and everyone would completely lose their right to engage in political speech.

(You couldn’t get it back – it would be impossible to pursue a ballot initiative if you couldn’t buy paper to collect signatures on!)

That’s nuts! **Don’t outsource your most precious rights** to the federal government. It isn’t redundant for the Oregon Constitution to protect your rights, too – it’s a responsible insurance policy.

Today, the Oregon Constitution independently protects your right to engage in political expression. If this ballot measure passes, that’s gone, leaving nothing left.

Even if you *want* contribution and expenditure limits, it is wrong to give the government unchecked authority to set limits as low as it wants and to decide what kinds of electioneering to limit. What could be sold as a ban on expenditures for negative campaigning would obviously become a ban on criticizing elected officials. Goodbye, investigative journalism.

Political expression needs to be protected in the Oregon Constitution. This measure is just too dangerous. Vote **NO**.

(This information furnished by Kyle Markley.)

Argument in Opposition

Oregonians wisely rejected the very similar Measure 46 in 2006. Here are some quotes (emphasis added) from opposing Voters' Pamphlet arguments that still resonate today:

Oregon Family Council:

If passed, all **public policy organizations**--pro-family, conservative and liberal alike--**would lose much of their ability to educate voters or support candidates**. More importantly, voters would be far less educated about candidate philosophies and positions on issues at election time.

Oregon AFSCME:

The reason we are most concerned is because the unfair advantage this will give the extremely wealthy in Oregon elections. This measure will allow regulations on the amount of contributions candidates can collect. **Working people who choose to run for office will be forced to spend a great deal of time raising money**. On the other hand a wealthy person can still write themselves a huge check and fund their own campaign.

Oregon School Employees Association:

Oregonians know that **our freedoms are precious and must be protected**. Our freedom of speech protections have served us well for more than 100 years. **We shouldn't be fooled into believing less freedom will be good for us**.

Planned Parenthood Advocates of Oregon:

This measure **goes too far** in amending Oregon's Constitution and undermines our freedom of speech protections. This measure exempts ALL future actions of the legislature or ANY ballot measures regarding election contributions and expenditures from the Oregon Constitution's freedom of speech protection. **Our rights are too precious to be surrendered without knowing what those future measures might do to limit our freedom of speech**.

Oregon Right to Life:

Currently, you can let your voice be heard by supporting any political organization with your time and money. Measure 46 will change the Oregon Constitution and **allow others to regulate how much you can contribute to your preferred candidates and political organizations**.

American Federation of Teachers--Oregon:

Keep Oregon's freedom of speech protection in the Constitution, away from extremists and out of the hands of the legislature.

(This information furnished by Kyle Markley.)

Argument in Opposition

Frederick Douglass, 1860:

Equally clear is the right to hear. **To suppress free speech is a double wrong**. It violates the rights of the hearer as well as those of the speaker. It is just as criminal to rob a man of his right to speak and hear as it would be to rob him of his money.

Benjamin Franklin, 1722:

Whoever would overthrow the Liberty of a Nation must begin by subduing the Freedom of Speech.

Supreme Court Justice Louis D. Brandeis, *Whitney v. California*, 1927:

If there be time to expose through discussion, the falsehoods and fallacies, to avert the evil by the processes of education, **the remedy to be applied is more speech, not enforced silence**.

Supreme Court Justice William Brennan, *New York Times v. Sullivan*, 1964:

[We have] ...a profound national commitment to the principle that **debate on public issues should be uninhibited, robust, and wide-open**...

John Stuart Mill, *On Liberty*, 1859:

If all mankind minus one, were of one opinion, and only one person were of the contrary opinion, **mankind would be no more justified in silencing that one person**, than he, if he had the power, would be justified in silencing mankind.

Were an opinion a personal possession of no value except to the owner; if to be obstructed in the enjoyment of it were simply a private injury, it would make some difference whether the injury was inflicted only on a few persons or on many.

But the peculiar evil of silencing the expression of an opinion is, that it is **robbing the human race**; posterity as well as the existing generation; those who dissent from the opinion, still more than those who hold it.

If the opinion is right, they are deprived of the opportunity of exchanging error for truth: if wrong, they lose, what is almost as great a benefit, the clearer perception and **livelier impression of truth, produced by its collision with error**.

(This information furnished by Kyle Markley.)

Argument in Opposition

Political campaign contribution limits are supposed to reduce political corruption and yield better government. Given that all but a handful of states have these limits, **where is the hard data** demonstrating that limits lead to better government?

Don't give up your constitutional rights without checking the data! The experiment has been done, and the other states are the laboratory. What are the results?

As measured by the criteria of the Pew Center on the States, contribution limits actually have a **negative** impact on the quality of government!

... the distribution of the quality of governance among all 50 states is random when compared to a state's contribution limits, and, at worst, those states with no or high contribution limits perform much better in the Pew rankings than those states with moderate or low limits on what individuals may contribute to the legislative candidates of their choice.

<https://tinyurl.com/no107-ni>

In the opinion for *Deras v. Myers*, 272 Or. 47, 59 (1975), the Oregon Supreme Court explained (emphasis added):

The various scholarly studies on campaign financing, although recognizing that money is a significant factor, point to **other factors having an equal or greater effect on the outcome of elections**, including "the predisposition of voters, the issues, group support, incumbency, chances for electoral victory, sympathy on the part of the mass media, and a collection of other factors (religion, divorce, color). **Because these latter factors are generally overlooked by the proponents of controlled campaign expenditures, "the importance of money is almost universally exaggerated."**

The same is true with respect to defendant's assertion that "the foremost danger of excessive money ... is the 'buying' of candidates." Here, again, **there is a strong conviction by those who have made a study of campaign financing that the buying of candidates through large contributions has not constituted a major evil in elections.**

Money doesn't determine elections.

Money doesn't buy officials.

Contribution limits don't yield better government.

Vote **NO** on Measure 107.

(This information furnished by Kyle Markley.)

Argument in Opposition

Oregonians wisely rejected the very similar Measure 46 in 2006. Here are some quotes (emphasis added) from opposing Voters' Pamphlet arguments that still resonate today:

Betty Roberts, former Oregon Supreme Court Justice: If Measure 46 is approved, there would be **no free speech rights left in the Oregon Constitution** to prevent a law that would **ban all contributions for and against any ballot measure.**

No Censorship Committee:

... Oregon laws could be passed that would **ban political artistic expression** if there is any connection to a candidate or ballot measure. We do not want to **put artistic expression at risk of government censorship** just because a book, film or performance is too topical and is considered a campaign "contribution."

Oregon AFSCME:

We cannot support this measure and we strongly encourage you to vote "No." This measure will eat away at Oregon's free speech protections. We have some of the strongest free speech protection in the country under the Oregon Constitution; much stronger than the U.S. Constitution. With this measure the standard will be lowered to that level for political speech.

NARAL Pro-Choice Oregon:

Measure 46 eliminates ANY provision of the Constitution that conflicts with ANY future legislation or future ballot measure that seeks to regulate political campaign expenditures and contributions. **That's a blank check we can't afford to write.**

SEIU Local 49 and SEIU Local 503:

If we must amend the Constitution, we should be sure what we are doing, and what exactly the impact will be. Measure 46 goes too far, and can lead to too many unintended consequences. **Don't give up your constitutional right to free speech.**

Oregon Education Association:

Right now, our freedom of political speech protection under Oregon's Bill of Rights is actually stronger than the federal law. But this measure would effectively **remove important freedom of speech protections from our state Constitution**, leaving it to the legislature or ballot measures to determine what our freedom of speech means in Oregon.

(This information furnished by Kyle Markley.)

Argument in Opposition

Campaign contribution and expenditure **limits do not create a level playing field.** They tilt it *against* the voices representing concentrated interests, which deserve a chance to be heard.

For example, a business with a small workforce whose continued existence is threatened by government regulation has a very small number of people interested in defending it. With low contribution limits per donor, and few donors, that business couldn't get its message to voters.

You've probably heard the old expression that "democracy is four wolves and a sheep voting on what to have for lunch." Contribution and expenditure limits deny the sheep the right to argue it shouldn't be eaten. The sheep can't win the vote by itself, and if it isn't allowed to even *try* persuading the wolves, it's doomed. Is that fair?

It has been said that campaign finance reform is about restoring trust in the elections process. **How could we trust a process that stifles or silences minority points of view?**

There is already perfect equality at the ballot box: only individuals get to vote, and each vote counts equally. Concentrated interests are already hugely disadvantaged in elections. Their *only* political power is to try to persuade voters, and that's exactly what limits take away!

A level playing field is one where government doesn't prevent anyone from talking. We should not enact a policy designed to keep the electorate ignorant of a point of view. If certain policies or candidates don't win when the opposition presents a robust case, well, they *deserved* to lose.

Some might feel it's unfair that rich people can afford to speak more than others, but that isn't really a complaint about speech. Rich people can do more of almost everything than the rest of us. They might speak more, but speaking can only attempt to persuade voters. The votes are what count, and rich people only get one vote, just like everybody else.

Vote **NO** on Measure 107.

(This information furnished by Kyle Markley.)

Argument in Opposition

Any power we grant to government when it is in the hands of our allies, we also grant to the government when it is in the hands of our opponents. We may trust our friendly State Representative with the power to restrict our political speech – but can we trust the folks on the other side of the aisle? If our city council can limit spending for a local race in such a way that it favors speech we agree with, another city's leaders can limit the speech we believe their constituents most need to hear.

The Oregon Constitution provides some of the strongest protections for free speech anywhere in the world, and that's given us a vibrant and exciting state culture. Is it worth weakening that protection in order to limit speech we may disagree with? Is it worth taking the risk that at some point in the future, our speech will be limited in order to gain a momentary advantage today?

The only winners when political speech is limited are those who want to avoid their actions being discussed. Do we really want to grant our public servants the power to declare that exposing their misdeeds is forbidden, or that we cannot use the most effective means available in order to share the truth about them?

This amendment **has no protections** for news reporting or editorial endorsements! Its **poor wording** would permit a crooked city government to classify a newspaper investigation into their corruption as an attempt to influence an election, and limit the newspaper's spending on that investigation, and even its publication.

This permanent change to the Oregon Constitution purports to bring light to our political discourse, but what it will inevitably wind up doing is to permit our government to operate in the shadows. **This is dangerous enough even when its leaders are our friends – but it's deadly dangerous in the hands of our opponents.**

(This information furnished by Kyle Markley.)

House Bill 2270 – Referred at the 80th Legislative Assembly’s 2019 Regular Session to the Voters of the State of Oregon for their approval or rejection at the November 3, 2020, General Election.

Measure No.

108

Increases cigarette and cigar taxes. Establishes tax on e-cigarettes and nicotine vaping devices. Funds health programs.

Estimate of Financial Impact	60
Text of Measure	61
Explanatory Statement	66
Legislative Argument in Support	66
Arguments in Favor	66
Arguments in Opposition	82

Result of “Yes” Vote

“Yes” vote increases cigarette tax by \$2 per pack. Increases cap on cigar taxes to \$1 per cigar. Establishes tax on nicotine inhalant delivery systems, such as e-cigarettes and vaping products. Funds health programs. Approves other provisions.

Result of “No” Vote

“No” vote retains current law. Cigarettes are taxed at current rate of \$1.33 per pack. Tax on cigars is capped at 50 cents per cigar. Nicotine inhalant delivery systems, such as e-cigarettes and vaping products, remain untaxed.

Summary

Under current law, a tax of \$1.33 is imposed on each pack of 20 cigarettes, cigars are taxed at 65 percent of the wholesale price, up to a maximum of 50 cents per cigar, and nicotine inhalant delivery systems, such as e-cigarettes and vaping products, are not taxed. Measure increases the cigarette tax by \$2 per pack and increases the maximum tax on cigars to \$1 per cigar. Measure provides for smaller cigars (sold commonly as “cigarillos”) to be taxed like cigarettes. Measure establishes tax on nicotine inhalant delivery systems, such as e-cigarettes and vaping products, at 65 percent of the wholesale price. Tax on nicotine inhalant delivery systems does not apply to approved tobacco cessation products or to marijuana inhalant delivery systems. Revenue from increased and new taxes will be used to fund health care coverage for low-income families, including mental health services, and to fund public health programs, including prevention and cessation programs, addressing tobacco- and nicotine-related diseases.

Estimate of Financial Impact

This referral increases taxes on cigarettes and cigars and establishes a tax on e-cigarettes and vaping devices and dedicates the revenues to health programs at the Oregon Health Authority. The measure will increase net state revenues by \$111.1 million in 2019-21 and \$331.4 million in 2021-23. The measure dedicates 90 percent of the revenue from the increased cigarette tax and the e-cigarette and vaping device tax to support the Oregon Health Plan and other medical assistance programs and 10 percent to tobacco use prevention and cessation programs. Funds spent on the Oregon Health Plan are eligible for federal matching funds. The direct expenditure impact of the measure is the cost of administering the tax increases, estimated at \$1.0 million in 2019-21 and \$1.3 million in 2021-23.

Local governments, the state’s General Fund, and mental health programs at the Oregon Health Authority could see a decline in revenue if the measure passes. The current cigarette tax and the proposed tax are dedicated to different purposes.

Beyond the cost of administration, the impact of the revenue increases and decreases on state and local government expenditures is indeterminate and will depend on decisions made by the governing bodies of those governments.

Committee Members:
Secretary of State Bev Clarno
State Treasurer Tobias Read
Katy Coba, Director, Department of Administrative Services
Betsy Imholt, Acting Director, Department of Revenue
Tim Collier, Local Government Representative

(The estimate of financial impact was provided by the above committee pursuant to ORS 250.127.)

Text of Measure

Be It Enacted by the People of the State of Oregon:

SECTION 1. ORS 323.031 is amended to read:

323.031. (1) Notwithstanding ORS 323.030 (2) and in addition to and not in lieu of any other tax, every distributor shall pay a tax upon distributions of cigarettes at the rate of 30 mills for the distribution of each cigarette in this state.

(2) Notwithstanding ORS 323.030 (2) or subsection (1) of this section and in addition to and not in lieu of any other tax, every distributor shall pay a tax upon distributions of cigarettes at the rate of 100 mills for the distribution of each cigarette in this state.

[(2)] (3) Any cigarette for which a tax has once been imposed under ORS 323.005 to 323.482 may not be subject upon a subsequent distribution to the taxes imposed by ORS 323.005 to 323.482.

SECTION 2. Section 3 of this 2019 Act is added to and made a part of ORS 323.005 to 323.482.

SECTION 3. All moneys received by the Department of Revenue from the tax imposed by ORS 323.031 (2) shall be paid over to the State Treasurer to be held in a suspense account established under ORS 293.445. The department shall pay expenses for administration and enforcement of ORS 323.005 to 323.482 out of moneys received from the tax imposed under ORS 323.031 (2). Moneys used for payment of expenses under this section shall equal 60.61 percent of all expenses for administration and enforcement of ORS 323.005 to 323.482. Amounts necessary to pay administrative and enforcement expenses are continuously appropriated to the department from the suspense account. After the payment of administrative and enforcement expenses and refunds, the remaining balance shall be credited to the Oregon Health Authority Fund established by ORS 413.101 to be used as follows:

(1) 90 percent of the moneys are continuously appropriated to the Oregon Health Authority for the purposes of funding the maintenance and expansion of the number of persons eligible for medical assistance and funding the maintenance of benefits available under the medical assistance program, including mental health services.

(2) 10 percent of the moneys are continuously appropriated to the Oregon Health Authority for distribution to tribal health providers, Urban Indian Health programs, regional health equity coalitions, culturally specific and community-specific health programs and state and local public health programs that address prevention and cessation of tobacco and nicotine use by youth and adults, tobacco-related health disparities and the prevention and management of chronic disease related to tobacco and nicotine.

SECTION 4. ORS 323.455 is amended to read:

323.455. (1) All moneys received by the Department of Revenue from the tax imposed by ORS 323.030 (1) shall be paid over to the State Treasurer to be held in a suspense account established under ORS 293.445. The department may pay expenses for administration and enforcement of ORS 323.005 to 323.482 out of moneys received from the tax imposed under ORS 323.030 (1), **after all amounts available under section 3 of this 2019 Act for expenses for administration and enforcement of ORS 323.005 to 323.482 have been used.** Amounts necessary to pay administrative and enforcement expenses are continuously appropriated to the department from the suspense account. After the payment of administrative and enforcement expenses and refunds, 89.65 percent shall be credited to the General Fund, 3.45 percent is appropriated to the cities of this state, 3.45 percent is appropriated to the counties of this state and 3.45 percent is continuously appropriated to the Department of Transportation for the purpose of financing and improving transportation services for elderly individuals and individuals with disabilities as provided in ORS 391.800 to 391.830.

(2) The moneys appropriated to cities and counties under subsection (1) of this section shall be paid on a monthly basis within 35 days after the end of the month for which a distribution is made. Each city shall receive such share of the money appropriated to all cities as its population, as determined under ORS 190.510 to 190.590 last preceding such apportionment, bears to the total population of the cities of the state, and each county shall receive such share of the money as its population, determined under ORS 190.510 to 190.590 last preceding such apportionment, bears to the total population of the state.

(3) The moneys appropriated to the Department of Transportation under subsection (1) of this section shall be distributed and transferred to the Elderly and Disabled Special Transportation Fund established by ORS 391.800 at the same time as the cigarette tax moneys are distributed to cities and counties under this section.

(4) Of the moneys credited to the General Fund under subsection (1) of this section, 51.92 percent shall be dedicated to funding the maintenance and expansion of the number of persons eligible for the medical assistance program under ORS chapter 414, or to funding the maintenance of the benefits available under the program, or both, and 5.77 percent shall be credited to the Tobacco Use Reduction Account established under ORS 431A.153.

(5) All moneys received by the Department of Revenue from the tax imposed by ORS 323.030 (4) shall be paid over to the State Treasurer to be held in a suspense account established under ORS 293.445. After the payment of refunds, the balance shall be credited to the Oregon Health Authority Fund established by ORS 413.101 and shall be used to provide the services described in ORS 430.630.

SECTION 5. ORS 323.457 is amended to read:

323.457. (1) Moneys received under ORS 323.031 (1) shall be paid over to the State Treasurer to be held in a suspense account established under ORS 293.445. After the payment of refunds:

(a) 29.37/30 of the moneys shall be credited to the *[Oregon Health Plan Fund established under ORS 414.109]* **Oregon Health Authority Fund established under ORS 413.101;**

(b) 0.14/30 of the moneys are continuously appropriated to the Oregon Department of Administrative Services for distribution to the cities of this state;

(c) 0.14/30 of the moneys are continuously appropriated to the Oregon Department of Administrative Services for distribution to the counties of this state;

(d) 0.14/30 of the moneys are continuously appropriated to the Department of Transportation to be distributed and transferred to the Elderly and Disabled Special Transportation Fund established under ORS 391.800; and

(e) 0.21/30 of the moneys shall be credited to the Tobacco Use Reduction Account established under ORS 431A.153.

(2)(a) Moneys distributed to cities and counties under this section shall be distributed to each city or county using the proportions used for distributions made under ORS 323.455.

(b) Moneys shall be distributed to cities, counties and the Elderly and Disabled Special Transportation Fund at the same time moneys are distributed to cities, counties and the Elderly and Disabled Special Transportation Fund under ORS 323.455.

SECTION 6. ORS 323.010 is amended to read:

323.010. As used in ORS 323.005 to 323.482, unless the context requires otherwise:

(1) "Cigarette" means any product that contains nicotine, is intended to be burned or heated under ordinary conditions of use and consists of or contains:

(a) Any roll of tobacco wrapped in paper or in any substance not containing tobacco;

(b) Tobacco, in any form, that is functional in the product and that, because of its appearance, the type of tobacco used in the filler or its packaging and labeling, is likely to be offered to, or purchased by, consumers as a cigarette; [or]

(c) Any roll of tobacco that is wrapped in any substance containing tobacco and that, because of its appearance, the type of tobacco used in the filler or its packaging and labeling, is likely to be offered to, or purchased by, consumers as a cigarette described in paragraph (a) of this subsection[.]; or

(d) A roll for smoking that is of any size or shape and that is made wholly or in part of tobacco, irrespective of whether the tobacco is pure or flavored, adulterated or mixed with any other ingredient, if the roll has a wrapper made wholly or in greater part of tobacco and if 1,000 of these rolls collectively weigh not more than three pounds.

(2) "Cigarette activity in this state":

(a) Means importing, storing or manufacturing cigarettes in this state, or exporting cigarettes out of this state, in order to sell the cigarettes either within or outside this state.

(b) Does not include importing, storing, manufacturing or exporting of cigarettes that are to be consumed by the person doing the importing, storing, manufacturing or exporting.

(3) "Contraband cigarettes" means cigarettes or packages of cigarettes:

(a) That do not comply with the requirements of ORS 323.005 to 323.482 or 323.856 or the cigarette tax laws of another state or the federal government;

(b) That bear trademarks that are counterfeit under ORS 647.135 or other state or federal trademark laws; or

(c) That have been sold, offered for sale or possessed for sale in this state in violation of ORS 180.440.

(4) "Department" means the Department of Revenue.

(5) "Dealer" includes every person, other than a manufacturer or a person holding a distributor's license, who engages in this state in the sale of cigarettes.

(6) "Exporting" means the act of carrying or conveying goods from a point of manufacture or storage in this state to a location outside this state and may be further defined by the department by rule.

(7) "Importing" means the act of bringing goods to a point of storage in this state from a location outside this state and may be further defined by the department by rule.

(8) "In this state" means within the exterior limits of the State of Oregon and includes all territory within these limits owned by or ceded to the United States of America.

(9) "Manufacturer" means any person who makes, manufactures or fabricates cigarettes for sale.

(10) "Package" means the individual package, box or other container in which retail sales or gifts of cigarettes are normally made or intended to be made.

(11) "Person" includes any individual, firm, copartnership, joint venture, association, social club, fraternal organization, corporation, estate, trust, receiver, trustee, syndicate, this state, any county, municipality, district or other political subdivision of the state, or any other group or combination acting as a unit.

(12) "Sale" includes any transfer of title or possession for a consideration, exchange or barter, in any manner or by any means whatsoever, but does not include the sale of cigarettes by a manufacturer to a distributor.

(13) "Taxpayer" means a distributor or other person required to pay a tax under ORS 323.005 to 323.482, and includes a distributor required to prepay a tax under ORS 323.068.

(14) "Transporter" means any person importing or transporting into this state, or transporting in this state, cigarettes obtained from a source located outside this state, or from any person not licensed as a distributor under ORS 323.005 to 323.482. It does not include a licensed distributor, a common carrier to whom is issued a certificate or permit by the United States Surface Transportation Board to carry commodities in interstate commerce, or to a carrier of federal tax-free cigarettes in bond, or any person transporting no more than 199 cigarettes at any one time.

(15) "Untaxed cigarette" means any cigarette that has not yet been distributed in such manner as to result in a tax liability under ORS 323.005 to 323.482.

(16) "Use or consumption" includes the exercise of any right or power over cigarettes incident to the ownership thereof, other than the sale of the cigarettes or the keeping or retention thereof for the purpose of sale.

(17) "Wholesaler" means any dealer who engages in the sale of cigarettes to any other dealer for purposes other than use or consumption.

SECTION 7. (1) In addition to and not in lieu of any other tax, for the privilege of holding or storing cigarettes for sale, use or consumption, a floor tax is imposed upon every dealer at the rate of 100 mills for each cigarette in the possession of or under the control of the dealer in this state at 12:01 a.m. on January 1, 2021.

(2) By January 20, 2021, every dealer must file a report with the Department of Revenue in such form as the department may prescribe. The report must state the number of cigarettes in the possession of or under the control of the dealer in this state at 12:01 a.m. on January 1, 2021, and the amount of tax due. Each report must be accompanied by a remittance payable to the department for the amount of tax due.

(3) One-sixth of the amount of tax required to be paid with respect to the affixed stamps shall be computed pursuant to this section and remitted with the dealer's report and by the 20th of each month thereafter until the total tax under this section is paid. Any amount of tax that is not paid within the time specified for the filing of the report or payment of the tax shall bear interest at the rate established under ORS 305.220 per month, or fraction of a month, from the date on which the tax is due to be paid, until paid.

(4) As used in this section, "dealer" has the meaning given that term in ORS 323.010.

SECTION 8. Notwithstanding ORS 323.030 (3) or 323.031 (3), for the privilege of distributing cigarettes as a distributor, as defined in ORS 323.015, and for holding or storing cigarettes for sale, use or consumption, a floor tax and cigarette adjustment indicia tax is imposed upon every distributor in the amount of \$2.50 for each Oregon cigarette tax stamp bearing the designation "25," and in the amount of \$2 for each Oregon cigarette tax stamp bearing the designation "20," that is affixed to any package of cigarettes in the possession of or under the control of the distributor, or that is unaffixed, at 12:01 a.m. on January 1, 2021.

SECTION 9. (1) Every distributor, as defined in ORS 323.015, must take an inventory as of 12:01 a.m. on January 1, 2021, of all packages of cigarettes to which are affixed Oregon cigarette tax stamps and of all unaffixed Oregon cigarette tax stamps in the possession of or under the control of the distributor.

(2) Every distributor must file a report with the Department of Revenue by January 20, 2021, in such form as the department may prescribe, showing:

(a) The number of Oregon cigarette tax stamps, with the designations of the stamps, that were affixed to packages of cigarettes in the possession of or under the control of the distributor at 12:01 a.m. on January 1, 2021; and

(b) The number of unaffixed Oregon cigarette tax stamps, with the designations of the stamps, that were in the possession of or under the control of the distributor at 12:01 a.m. on January 1, 2021.

(3) One-sixth of the amount of tax required to be paid with respect to the affixed or unaffixed Oregon cigarette tax stamps shall be computed pursuant to section 8 of this 2019 Act and remitted with the distributor's report and by the 20th of each month thereafter until the total tax under section 8 of this 2019 Act is paid. Any amount of tax not paid within the time specified for the filing of the report and payment of the tax shall bear interest at the rate established under ORS 305.220 per month, or fraction of a month, from the due date of the report until paid.

SECTION 10. All moneys received by the Department of Revenue from the taxes imposed by sections 7 and 8 of this 2019 Act shall be paid over to the State Treasurer to be held in a suspense account established under ORS 293.445. After payment of refunds, the remaining balance shall be credited to the Oregon Health Authority Fund established by ORS 413.101.

SECTION 11. ORS 323.500 is amended to read:

323.500. As used in ORS 323.500 to 323.645, unless the context otherwise requires:

(1) "Business" means any trade, occupation, activity or enterprise engaged in for the purpose of selling or distributing tobacco products in this state.

(2) "Cigar" means a roll for smoking that is of any size or shape and that is made wholly or in part of tobacco, irrespective of whether the tobacco is pure or flavored, adulterated or mixed with any other ingredient, if the roll has a wrapper made wholly or in greater part of tobacco and if 1,000 of these rolls collectively weigh more than three pounds. "Cigar" does not include a cigarette, as defined in ORS 323.010.

(3) "Consumer" means any person who purchases tobacco products in this state for the person's use or consumption or for any purpose other than for reselling the tobacco products to another person.

(4) "Contraband tobacco products" means tobacco products or packages containing tobacco products:

(a) That do not comply with the requirements of ORS 323.500 to 323.645;

(b) That do not comply with the requirements of the tobacco products tax laws of the federal government or of other states;

(c) That bear trademarks that are counterfeit under ORS 647.135 or other state or federal trademark laws; or

(d) That have been sold, offered for sale or possessed for sale in this state in violation of ORS 180.486.

(5) "Department" means the Department of Revenue.

(6) "Distribute" means:

(a) Bringing, or causing to be brought, into this state from without this state tobacco products for sale, storage, use or consumption;

(b) Making, manufacturing or fabricating tobacco products in this state for sale, storage, use or consumption in this state;

(c) Shipping or transporting tobacco products to retail dealers in this state, to be sold, stored, used or consumed by those retail dealers;

(d) Storing untaxed tobacco products in this state that are intended to be for sale, use or consumption in this state;

(e) Selling untaxed tobacco products in this state; or

(f) As a consumer, being in possession of untaxed tobacco products in this state.

(7) "Distributor" means:

(a) Any person engaged in the business of selling tobacco products in this state who brings, or causes to be brought, into this state from without the state any tobacco products for sale;

(b) Any person who makes, manufactures or fabricates tobacco products in this state for sale in this state;

(c) Any person engaged in the business of selling tobacco products without this state who ships or transports tobacco products to retail dealers in this state, to be sold by those retail dealers;

(d) Any person, including a retail dealer, who sells untaxed tobacco products in this state; or

(e) A consumer in possession of untaxed tobacco products in this state.

(8)(a) "Inhalant delivery system" means:

(A) A device that can be used to deliver nicotine in the form of a vapor or aerosol to a person inhaling from the device; or

(B) A component of a device described in this paragraph or a substance in any form sold for the purpose of being vaporized or aerosolized by a device described in this paragraph, whether the component or substance is sold separately or is not sold separately.

(b) "Inhalant delivery system" does not include:

(A) Any product that has been approved by the United States Food and Drug Administration for sale as a tobacco cessation product or for any other therapeutic purpose, if the product is marketed and sold solely for the approved purpose;

(B) If sold separately, battery chargers, straps or lanyards; or

(C) Marijuana items as defined in ORS 475B.015.

[(8)] (9) "Manufacturer" means a person who manufactures tobacco products for sale.

[(9)] (10) "Moist snuff" means:

(a) Any finely cut, ground or powdered tobacco that is not intended to be smoked or placed in a nasal cavity; or

(b) Any other product containing tobacco that is intended or expected to be consumed without being combusted.

[(10)] (11) "Place of business" means any place where tobacco products are sold or where tobacco products are manufactured, stored or kept for the purpose of sale or consumption, including any vessel, vehicle, airplane, train or vending machine.

[(11)] (12) "Retail dealer" means any person who is engaged in the business of selling or otherwise dispensing tobacco products to consumers. The term also includes the operators of or recipients of revenue from all places such as smoke shops, cigar stores and vending machines, where tobacco products are made or stored for ultimate sale to consumers.

[(12)] (13) "Sale" means any transfer, exchange or barter, in any manner or by any means, for a consideration, and includes and means all sales made by any person. It includes a gift by a person engaged in the business of selling tobacco products, for advertising, as a means of evading the provisions of ORS 323.500 to 323.645, or for any other purpose.

[(13)] (14) "Taxpayer" includes a distributor or other person required to pay a tax imposed under ORS 323.500 to 323.645.

[(14)] (15) "Tobacco products" means cigars, cheroots, stogies, periques, granulated, plug cut, crimp cut, ready rubbed and other smoking tobacco, snuff, snuff flour, moist snuff, cavendish, plug and twist tobacco, fine-cut and other chewing tobaccos, shorts, refuse scraps, clippings, cuttings and sweepings of tobacco and other kinds and forms of tobacco, prepared in such manner as to be suitable for chewing or smoking in a pipe or otherwise, or both for chewing and smoking, and inhalant delivery systems, but [shall] does not include cigarettes as defined in ORS 323.010.

[(15)] (16) “Untaxed tobacco products” means tobacco products for which the tax required under ORS 323.500 to 323.645 has not been paid.

[(16)] (17) “Wholesale sales price” means the price paid for untaxed tobacco products to or on behalf of a seller by a purchaser of the untaxed tobacco products.

SECTION 12. ORS 323.505 is amended to read:

323.505. (1) A tax is hereby imposed upon the distribution of all tobacco products in this state. The tax imposed by this section is intended to be a direct tax on the consumer, for which payment upon distribution is required to achieve convenience and facility in the collection and administration of the tax. The tax shall be imposed on a distributor at the time the distributor distributes tobacco products.

(2) The tax imposed under this section shall be imposed at the rate of:

[(a) Sixty-five percent of the wholesale sales price of cigars, but not to exceed 50 cents per cigar;]

(a) Sixty-five percent of the wholesale sales price of cigars, but not to exceed one dollar per cigar;

(b) One dollar and seventy-eight cents per ounce based on the net weight determined by the manufacturer, in the case of moist snuff, except that the minimum tax under this paragraph is \$2.14 per retail container; or

(c) Sixty-five percent of the wholesale sales price of all tobacco products that are not cigars or moist snuff.

(3) For reporting periods beginning on or after July 1, 2022, the rates of tax applicable to moist snuff under subsection (2) (b) of this section shall be adjusted for each biennium according to the cost-of-living adjustment for the calendar year. The Department of Revenue shall recompute the rates for each biennium by adding to the rates in subsection (2)(b) of this section the product obtained by multiplying the rates in subsection (2)(b) of this section by a factor that is equal to 0.25 multiplied by the percentage (if any) by which the monthly averaged U.S. City Average Consumer Price Index for the 12 consecutive months ending August 31 of the prior calendar year exceeds the monthly averaged U.S. City Average Consumer Price Index for the 12 consecutive months ending August 31, 2020.

(4) If the tax imposed under this section does not equal an amount calculable to a whole cent, the tax shall be equal to the next higher whole cent. However, the amount remitted to the Department of Revenue by the taxpayer for each quarter shall be equal only to 98.5 percent of the total taxes due and payable by the taxpayer for the quarter.

(5) A tax under this section is not imposed on inhalant delivery systems that are:

(a) Marketed and sold solely for the purpose of vaporizing or aerosolizing marijuana items as defined in ORS 475B.015; or

(b) Purchased in a medical marijuana dispensary that is registered under ORS 475B.858 by a person to whom a registry identification card has been issued under ORS 475B.797.

[(5)] (6) No tobacco product shall be subject to the tax if the base product or other intermediate form thereof has previously been taxed under this section.

SECTION 13. ORS 323.625 is amended to read:

323.625. All moneys received by the Department of Revenue under ORS 323.500 to 323.645 shall be deposited in the State Treasury and credited to a suspense account established under ORS 293.445. The department may pay expenses for administration and enforcement of ORS 323.500 to 323.645 out of moneys received from the taxes imposed under ORS 323.505 and 323.565. Amounts necessary to pay administrative and enforcement expenses are continuously appropriated to the department from the suspense account. After the payment of administrative and enforcement expenses and refunds or credits arising from erroneous overpayments, and

except as provided in section 14 of this 2019 Act, the balance of the money shall be credited to the General Fund. Of the amount credited to the General Fund under this section 41.54 percent shall be dedicated to funding the maintenance and expansion of the number of persons eligible for the medical assistance program under ORS chapter 414, or to funding the maintenance of the benefits available under the program, or both, and 4.62 percent shall be credited to the Tobacco Use Reduction Account established under ORS 431A.153.

SECTION 14. All moneys received by the Department of Revenue under the tax imposed on inhalant delivery systems by ORS 323.505 shall be deposited in the State Treasury and credited to a suspense account established under ORS 293.445. After the payment of refunds or credits arising from erroneous overpayments, the remaining balance shall be distributed as follows:

(1) 90 percent of the moneys are continuously appropriated to the Oregon Health Authority for the purposes of funding the maintenance and expansion of the number of persons eligible for medical assistance and funding the maintenance of benefits available under the medical assistance program, including mental health services.

(2) 10 percent of the moneys are continuously appropriated to the Oregon Health Authority for distribution to tribal health providers, Urban Indian Health programs, regional health equity coalitions, culturally specific and community-specific health programs and state and local public health programs that address prevention and cessation of tobacco and nicotine use by youth and adults, tobacco-related health disparities and the prevention and management of chronic disease related to tobacco and nicotine.

NOTE: Section 15 was deleted by amendment. Subsequent sections were not renumbered.

SECTION 16. ORS 431A.175 is amended to read:

431A.175. (1) As used in this section and ORS 431A.183:

(a)(A) “Inhalant delivery system” means:

(i) A device that can be used to deliver nicotine or cannabinoids in the form of a vapor or aerosol to a person inhaling from the device; or

(ii) A component of a device described in this subparagraph or a substance in any form sold for the purpose of being vaporized or aerosolized by a device described in this subparagraph, whether the component or substance is sold separately or is not sold separately.

(B) “Inhalant delivery system” does not include:

(i) Any product that has been approved by the United States Food and Drug Administration for sale as a tobacco cessation product or for any other therapeutic purpose, if the product is marketed and sold solely for the approved purpose; and

(ii) Tobacco products.

(b) “Tobacco products” means:

(A) Bidis, cigars, cheroots, stogies, periques, granulated, plug cut, crimp cut, ready rubbed and other smoking tobacco, snuff, snuff flour, cavendish, plug and twist tobacco, fine-cut and other chewing tobaccos, shorts, refuse scraps, clip-pings, cuttings and sweepings of tobacco and other forms of tobacco, prepared in a manner that makes the tobacco suitable for chewing or smoking in a pipe or otherwise, or for both chewing and smoking;

(B) Cigarettes as defined in ORS 323.010 (1); or

(C) A device that:

(i) Can be used to deliver tobacco products to a person using the device; and

(ii) Has not been approved by the United States Food and Drug Administration for sale as a tobacco cessation product or for any other therapeutic purpose, if the product is marketed and sold solely for the approved purpose.

(2) It is unlawful:

(a) To violate ORS 167.750.

(b) To fail as a retailer of tobacco products to post a notice substantially similar to the notice described in subsection (3) of this section in a location that is clearly visible to the seller and the purchaser of the tobacco products.

(c) To fail as a retailer of inhalant delivery systems to post a notice in a location that is clearly visible to the seller and the purchaser of the inhalant delivery systems that it is unlawful to sell inhalant delivery systems to persons under 21 years of age. The Oregon Health Authority shall adopt by rule the content of the notice required under this paragraph.

(d) To distribute, sell or allow to be sold an inhalant delivery system if the inhalant delivery system is not labeled in accordance with rules adopted by the authority.

(e) To distribute, sell or allow to be sold an inhalant delivery system if the inhalant delivery system is not packaged in child-resistant safety packaging, as required by the authority by rule.

(f) To distribute, sell or allow to be sold an inhalant delivery system if the inhalant delivery system is packaged in a manner that is attractive to minors, as determined by the authority by rule.

(g) To distribute, sell or allow to be sold cigarettes in any form other than a sealed package **that contains at least 20 cigarettes.**

(3) The notice required by subsection (2)(b) of this section must be substantially as follows:

NOTICE

The sale of tobacco in any form to persons under 21 years of age is prohibited by law. Any person who sells, or allows to be sold, tobacco to a person under 21 years of age is in violation of Oregon law.

(4) Rules adopted under subsection (2)(d), (e) and (f) of this section must be consistent with any regulation adopted by the United States Food and Drug Administration related to labeling or packaging requirements for inhalant delivery systems.

SECTION 17. (1) The amendments to ORS 323.010, 323.031, 323.455 and 323.457 by sections 1 and 4 to 6 of this 2019 Act apply to cigarette tax reporting periods beginning on or after January 1, 2021.

(2) The amendments to ORS 323.500, 323.505 and 323.625 by sections 11 to 13 of this 2019 Act apply to tobacco products tax reporting periods beginning on or after January 1, 2021.

SECTION 18. Section 19 of this 2019 Act is added to and made a part of ORS 323.005 to 323.482.

SECTION 19. (1) Notwithstanding the confidentiality provisions of ORS 323.403, the Department of Revenue may disclose information received under ORS 323.005 to 323.482 to the Oregon Health Authority to carry out the provisions of ORS 167.750 to 167.785, 431A.175 or 431A.183.

(2) The authority may disclose information obtained pursuant to ORS 431A.175 or 431A.183 to the department for the purpose of carrying out the provisions of ORS 323.005 to 323.482, provided that the authority does not disclose personally identifiable information.

SECTION 20. Section 21 of this 2019 Act is added to and made a part of ORS 323.500 to 323.645.

SECTION 21. (1) Notwithstanding the confidentiality provisions of ORS 323.595, the Department of Revenue may disclose information received under ORS 323.500 to 323.645 to the Oregon Health Authority to carry out the provisions of ORS 167.750 to 167.785, 431A.175 or 431A.183.

(2) The authority may disclose information obtained pursuant to ORS 431A.175 or 431A.183 to the department for the purpose of carrying out the provisions of ORS 323.500 to 323.645, provided that the authority does not disclose personally identifiable information.

SECTION 22. This 2019 Act shall be submitted to the people for their approval or rejection at the next regular general election held throughout this state.

Note: **Boldfaced** type indicates new language; *[brackets and italic]* type indicates deletions or comments.

Explanatory Statement

Ballot Measure 108 increases the tax on the distribution of cigarettes. This rate increase applies to cigarette tax reporting periods beginning on or after January 1, 2021, and to existing inventories of cigarettes not yet acquired by consumers as of January 1, 2021.

Ballot Measure 108 provides for smaller cigars, sold commonly as “cigarillos,” to be taxed like cigarettes.

Ballot Measure 108 includes nicotine inhalant delivery systems, such as e- cigarettes and vaping devices, in the definition of “tobacco products” for the purpose of imposition of the tobacco products tax. The measure exempts certain sales of approved tobacco cessation products and inhalant delivery systems sold for marijuana use from taxation.

Ballot Measure 108 increases the limit on tax imposed upon higher-priced cigars. This increase applies to tobacco products tax reporting periods beginning on or after January 1, 2021. The measure prohibits the distribution or sale of cigarettes or certain cigars in packages containing fewer than 20.

Ballot Measure 108 provides for the distribution of increased tax revenues to the Oregon Health Authority for health care coverage for low-income families, including mental health services, and for public health programs, including programs addressing tobacco- and nicotine-related disease.

Ballot Measure 108 allows the Department of Revenue and the Oregon Health Authority to share otherwise confidential information obtained through the administration of tax statutes and public health statutes, for the purposes of enforcement and administration of the department's and the authority's respective statutes.

Committee Members:

Senator Ginny Burdick
Senator Tim Knopp
Senator Rob Wagner
Representative Cheri Helt
Representative Paul Holvey
Representative Dan Rayfield

Appointed by:

President of the Senate
President of the Senate
President of the Senate
Speaker of the House
Speaker of the House
Speaker of the House

(The above committee was appointed to provide an impartial explanation of the ballot measure pursuant to Section 7, Chapter 674, Oregon Laws (2019).)

Legislative Argument in Support

Measure 108 was crafted to ensure every dollar goes directly to the Oregon Health Plan and tobacco cessation and prevention programs. Currently, tobacco-related illness costs our state \$1.5 billion.

The revenue generated for this measure will yield roughly \$331 million in the first two-year budget cycle it takes full effect. Ten percent of those dollars will go directly to tobacco cessation and prevention programs, nearly tripling current spending on these programs. The remaining 90% will go to the Oregon Health Plan.

Tobacco is responsible for nearly 8,000 premature deaths every year in the State of Oregon. Put another way, smoking is the number one cause of preventable death, and more and more young people are getting hooked on a lifelong tobacco addiction through vaping products. A quarter of 11th graders in Oregon have consumed nicotine vapes in the last year. Youth who vape are three times more likely to pick up smoking. Tobacco companies target vaping products specifically to kids with flavors like “cotton candy” and “peanut butter cup.”

That’s why Oregon must act now to reduce youth vaping and smoking to save lives all while funding the Oregon Health Plan, which serves 1 in 4 Oregonians including seniors, low income families, and children. Measure 108 will bring Oregon’s tobacco taxes in line with other West Coast states and institutes the first tax on vapes in Oregon.

Oregon must act now to save lives, reduce healthcare costs and protect healthcare access by voting Yes on Measure 108.

Committee Members:

Senator Rob Wagner
Representative Christine Drazan
Representative Barbara Smith Warner

Appointed by:

President of the Senate
Speaker of the House
Speaker of the House

(This Joint Legislative Committee was appointed to provide the legislative argument in support of the ballot measure pursuant to ORS 251.245.)

Argument in Favor

Republican Leaders for Measure 108

Measure 108 is an accountable, bipartisan approach that will prevent thousands of kids from becoming lifelong smokers while lowering the cost of health care for all of us.

Oregon youth are vaping at alarming rates. Putting a price on vaping is the proven effective way to keep addictive nicotine vapes out of the hands of our kids before they become the next generation of smokers.

Measure 108 lowers health care costs

Whether you smoke or not, we all pay the price for tobacco. Oregon families pay \$1.5 billion every year in health care costs related to smoking, while Big Tobacco continues to profit. By reducing and preventing smoking, we can make healthcare more affordable for everyone.

Measure 108 is accountable and transparent

This measure is explicit about where the money goes—100% of the revenue generated must be spent on health programs that help families and children statewide. The money can’t be used for anything else. And the tax only impacts people who buy and smoke commercial tobacco products.

Measure 108 protects Oregon children

It’s far too easy for teens to get cheap, candy-flavored vapes. Studies show that increasing the price of tobacco products reduces their use. But Oregon doesn’t currently have a tax on vapes. A simple tax on nicotine vapes can reign in the explosion of teen vaping in Oregon and prevent 19,000 kids from smoking.

Measure 108 isn't about politics. It's about accountability, saving lives, and reducing health care costs for everyone. That's why the American Lung Association, Oregon nurses and doctors, local chambers of commerce and more than 210 endorsers are supporting Measure 108.

We hope you'll join us in voting YES on Measure 108.

Dr. Bud Pierce, former candidate for Governor, Republican
Bruce Nichols, Baker County Commissioner, Republican

(This information furnished by Anca Matica, Yes for a Healthy Future.)

Argument in Favor

Big Tobacco Will Spend Millions Telling Lies About Measure 108 That's Nothing New

Measure 108 establishes the first tax on vapes in Oregon and brings our tobacco taxes in line with neighboring west coast states to reduce the death toll of smoking, prevent kids from starting, and provide urgently needed funding for the Oregon Health Plan and smoking prevention programs and programs that help people quit, for good.

So of course, Big Tobacco will say anything to stop it.

Here is a reminder of just some of the other things they have said and done:

- They advertised that smoking was good for you.
- In 2006 were found guilty of racketeering for:
 - Misleading the public about the risks of smoking and the danger of secondhand smoke
 - Manipulating cigarettes to make them more addictive
 - Deceptively marketing cigarettes as low risk
 - Targeting kids.
- (United States v. Philip Morris - US DOJ Lawsuit)
- They hide behind new companies, so you don't know big tobacco has ownership in Juul, blu, and Vuse ("JUUL and Youth: Rising E-Cigarette Popularity," Tobacco Free Kids)
- Vaping is a harm reduction method to help smokers quit. Unfortunately, this is just a scam to get youth addicted to nicotine with candy flavored vapes and youth who start vaping are three times more likely to smoke traditional rolled cigarettes.
- Are being sued by 41 states, including Oregon, and by over 100 school districts for their vape marketing tactics. "Juul under scrutiny by 39 state attorneys general," Reuters

HERE'S THE TRUTH:

Measure 108 will:
Save lives

Lower health care costs

Protect health care for over 1 million Oregonians

VOTE YES ON 108

American Cancer Society Cancer Action Network
Tobacco Free Kids Action Fund

(This information furnished by Anca Matica, Yes for a Healthy Future.)

Argument in Favor

Message from an Oregon Nurse: TOBACCO IS DEADLY. I'VE SEEN IT FIRSTHAND.

PLEASE VOTE YES ON MEASURE 108 FOR A HEALTHIER OREGON

Chronic tobacco use takes a toll on the body. As a nurse, I have seen patients wheezing and struggling to breathe as they battle emphysema and cancers related to decades of tobacco use. It's heartbreaking.

That's why health care professionals—from community health groups, to leading medical providers and research experts, to front-line nurses like me—are urging a YES on Measure 108, which will save lives, prevent thousands of kids from becoming smokers, and lower health care costs for all Oregonians.

The sad fact is that most smokers want to quit, but they can't, even when it makes them seriously sick. It's hard to watch patients recover from smoking-related emergencies like strokes and heart attacks, only to continue smoking after they leave my care.

This is why I'm so concerned about the rise of teen vaping in Oregon. Vaping has caused serious illness and death, and yet teens continue to vape at alarming rates. Vaping won't only harm Oregon's youth today, but it can cause them serious health problems for the rest of their lives.

This is a public health crisis. We have to take action to save teens from a lifetime of addiction and tobacco and vaping-related illnesses. We have to pass Measure 108.

We currently don't tax nicotine vapes at all. It's an outrage, and it makes absolutely no sense. We need to treat vapes just like we treat cigarettes, and that starts by taxing them to keep them out of the hands of kids. Everyone who cares about the health of Oregon's young people should vote YES on Measure 108.

Our kids deserve healthy and promising futures, not a lifetime of chronic tobacco and nicotine related illnesses.

Vote YES on Measure 108 to prevent 19,000 Oregon kids from becoming smokers.

-Allison Seymour RN, Salem

(This information furnished by Catherine Theisen, Oregon Nurses Association.)

Argument in Favor

Reproductive Healthcare and Rights Advocates Strongly Support Measure 108

Healthcare is a fundamental right, not a privilege. Access to quality healthcare is necessary for all people to reach their fullest potential. Our health shouldn't depend on who we are, where we live or how much money we make. The Oregon Health Plan serves 1 in 4 Oregonians including low-income families, seniors and children. Medicaid is a critical source of health coverage for women, with about 1 in 5 women of reproductive age relying on Medicaid for their healthcare and women accounting for approximately 62% of Medicaid enrollees.

Measure 108 protects the Oregon Health Plan by establishing the first vape tax in Oregon and bringing our tobacco taxes more in line with neighboring West Coast states. In addition to funding healthcare, Measure 108 nearly triples funding to prevention programs and programs that help people quit. For far too long, tobacco companies have targeted communities with fewer resources and access and while they make profits off of Oregonians, it is those same Oregonians who pay the price of underfunded responsive and preventative programs.

We believe reproductive healthcare is healthcare. The communities we serve count on healthcare access to make empowered decisions when it comes to family planning and personal health. Many of the people we serve have historically experienced barriers to getting the care they need, but Measure 108 will continue to ensure that those barriers are fewer and fewer by securing funding for the Oregon Health Plan.

That's why Measure 108 is supported by:

**Planned Parenthood Advocates of Oregon
NARAL Pro-Choice Oregon
Oregon NOW (National Organization for Women)
Family Forward Oregon
Forward Together**

When people have access to reliable, affordable reproductive healthcare, we see improved health outcomes for whole families. When families are healthier, our communities are healthier. And when communities are healthier, Oregon is healthier.

Please join us in voting YES for families, YES for healthcare and YES for Measure 108

(This information furnished by An Do, Planned Parenthood Advocates of Oregon.)

Argument in Favor

Organizaciones latinxs le dicen Sí a la Medida 108

Las comunidades latinxs se unen en apoyo a la Medida 108, la que ayudará a financiar el Plan de Salud de Oregon para los niños, adultos y familias que cuentan con él para acceder a atención médica de calidad. El Plan de Salud de Oregon proporciona cuidados de salud esenciales a uno de cada cuatro residentes de Oregon, incluyendo 400 000 niños.

Esta cobertura es aún más indispensable para la comunidad latinx, proporcionando cobertura a casi el 40 % de nuestra comunidad. La población latinx es significativamente más joven que los residentes blancos de Oregon. **Es fundamental que se establezca un aumento de los impuestos de Oregon a los cigarros y los vapeadores de nicotina como medida para evitar que los jóvenes latinxs se conviertan en la próxima generación de consumidores de tabaco comercial.**

Fumar y los demás usos del tabaco comercial tienen un efecto negativo en la salud de las comunidades latinxs. El cáncer de pulmón es la principal causa de muerte por cáncer entre los hombres latinxs y la segunda entre las mujeres latinxs.

Las comunidades latinxs han sido blanco de las grandes tabacaleras por décadas con campañas como “Nuestra Gente” para convertir en adictos y explotar a los miembros de nuestra comunidad. Las grandes tabacaleras saturan las revistas y las publicaciones populares que consumen los jóvenes latinxs con publicidades racistas. El poder que las grandes tabacaleras tienen sobre los jóvenes debe terminar y la Medida 108 nos ayudará a emprender acciones para contrarrestar las tácticas que usan para vender sus productos.

Exhortamos a todos los residentes de Oregon a votar Sí a la Medida 108 e invertir en el bienestar de TODAS nuestras comunidades.

El Programa Hispano Católico
Euvalcree
Familias en Acción
Latino Network
Oregon Latino Health Coalition
Virginia Garcia Memorial Health Center
Virginia Garcia Memorial Foundation

(This information furnished by Anca Matica, Yes for a Healthy Future.)

Argument in Favor

Tobacco money is dirty money for store owners

Like every small store owner, I've been offered money by the tobacco companies. They pay for product placement that's at eye level for children. That's why often when you walk into a corner store you see signs for tobacco products everywhere. Some stores even carry flavored nicotine vape products in the candy aisle. The vape products have zero tax, too. Flavorful and cheap, they appeal to kids.

I'm not sure people know that tobacco companies have ownership in nicotine vape companies. It's very deceitful. They get young people hooked on vaping, which leads to smoking. Once you go down that path it is very hard to quit. So many people have gotten very sick or died due to smoking. I refuse to let my store have any part of it. **Every time the tobacco companies come to me, I say no. I want to support the health of my community, not undermine it.**

We must do everything we can to protect young people from commercial tobacco addiction. That is why I strongly support Measure 108. It will help keep tobacco out of the hands of children and provide much needed funding for programs that keep people from smoking and help them quit. I also appreciate that it helps to fund the Oregon Health Plan, which covers so many children in Hood River and across the state.

Gerardo Bobadilla, Mercado Guadalajara

(This information furnished by Anca Matica, Yes for a Healthy Future.)

Argument in Favor

YES ON 108 FIGHTS TO PROTECT OUR CHILDREN

As adult smokers are left to struggle with a lifetime of deadly nicotine addiction, tobacco companies continue targeting the next generation as a new source of profit. Big Tobacco knows that youth are far more susceptible to becoming physically and psychologically dependent on nicotine vapes and cigarettes. According to the Journal of American Medicine, young people who vape are almost 3x more likely to take up smoking.

MEASURE 108 PREVENTS CHILDREN FROM SMOKING

The Yes on Measure 108 campaign is fighting to prevent our children from smoking and save lives. Evidence shows that when tobacco taxes go up, more people quit smoking and many never start. This proposal will not only prevent 19,000 kids from taking up smoking, but it will also prevent nearly 12,000 premature deaths.

NICOTINE VAPES SHOULD BE TAXED LIKE TOBACCO – MEASURE 108 LEVELS THE PLAYING FIELD

Despite there being a surge in youth vaping, Oregon doesn't tax nicotine vapes one penny. In Oregon, nearly one in four high school students use e-cigarettes, and over the last three years the state has witnessed an 80% increase in youth vaping.

Big Tobacco claims that vapes are a healthier alternative to smoking cigarettes, but evidence shows that they can be fatal. Lung illnesses associated with nicotine vapes are increasing at unprecedented rates across the country and need to be stopped. Studies show that taxing these products is the most effective tool to reduce smoking rates and Measure 108 does just that.

A BIPARTISAN COMMITTEE WROTE MEASURE 108 TO BE EXPLICIT

Revenue raised from Measure 108 goes directly to the Oregon Health Plan and smoking cessation and prevention programs -- nowhere else.

VOTE YES ON MEASURE 108 FOR A HEALTHY FUTURE

This November we can reduce youth vaping and smoking by coming together to vote YES on Measure 108!

(This information furnished by Elisabeth Shepard, Yes for a Healthy Future.)

Argument in Favor

Support access to health care in rural Oregon. Vote Yes on Measure 108.

Healthy communities are strong communities. Measure 108 secures health coverage for Oregonians in rural counties and funds community-based tobacco prevention and cessation programs.

Rural counties have some of the highest smoking and tobacco-related death rates in Oregon due to historic lack of access to local prevention programs and programs that help smokers quit.

That's why Measure 108 is so important for rural communities.

Smokers can and do quit – when they have the support they need. Measure 108 will make that possible.

According to the CDC, over 70% of Oregonians want to quit smoking. This ballot measure will strengthen cessation programs in rural communities by nearly tripling current funding.

Vaping and e-cigarette use is surging in Oregon's rural communities. Measure 108 will help decrease use of nicotine products and prevent a new generation of smokers from getting addicted.

Without this measure, vape products will continue to not be taxed one cent. States that have passed taxes on tobacco products show a drastic decrease in smoking. And studies show that Measure 108 will prevent 19,000 Oregon kids from taking up smoking.

Vote Yes on Measure 108 to protect the health of rural communities in Oregon.

Asante Ashland Community Hospital
Columbia Memorial Hospital
Good Shepherd Medical Center
Mercy Medical Center
PeaceHealth Cottage Grove Community Medical Center
PeaceHealth Peace Harbor Medical Center
PeaceHealth Sacred Heart Medical Center at RiverBend
Saint Alphonsus Medical Center - Baker City
Saint Alphonsus Medical Center - Ontario
Sky Lakes Medical Center
St. Anthony Hospital
St. Charles Bend
St. Charles Madras
St. Charles Prineville
St. Charles Redmond
Legacy Silverton Medical Center
Good Samaritan Regional Medical Center
Samaritan Albany General Hospital
Samaritan Lebanon Community Hospital
Samaritan North Lincoln Hospital
Samaritan Pacific Communities Hospital
Providence Medford Medical Center
Providence Hood River Memorial Hospital
Providence Newberg Medical Center
Providence Seaside Hospital

(This information furnished by Sean Kolmer, Oregon Association of Hospitals & Health Systems.)

Argument in Favor

**Rural Oregon says:
YES on Measure 108
For kids
For health
For accountability**

Rural Oregon faces higher rates of tobacco-related deaths on average than Portland and the Willamette Valley. In fact, the counties with the highest proportion of tobacco-related deaths are Coos, Klamath, and Lincoln. **This leads to disproportionately high healthcare costs in the counties with the lowest populations and resources.**

We must take action to protect the health of rural Oregonians. Research shows that increasing the price of tobacco *reduces* the number of people who use it. That's why we support Measure 108.

Oregon doesn't currently tax candy-flavored nicotine vapes one penny, even though they contain a huge amount of nicotine. We all read the headlines last year about kids getting sick from vaping. We have to do everything we can to keep this addictive product out of the hands of children.

Measure 108 is explicit about where the money goes, and was approved by a bipartisan committee. The dollars must go to the Oregon Health Plan and to fund public health programs including smoking prevention and cessation programs. The new revenue from the vape & tobacco tax cannot be used for anything else.

Oregonians pay \$1.5 billion per year for smoking-related healthcare costs. Measure 108 will reduce costs and save lives in rural Oregon.

In rural Oregon, we take care of each other. That's why we are voting YES on Measure 108.

Clackamas County Business Alliance
Corvallis Chamber of Commerce
Klamath County Chamber of Commerce
North Clackamas Chamber of Commerce
Pendleton Chamber of Commerce
Ashland City Councilor Rich Rosenthal
Independence City Councilor Kathy Martin-Willis
Monmouth City Councilor Christopher Lopez
Monmouth City Councilor Laurel Sharmer
Philomath City Councilor Ruth Causey
Silverton City Council President Jason Freilinger
Stayton City Councilor Paige Hook

(This information furnished by Anca Matica, Yes for a Healthy Future.)

Argument in Favor

The American Lung Association Supports Measure 108

Tobacco remains the #1 cause of preventable death in Oregon

Protecting people from the ravages of smoking and tobacco addiction remains a priority for the Lung Association. Raising tobacco taxes by significant amounts is an evidence-based strategy to reduce tobacco use. Oregon's current cigarette tax is 32nd highest in the country; we can do better. Smoking is directly responsible for over 80% of deaths from lung cancer and chronic obstructive pulmonary disease (COPD).

Now we have a new generation being targeted by and using e-cigarettes. The American Lung Association is committed to reducing youth e-cigarette and tobacco use, and we must take a multi-pronged approach to protect our youth from addiction, illness and death.

Over 29% of Oregonians on Medicaid (also known as the Oregon Health Plan) smoke. Measure 108 would encourage those smokers to quit and also direct new funding to the Oregon Health Plan, protecting quality affordable healthcare for low-income residents.

Measure 108 implements proven strategies to prevent and reduce tobacco use and save lives:

1. **Increase the tax on tobacco products and tax e-cigarettes.** Today Oregon has a too low tax on cigarettes and no tax on the e-cigarette products young people are using most. Increasing tobacco taxes by significant amounts reduces consumption.
2. **Invest in local programs to help people quit** their tobacco addiction for good.
3. **Increase prevention** education to fight back against aggressive advertising by the tobacco industry.
4. **Protect the Oregon Health Plan**, which provides comprehensive healthcare, including access to quit smoking treatments and vaccines for more than a million low-income Oregonians, including 400,000 children.

Taking these steps will dramatically reduce lung diseases.

Measure 108 is a win-win-win-win for Oregon

- Measure 108 provides what we need to reduce youth tobacco addiction
- Measure 108 ensures people have the help they need to quit

- Measure 108 helps Oregon fight back against tobacco advertising
- Measure 108 protects essential health care for families

(This information furnished by Carrie Nyssen, American Lung Association.)

Argument in Favor

**When we were kids, it was cigarettes.
Today, it's vaping.**

Both are dangerous, and both help
Big Tobacco meet their ultimate goal:

Get kids hooked and keep them hooked until they die.

When we were kids, tobacco companies advertised to young people (including me and my siblings). It looked cool and everyone was doing it.

Now they're doing the same thing to our kids, but with vapes. There are different colors, different candy flavors, they're easy to get, and easy to hide. But they're turning out to be just as dangerous, and even more addictive. **In fact, according to the Journal of American Medicine, teens who vape are 3x more likely to start smoking cigarettes.**

My brother was a victim of tobacco addiction. He was one of the kids they hooked until he died.

He tried to quit. He told us he had quit. He even convinced our other brother to quit! Then one day, he walked outside to smoke a cigarette and collapsed and died. The doctors never found the tumor in his lung. He would be alive today if he never started smoking. I know that.

We have to do everything we can to stop young people from getting addicted to nicotine and tobacco. We know that the single best way to do that is to raise the price.

Too many people have been lost, and the cost to the families and our community is too high.

**We all pay the price for vaping and tobacco.
We all need to vote YES on Measure 108.**

Carol Wagner, Albany Oregon

(This information furnished by Anca Matica, Yes for a Healthy Future.)

Argument in Favor

MEASURE 108 IS THE ACCOUNTABLE CHOICE FOR STRONG health care

The Oregon Center for Public Policy endorses a YES vote on Measure 108

At the Oregon Center for Public Policy, we believe that good public policy is key to creating a more equitable Oregon. Measure 108 is a sound, well-written policy that would strengthen the health care that 1 million Oregonians rely on by ensuring adequate funding for the Oregon Health Plan.

Everyone should have access to affordable health care coverage, including preventative care and mental health care. OHP provides essential health care for a million Oregonians who would otherwise not have access to it. By voting YES on Measure 108, we can ensure that low- and middle-income Oregonians can afford to see a doctor and get the care they need without worrying about a medical bill bankrupting them.

We support Measure 108 because it guarantees that the funds raised will go to health care and prevention and cessation programs.

By law, the money generated by the vape and tobacco tax can only be spent on the following:

- 90% of funds: the Oregon Health Plan, which provides health care for 1 million Oregonians
- 10% of funds: smoking cessation and prevention programs across the state

Measure 108 helps create a more equitable Oregon by supporting the health care that working families rely on. And it has built-in accountability for Oregon taxpayers that ensures the money will be spent responsibly. We strongly support a YES vote on Measure 108.

Oregon Center for Public Policy

(This information furnished by Alejandro Queral, Oregon Center for Public Policy.)

Argument in Favor

Asian communities urge a YES vote for Measure 108

Pacific Islanders, Black Americans, and American Indians/Alaskan Natives have the highest rates of tobacco use in Oregon. Our communities experience higher rates of disease and tobacco-related complications and health disparities.

That's why we support Measure 108.

In order to address the root causes of tobacco use, it is essential we meet the needs of Asian communities with culturally and linguistically responsive support and services to address our health needs. Oregonians pay \$1.5 billion in smoking-related healthcare costs annually while Big Tobacco continues to profit. The nicotine vape and tobacco tax will not only produce much needed revenue for smoking cessation and prevention programs, but will also lower healthcare costs for all Oregonians.

Measure 108 is supported by critical organizations like the American Cancer Society Cancer Action Network, the American Heart Association, and community-based partners like APANO and the Immigrant and Refugee Community Organization. Together, we're fighting for lower healthcare costs for Oregonians and access to resources for our communities.

Voting yes on Measure 108 will ensure that funding for culturally and linguistically specific programs in community-based organizations is accessible and in reach for communities most impacted by the predatory, racist tactics of Big Tobacco. We must reinvest in access to healthcare for Asian communities in Oregon. We urge your support of Measure 108.

Asian Pacific American Network of Oregon (APANO)

(This information furnished by Coua Xiong, APANO.)

Argument in Favor

**Businesses and Business Groups Support Measure 108
Because the Financial Burden of Nicotine and Tobacco
is Costing Us Billions**

Businesses in Oregon are struggling, healthcare costs are skyrocketing. We pay \$347.6 million in Medicaid costs because of smoking and vaping related illnesses. Smoking costs our state \$1.5 billion a year in healthcare costs overall. It's an added burden to small businesses across the state at a time when we can least afford added cost pressures.

**VOTING YES ON MEASURE 108
WILL LOWER HEALTHCARE COSTS FOR EVERYONE**

Today, we all pay the price for Big Tobacco – Oregonians pay \$1.5 billion per year for smoking related healthcare costs, and smoking is the number one cause of preventable death in Oregon.

**STRICT ACCOUNTABILITY MEASURES
ENSURE TOBACCO TAX FUNDING ONLY GOES TO THE
OREGON HEALTH PLAN & PREVENTION PROGRAMS**

With tight accountability measures constructed and approved by a bipartisan committee, money from the nicotine vape and tobacco tax increase **MUST** go to the Oregon Health Plan and tobacco prevention and cessation programs. We expect accountability for our businesses and Measure 108 delivers with a fiscal lock box for our taxpayer dollars.

These protected dollars will triple the funding for smoking prevention programs and the increased funding to the Oregon Health Plan will help protect health care for over a million Oregonians.

Addressing Healthcare Costs, raising productivity and a lockbox for fiscal accountability. That's why:

Portland Business Alliance
Clackamas County Business Alliance
Beaverton Area Chamber of Commerce
Bend Chamber of Commerce
Corvallis Chamber of Commerce
Hillsboro Chamber of Commerce
Klamath County Chamber of Commerce
Lake Oswego Chamber of Commerce
North Clackamas Chamber of Commerce
Pendleton Chamber of Commerce
Tigard Chamber of Commerce
Tualatin Chamber of Commerce

...And over 50 independent small businesses all support Measure 108.

(This information furnished by Anca Matica, Yes for a Healthy Future.)

Argument in Favor

РЕСПУБЛИКАНЦЫ И ДЕМОКРАТЫ ПРИШЛИ К ЕДИНОМУ МНЕНИЮ – СОБЛЮДЕНИЕ ПРАВИЛА № 108 СПАСАЕТ ЧЕЛОВЕЧЕСКИЕ ЖИЗНИ!

Позиции республиканцев и демократов по вопросам налогообложения совпадают не так уж часто. Однако, в любом правиле есть исключения, и Правило 108 тому пример.

Как в Республиканской, так и в Демократической партии знают о том, какой вред нашему обществу наносит табакокурение. В Орегоне крупнейшие табачные компании (Big Tobacco) облагаются одной из самых низких ставок налога в стране. И вот что самое удивительное – штат Орегон не получает ни единого цента налога от продажи никотиносодержащейвейпинговой продукции. При этом медицинские эксперты уверены, что Правило 108 – надежный путь к сокращению потребления никотина и табака молодежью и предотвращению их употребления детьми.

СТРОГАЯ И ПРОЗРАЧНАЯ СИСТЕМА УЧЕТА НОВЫХ НАЛОГОВЫХ ПОСТУПЛЕНИЙ

Доходы, получаемые из новых источников, не являются карт-бланшем для политиков. Более того, предусмотрены строгие меры по их контролю и учету, гарантирующие, что эти средства будут направлены в систему здравоохранения для помощи нашим наиболее нуждающимся слоям населения. Определенная доля полученных средств должна быть выделена Управлению здравоохранения штата Орегон на финансирование программ общественного здоровья, например, Программы льготного медицинского страхования (ОНР), медицинские услуги в рамках которой получает почти каждый четвертый житель нашего штата. Без такого финансирования свыше миллиона жителей штата Орегон, относящихся к низкооплачиваемым и социально незащищенным слоям населения, в том числе 400 тысяч детей, могут потерять доступ к программе медицинской помощи Medicaid и возможность получения врачебной помощи и необходимого лечения в случае болезни.

Оставшаяся часть от этих поступлений пойдет на другие программы здравоохранения по профилактике и отказу от табакокурения, финансирование медицинских услуг для компактно проживающих общин коренного населения, программ медицинского обслуживания коренного населения, проживающего в городах, региональных коалиций по обеспечению равенства в предоставлении медицинских услуг, а также других программ здравоохранения, направленных на удовлетворение потребностей представителей отдельных общин и культурных групп.

Именно поэтому демократы и республиканцы пришли к единодушному мнению о том, что введение данного налога сможет остановить губительное влияние Big Tobacco на наше общество.

Присоединяйтесь к нам и голосуйте в поддержку
Правила 108!

Multnomah County Commissioner Dr. Sharon Meieran, Democrat
Former Candidate for Governor Dr. Bud Pierce, Republican

(This information furnished by Anca Matica, Yes for a Healthy Future.)

Argument in Favor

LGBTQ+ Communities Support Measure 108

Almost one in three LGBTQ+ adults smoke, a rate that's more than 40% higher than the rate for cisgender, straight adults. Lesbian, gay, and bisexual high school students use tobacco and nicotine products at a rate twice that of straight students, and the smoking rate for trans kids is even higher. **Smoking results in serious health disparities for LGBTQ+ communities and kills 30,000+ queer people a year.**

We know that the cycle of addiction is no accident. It's a direct result of the way Big Tobacco targets LGBTQ+ communities in their advertising campaigns--just like they target communities of color, Tribes, and low-income Oregonians.

For decades, Big Tobacco has worked hard to entice LGBTQ+ consumers through exploitative tactics like putting customized advertisements in LGBTQ+ media and giving away cigarettes and tobacco-company swag in gay bars. Now, Big Tobacco's doing the same thing with their new scheme to addict people to nicotine: "Pride flavored" nicotine vapes--and they're targeting queer youth with exploitative nicotine vape ads. Young people who start using nicotine vapes are three times more likely than non-vapers to switch to cigarettes within a couple of years. **This is a dangerous cycle of addiction that only leads to devastating health outcomes.**

It's time to make sure that when LGBTQ+ folks are ready to quit using tobacco products, Oregon has resources to help them. This measure will provide \$331 million dollars every two years for the Oregon Health Plan, which provides healthcare for nearly 1 million of the most underserved Oregonians, as well as meaningful investments in programs designed by and for marginalized communities to promote the prevention and cessation of tobacco and nicotine use.

We urge Oregonians to stand up to Big Tobacco's predatory tactics towards LGBTQ+ communities and vote yes on Measure 108.

Cascade AIDS Project (CAP)

Prism Health

National LGBT Cancer Network

(This information furnished by Peter Parisot, Cascade AIDS Project.)

Argument in Favor

公共卫生专业人士呼吁支持第108措施

如今，俄勒冈州的烟草税率是全美最低的州之一，并且不对尼古丁雾化产品征收一分钱的税。因此，我们看到了青年人大量使用电子烟。现在，几乎有四分之一的11年级学生都在使用电子烟，并且在过去三年中，我们看到使用尼古丁雾化产品的高中生人数增加了80%。像我这样的公共卫生官员看到我们的年轻人面临成瘾危险，第108号措施有助于遏制这一危机，同时防止多达19,000名儿童吸烟。

让可预防的死亡不再发生

尽管多年来与烟草业作斗争取得了进步，但令人遗憾的是，烟草使用仍然是俄勒冈州可预防死亡的主要原因，每年导致近8,000人死亡，并导致哮喘、癌症、心脏病、中风和糖尿病。

因烟草每年在俄勒冈州花费的医疗保健费用为15亿美元，研究表明，仅增加尼古丁雾化和烟草税就有可能防止近12,000例过早死亡。

对第108号措施投赞成票，将为重要的公共卫生计划提供资助

最后，第108号措施产生的收入将流向俄勒冈州卫生局，以资助重要健康计划，例如俄勒冈州健康计划，该计划为近四分之一俄勒冈人提供医疗保健服务。如果没有这笔资金，则可能会影响超过一百万名俄勒冈州低收入和工人阶层的医疗保健，其中包括400,000名儿童。

此外，正在进行资助的资金中有一部分将投入到其他公共卫生计划，用于预防烟草和戒烟、部落卫生服务提供者、印第安城市卫生计划、区域卫生公平联盟以及针对特定文化和特定社区的卫生计划。

加入公共卫生组织，对第108号措施投赞成票。

Health Care For All Oregon, Oregon Public Health Institute, Virginia Garcia Memorial Health Center, Upstream Public Health, American Cancer Society Cancer Action Network, American Heart Association.

详情请见 <https://yesforahealthyfutureoregon.org/>

(This information furnished by Anca Matica, Yes for a Healthy Future.)

Argument in Favor

EL SÍ A LA MEDIDA 108 LUCHA POR PROTEGER A NUESTROS NIÑOS

Mientras que los adultos fumadores deben luchar con una adicción mortal a la nicotina durante toda su vida, la próxima generación sigue siendo el blanco de las compañías de tabaco como una nueva fuente de ganancias. Las grandes tabacaleras saben que los jóvenes son mucho más susceptibles a volverse física y psicológicamente dependientes de los vapeadores de nicotina y los cigarros. De acuerdo con la Journal of American Medicine, los jóvenes que usan vapeadores son casi 3 veces más propensos a comenzar a fumar.

LOS VAPEADORES DE NICOTINA DEBERÍAN TENER IMPUESTOS COMO EL TABACO – LA MEDIDA 108 IGUALA LAS CONDICIONES

A pesar de que hay un aumento del uso de vapeadores entre los jóvenes, Oregon no le cobra ni un centavo de impuestos a los vapeadores de nicotina. En Oregon, casi uno de cada cuatro estudiantes de escuela secundaria usan cigarrillos electrónicos y en los tres últimos años, el estado ha observado un aumento del 80 % del uso de vapeadores entre los jóvenes.

Las grandes tabacaleras afirman que los vapeadores son una alternativa más saludable que los cigarros, pero la evidencia demuestra que pueden ser mortales. Las enfermedades pulmonares asociadas a los vapeadores de nicotina están aumentando a una velocidad sin precedentes en todo el país y esto debe parar. Los estudios demuestran que imponer impuestos a estos productos es la herramienta más eficaz para disminuir los índices de fumadores, y la Medida 108 justamente hace eso.

UN COMITÉ BIPARTIDISTA REDACTÓ LA MEDIDA 108 PARA SER EXPLÍCITA

La recaudación de la Medida 108 se destina directamente al Plan de Salud de Oregon y a programas para dejar de fumar y de prevención; a nada más.

VOTE SÍ A LA MEDIDA 108 POR UN FUTURO MÁS SALUDABLE

En noviembre podemos disminuir el uso de vapeadores y cigarros entre los jóvenes al unirnos para votar SÍ a la Medida 108.

(This information furnished by Anca Matica, Yes for a Healthy Future.)

Argument in Favor

OREGON EDUCATORS SUPPORT MEASURE 108 TO PREVENT TEEN VAPING

As educators, we work with Oregon youth and see firsthand how serious the teen vaping crisis has gotten. Between 2017 and 2019, the Oregon Health Authority reported an 80% increase in youth vaping. It's everywhere: Students vape in classrooms, in hallways, in bathrooms, and outside the school. Many vapes are made to look innocuous to a parent or teacher's eye so students can hide them in plain sight.

Our students have their whole lives ahead of them, and we can't allow Big Tobacco to get in the way by hooking kids on their addictive and deadly products.

It's time to end teen vaping.

That's why Oregon educators support a YES vote on Measure 108.

Measure 108 would help keep vapes out of the hands of our students. Kids are sensitive to cost — research shows that by implementing a common-sense vape and tobacco tax, we can significantly reduce teen vaping and smoking. That's exactly what Measure 108 will do.

Teen vaping is an urgent issue for our students:

- Big Tobacco has aggressively targeted teens with candy-flavored vapes
- Students as young as 10 years old are getting dangerous lung infections from vaping leading to negative health impacts and less time in the classroom
- Nicotine addiction is a distraction from the classroom, extracurricular activities and homework assignments

And it's not just about vaping. Teens who vape are THREE TIMES more likely to start smoking, leading to a lifetime of addiction and serious smoking-related illnesses. It's time to come together to protect Oregon kids.

By voting YES on Measure 108, we can prevent 19,000 kids from smoking.

Measure 108 is vital to the health of our students. Join the educators who support Oregon's children and vote YES on the vape and tobacco tax.

- Oregon Education Association

(This information furnished by Trent Lutz, Oregon Education Association.)

Argument in Favor

Pacific Islander communities are a YES on Measure 108

Over 30% of Pacific Islanders in Oregon rely on the Oregon Health Plan for our health care. **Pacific Islander communities have a vested interest in Measure 108. Without Measure 108, we're at risk of leaving almost one third of Oregon's Pacific Islanders uninsured.** We're facing a situation where unemployment rates will continue to rise—the last thing impacted communities need is to worry about our access to health care. We're standing united with Oregonians across the state to protect our healthcare and stop youth nicotine vaping by voting YES on Measure 108.

Smoking costs us all. We pay \$1.5 billion per year for smoking related healthcare costs while Big Tobacco continues to profit.

Revenue from Measure 108 will go to fund prevention programs to keep our communities from getting addicted to cigarettes and nicotine vapes, and to cessation programs to help people quit. **That is a smart use of the revenue that will save us all down the road and help our people lead healthier lives.**

Like others, we are alarmed at how tobacco companies target our children with advertisements that make vaping seem healthy and cool. We see our youth using nicotine vapes at extremely alarming rates. One in four Oregon high school students reports using nicotine vapes. This statistic is extremely concerning, because we know nicotine vaping leads to smoking and a lifetime of addiction. The research is clear: vaping leads to smoking and smoking leads to illness and death. Measure 108 will make a difference.

Pacific Islander communities urge your support for Measure 108 to protect healthcare and reduce youth vaping and smoking.

Micronesian Islander Community

Pacific Climate Warriors: Portland

Asian Pacific American Network of Oregon (APANO)

(This information furnished by Coua Xiong, APANO.)

Argument in Favor

Yes on Measure 108: For a healthy future in Oregon.

Smoking is the leading preventable cause of death, causing 90% of all lung-related cancers according to the US Department of Health and Human Services. As doctors, we know that the best treatment for smoking is prevention. That's why we support M108. It will keep people, particularly young people, from using tobacco and **save them from a lifetime of addiction.**

"M108 is a step forward toward a healthy future for all in Oregon. Research shows that taxing nicotine products is one of the most effective ways to decrease smoking. Voting yes on Measure 108 will help decrease smoking here in Oregon while reducing health care costs caused by smoking-related illnesses and generate revenue to fund the Oregon Health Plan. Join me voting in favor of Measure 108."

- Kevin Ewanchyna, MD, OMA President, Corvallis

"There's a common misconception that vaping is a healthier and safer alternative to smoking, but it's important to know the facts of the harmful effects of vaping and e-cigarette products. Vaping amplifies the dangers of nicotine because it's filled with cancer causing chemicals that can lead to serious illness, even resulting in death. By voting yes on M108, we are voting to pass the first ever tax on vape products in Oregon which will help prevent deaths and save lives."

- Logan Thomas Clausen, MD, Pediatrician, Bend

"More than ever, our health must be at the forefront of every decision we make. This extends to voting yes on M108 which will help to reduce the risk for lung-related deaths caused by smoking. The tax from this measure will also triple the current funding to cessation programs, helping those seeking to quit smoking and prevent nearly 12,000 premature deaths. That's why I'm voting yes on M108."

- Heidi Beery, MD, Family Medicine, Roseburg

Oregon Medical Association Urges a YES vote on M108.

(This information furnished by Courtnei Dresser, Oregon Medical Association.)

Argument in Favor

Tobacco remains the number one cause of preventable, premature death in Oregon, causing nearly 8,000 deaths per year.

The power of public health is the power of prevention. To reduce the number of tobacco-related deaths and disease, we must increase the price of nicotine and commercial tobacco products to deter children from using them, and empower adult smokers to quit smoking for good.

Establishing an electronic cigarette tax and raising Oregon's tobacco tax helps price youth out of the market, preventing over 19,000 kids from starting smoking. Electronic cigarettes are the fastest growing nicotine product among youth and are currently untaxed in Oregon. Data shows that, **in Oregon, youth electronic cigarette usage increased by 80% in the last year.** Noting this unprecedented spike in electronic cigarette usage, and because most lifetime tobacco addiction starts during adolescence, the US Surgeon General issued an advisory for parents, teachers, and health professionals about the negative health consequences of e-cigarettes.

Electronic cigarettes are not a safe alternative to commercial cigarettes. Early research shows that the fine particles found in the smoke of nicotine vapes have varying amounts of toxic chemicals, which have been linked to heart disease, respiratory diseases, and cancer. According to the Centers for Disease Control, nicotine is dangerous for kids at any age, and can cause lasting harm to brain development, promote addiction, and lead to sustained commercial tobacco use.

Electronic cigarettes are just one step in the vape-to-cigarette pipeline Big Tobacco is using to target our youth.

We must take action now to prevent youth from starting smoking, and to help adult smokers quit for good.

The American Heart Association urges a YES vote on Measure 108 this November.

(This information furnished by Christina S Bodamer, American Heart Association.)

Argument in Favor

SEIU supports voting YES on 108

**Working Families Deserve Healthy Lives -
Vote Yes to Protect our Kids**

As a member of SEIU 503 I am proud that workers across Oregon are supporting Measure 108. This measure is vital to the health of our families and our communities, protecting the next generation of kids from a lifetime of nicotine addiction.

Smoking affects all of us—to this day, it is the #1 cause of preventable death in Oregon. And now, Big Tobacco is targeting kids with gummy bears and cotton candy flavored vapes that contain huge amounts of nicotine. Measure 108 would finally tax these addictive vape products, just like we do cigarettes. It's just common sense, and it would prevent kids from smoking in the first place.

By voting YES on Measure 108, research shows we can prevent 19,000 kids from becoming smokers.
This measure is a game-changer:

A YES vote on 108 would:

- Protect funding for the Oregon Health Plan
- Prevent thousands of youth from smoking, and convince many to quit
- Keep vapes out of the hands of teens statewide
- Prevent thousands of premature deaths

It's important to workers that this measure does what it says it will—there is nothing more important than protecting the health of our kids. Every dollar raised by this measure is required to go to the Oregon Health Plan and to smoking prevention and cessation programs.

By voting YES, we can prevent Big Tobacco from hooking the next generation of teens on their deadly products, protect health coverage for 400,000 kids, and lower health care costs for all Oregonians.

Let's protect the health of our kids and our communities.

Join me in voting YES on Measure 108.

Cayle Tern, SEIU 503 Member

(This information furnished by Tony LaPiz, Service Employees International Union, Local 503.)

Argument in Favor

Vaping is dangerous.

It is not a safe alternative to commercial tobacco products.

As a retired health educator and the daughter of a mom who died from tobacco-related illness, I know all too well the dangers of nicotine and the lengths to which Big Tobacco will go to get people addicted.

Vapes are just another trick up their sleeves.

Before retiring, I was the first health promotion specialist at the university in which I worked. It was my job to help young people who were struggling with tobacco addiction. Today the problem is vaping, and it's just as bad.

I know how important it is for young people to get clear and accurate information about the dangers of nicotine, whether it comes from vaping or traditional cigarettes. By creating the first tax on nicotine vaping and increasing the tobacco tax, we will dramatically increase resources to prevent people from picking up their first vape or cigarette, saving so many young people from a future of illness and premature death.

My mother smoked most of her life. She suffered a difficult and unnecessary death at the hands of tobacco. She died too soon, as so many others have. We need to fight back against the tobacco companies that are preying on our children.

That's why I'm voting Yes on Measure 108, and that's why I encourage you to join me!

Vote YES to protect our youth and loved ones.

Cheryl Graham, Albany
Retired Health Educator

(This information furnished by Anca Matica, Yes for a Healthy Future.)

Argument in Favor

**Oregon's labor unions say
Yes on Measure 108**

The price of tax-free vapes is too high for working families

Do you know what the nicotine vape tax is? ZERO. Tobacco companies are getting a free ride and we all pay the price.

That's why Oregon's working families have had enough. It is outrageous that nicotine vapes are tax-free while tobacco corporations prey on our kids, trying to get them hooked on their addictive, candy-flavored products.

The opposition to this measure is bankrolled by the Big Tobacco industry, which will say and spend anything to keep Oregonians hooked on their deadly nicotine products. Big Tobacco opposes this measure because they know that it will prevent thousands of Oregonians from starting to smoke, cutting into their billions in profits.

Meanwhile, Oregonians pay \$1.5 billion per year for smoking related health care costs. And the costs to families for lost loved ones is immeasurable.

It's time to pass Measure 108 to save lives and reduce costs.

We've read the fine print on Measure 108. The ballot measure is explicit about where the money goes, and the language you will see on your ballot was approved by a bipartisan committee.

Money from the tobacco tax increase must go to fund public health programs including smoking prevention and cessation programs and the Oregon Health Plan. The new revenue from the tobacco tax cannot be used for anything else.

Please join Oregon's labor unions in voting YES on Measure 108.

SEIU

Oregon AFSCME

Oregon Nurses Association

Oregon Federation of Nurses & Health Professionals

Oregon Education Association

American Federation of Teachers Oregon

Oregon AFL-CIO

(This information furnished by Tony LaPiz, Service Employees International Union, Local 503.)

Argument in Favor

Latinx Organizations say YES on Measure 108

Latinx communities are coming together in support of Measure 108, which will help fund the Oregon Health Plan for our children, adults and families who count on it for access to quality healthcare. The Oregon Health Plan provides essential healthcare for one in four Oregonians, including 400,000 children.

This coverage is even more vital to the Latinx community, providing coverage for nearly 40% of our community. The Latinx population is significantly younger than white Oregonians. **It is vital that an Oregon tax increase is imposed on cigarettes and nicotine vapes as a measure to prevent Latinx youth from becoming the next generation of commercial tobacco consumers.**

Revenue from the vape and tobacco tax will go to the Oregon Health Plan and to culturally-responsive programs that will help stop people from using dangerous commercial tobacco products. Statistics show that increasing the cost of smoking keeps kids from using cigarettes and nicotine vapes and the funds raised from this increase will save lives.

Smoking and other commercial tobacco use takes a toll on the health of Latinx communities. Lung cancer is the leading cause of cancer death among Latinx men and the second leading among Latinx women.

Big Tobacco has targeted Latinx communities for decades with campaigns like "Nuestra Gente" to addict and exploit our community members. They saturate magazines and popular publications Latinx youth consume with racist advertisements. The power Big Tobacco holds over our youth needs to stop and Measure 108 will help us take steps to counter the tactics they use to sell their products.

As community-based organizations we see the devastating impact commercial tobacco and nicotine vape products have on families and on our community. **We urge all Oregonians to vote Yes on Measure 108 and invest in the well-being of ALL our communities.**

El Programa Hispano Católico

Euvalcree

Familias en Acción

Latino Network
Oregon Latino Health Coalition
Virginia Garcia Memorial Health Center
Virginia Garcia Memorial Foundation

(This information furnished by Olivia Quiroz, Oregon Latino Health Coalition.)

Argument in Favor

JOIN MENTAL HEALTH ADVOCATES IN VOTING YES ON M108

The National Alliance on Mental Illness (NAMI) Oregon is a grassroots organization working across the state to support and advocate for individuals living with mental illness as well as their families and loved ones. We strongly support M108.

We've seen the disproportionate and dangerous impact highly addictive substances like commercial tobacco products have on individuals with mental health conditions and behavioral disorders.

In fact, study after study shows people with depression, anxiety, ADHD and other mental health conditions make up 25% of the population, but about 40% of all cigarette smokers.

Regular doses of nicotine can lead to changes in the brain, especially in young people during their formative years. People with serious mental illness die on average 25 years earlier than other Oregonians -- commercial tobacco use is a contributing factor to the chronic illnesses associated with early death.

NAMI advocates for access to smoking cessation programs. That's why we strongly support M108.

This measure will:

- **Triple the funding for current cessation programs.** According to the Centers for Disease Control, more than 70% of smokers in Oregon want to quit. We need well-funded programs to help them.
- **Support mental health programs across the state.** Through the Oregon Health Plan, thousands of Oregonians have been able to access low-cost mental health services and access the treatment they need to improve their quality of life.
- **Protect access to affordable health care for over 1 million Oregonians,** including low-income and working-class individuals and 400,000 children, so they can see a doctor when they get sick or to seek treatment. If this measure doesn't pass, it will put thousands of Oregonians at risk from accessing care.

We're committed to supporting the wellness of people with mental illness in every way. That's why we encourage a Yes vote on 108 to provide and protect critical funding for mental health programs for all Oregonians.

(This information furnished by Chris Bouneff, NAMI Oregon.)

Argument in Favor

MEASURE 108 PROTECTS health care FOR 1 MILLION OREGONIANS ON THE OREGON HEALTH PLAN, INCLUDING MY FAMILY.

In Oregon, we believe that everyone should be able to visit a doctor when they get sick, without worrying about a medical bill bankrupting them. The Oregon Health Plan (OHP) makes that a reality by providing low-income Oregonians with access to health care coverage.

Now more than ever before we need Measure 108, which directs 90% of the funds raised by a simple vaping tax to OHP. It's written into the law: the money must go toward health care. Period.

Thanks to OHP, I no longer have to worry about choosing between seeing a health care provider and paying my bills. I know that my insurance allows me to get the care I need, including the basic preventive care that keeps me and the one million other Oregonians on OHP healthy.

Especialy during the coronavirus pandemic, protecting the safety net that OHP provides Oregon families has never been more urgent or essential. Oregonians like me need to know that we can get care no matter our situation. With more and more people joining OHP due to the pandemic, we need to make sure everyone can be covered.

I'm voting YES on Measure 108 because I know firsthand how important it is for Oregon families to have access to health care. Together, we can pass Measure 108 and protect health coverage for 1 million Oregonians (and counting).

OHP makes health care affordable and accessible for 1 in 4 people across the state, including: 400,000 children Families, People with disabilities

**Join doctors, nurses, and Oregon families
in voting YES on Measure 108 to protect health care
for the Oregonians who need it most.**

Ivonne Rivero, Oregon Health Plan Member

(This information furnished by Elisabeth Shepard, Yes for a Healthy Future.)

Argument in Favor

We all want to Protect our Youth from Vaping, Protect Taxpayer Accountability, Prevent Increased Nicotine and Tobacco Consumption and Provide Health Care through the Oregon Health Plan

Voting Yes on Measure 108 Hits the mark by:

- Implementing a nicotine vape tax which will reduce consumption among our youth and increasing the cigarette tax to help save 39,000 Oregonians.
- Creating accountability by making sure the revenue raised only goes to prevention programs and the Oregon Health Plan. That's why a bi-partisan committee passed this measure because Republicans and Democrats agreed to protect taxpayer dollars.
- Nearly tripling prevention programs so we can focus on our youth vaping epidemic and protect our youth from becoming the next generation of addicts.

That's why healthcare experts throughout Oregon and across the nation support Measure 108

AllCare Health
American Cancer Society Cancer Action Network
American Heart Association
Coalition for a Healthy Oregon
Cambia Health Solutions
CareOregon
Cascade AIDS Project
Kaiser Permanente
Legacy Health
National LGBT Cancer Network
NPAIHB (Northwest Portland Area Indian Health Board)
Oregon Academy of Family Physicians
Oregon Alliance for Children, Families and Communities
Oregon Association of Hospitals & Health Systems
Oregon Health Care Association
Oregon Latino Health Coalition
Oregon Medical Association
Oregon Pediatric Society
Oregon Public Health Institute
Oregon School Based Health Alliance
Oregon Thoracic Society
Oregon Nurses Association
Our Children Oregon
PeaceHealth

Planned Parenthood Advocates of Oregon
Prism Health
Providence Health & Services
Salem Health Hospitals & Clinics
Samaritan Health Services
Tobacco Free Coalition of Oregon (TOFCO)
Upstream Public Health
Virginia Garcia Memorial Health Center

(This information furnished by Sean Kolmer, Oregon Association of Hospitals & Health Systems.)

Argument in Favor

Our kids are off limits.

Each year it gets a little bit worse. Vaping in bathrooms, parking lots, behind school buildings, in parks. Even in the classroom. It's everywhere and we're sick of it.

Tobacco companies are targeting our kids with youthful ads and cheap, candy-flavored vapes (some selling for as little as \$0.99). They're too easy to get, and they're even easier to hide. But as parents and teachers, we know that **vapes are no better than cigarettes**. Vapes are just as addictive (if not more—giving off a larger, up-front hit of nicotine), and adults and children alike are suffering from vape-related lung illnesses. Many adults who attempt to quit smoking by vaping instead end up doing both and consuming even more nicotine.

In fact, kids who vape are 3x more likely to smoke tobacco cigarettes, leading them to a lifetime of addiction, illness and likely premature death.

It's an ugly business, and we have a chance to do something about it.

Our kids are worth it. Our kids are off limits to Big Tobacco.

Vote YES on 108.

Oregon PTA
Oregon Education Association

(This information furnished by Trent Lutz, Oregon Education Association.)

Argument in Favor

American Indian, Alaskan Native, Asian, Black, Latinx, LGBTQIA2S+, and Pacific Islander communities urge a YES vote on Measure 108 for a healthy future for EVERYONE.

We experience the most regressive health outcomes due to tobacco-related illness in Oregon. Upstream solutions like Measure 108 will benefit our communities.

The data tells a story:

- 39% of **American Indian and Alaska Natives** in Oregon are on the Oregon Health Plan and 41% of that number consume commercial tobacco while making up 1.8% of Oregon's total population.
- 40% of **Black Oregonians** are on the Oregon Health Plan and 32.6% of that number consume commercial tobacco while making up 2.2% of Oregon's total population.
- 38.2% of **Latinx people** are on the Oregon Health Plan and 13.3% of that number consume commercial tobacco while making up 13.4% of Oregon's total population.
- 24% of **Asians and Pacific Islanders** are on the Oregon Health Plan and 35% of that number consume commercial tobacco while making up 5.4% of Oregon's total population.
- Nearly one in three **LGBTQIA2S+ adults** smoke, a rate that is more than 50% higher than other adults.
- 19% of **white people** are on the Oregon Health Plan and 30% of that number consume commercial tobacco while making up 86% of Oregon's total population.

Measure 108 helps write a different story by ensuring that every dollar gained from the tax is directly reinvested into the communities most impacted, by funding the Oregon Health Plan and smoking prevention and cessation programs.

Join us in voting YES for a healthy future for EVERYONE.

NAACP Eugene Springfield
Self Enhancement Inc
Cascade AIDS project
Asian Pacific American Network of Oregon
Micronesian Islander Community
Northwest Portland Area Indian Health Board
Oregon Latino Health Coalition

(This information furnished by Coua Xiong, APANO.)

Argument in Favor

PUBLIC HEALTH PROFESSIONALS URGE SUPPORT OF MEASURE 108

Today, Oregon has one of the lowest tobacco tax rates in the country and doesn't tax nicotine vaping products one penny. Because of that coupled with tobacco companies marketing these products in fruit and candy flavors, we've seen a surge in youth vaping. Nearly one in four 11th graders now use e-cigarettes and over the last three years we've seen an 80% increase of high schoolers using nicotine vaping products. Public Health advocates like us see our youth facing addiction and Measure 108 helps curb this crisis, preventing as many as 19,000 kids from taking up smoking.

STOP PREVENTABLE DEATHS

While there has been progress over the years fighting the tobacco industry, sadly, tobacco use is still the leading cause of preventable death in Oregon, responsible for nearly 8,000 deaths annually and contributing to chronic diseases such as asthma, cancer, heart disease, stroke and diabetes.

Tobacco costs Oregon \$1.5 billion a year in healthcare costs and research shows that simply increasing the nicotine vaping and tobacco tax has the potential to prevent nearly 12,000 premature deaths.

VOTING YES ON MEASURE 108 WILL FUND CRITICAL PUBLIC HEALTH PROGRAMS

Lastly, the revenue generated from Measure 108 will go to the Oregon Health Authority to fund important health programs such as the Oregon Health Plan, which provides health care for nearly 1 in 4 Oregonians. Without this funding, healthcare for over a million low-income and working-class Oregonians, including 400,000 children, could be impacted.

Additionally, a dedicated portion of ongoing funding will go towards other public health programs for tobacco prevention and cessation, tribal health providers, Urban Indian Health programs, regional health equity coalitions, and culturally specific and community-specific health programs.

Join Public Health Groups in voting yes on Measure 108.

Health Care For All Oregon, Oregon Public Health Institute, Virginia Garcia Memorial Health Center, Upstream Public Health, American Cancer Society Cancer Action Network, American Heart Association.

Learn more at <https://yesforahealthyfutureoregon.org/>

(This information furnished by Audrey Miller, American Cancer Society Cancer Action Network.)

Argument in Favor

**I was 15 when I picked up my first vape.
I was 16 when I smoked my first cigarette.**

Vaping leads to smoking.
I know from firsthand experience.

I was an anti-tobacco activist in middle school. But by the time I was in high school, vaping was everywhere. My friends had them, there were ads everywhere, and like any high school kid I was vulnerable to peer pressure.

Once I started vaping, it was incredibly addictive. I ended up vaping nicotine and smoking commercial cigarettes. The research says that **vaping leads to smoking** and now I know that's true.

I also know that **smoking leads to illness and death**, but I didn't want to learn that lesson the hard way too.

I had headaches when I tried to quit and was very agitated, but I knew I had to when my 9-year-old cousin saw a JUUL pen in my room. She knew what it was. She recognized it. It horrified me. I didn't want her to be influenced by what I did.

Tobacco companies want you to think that vaping is harmless, but it's not. It's dangerous, it's addictive, it's nicotine and a drug that has no place in our schools.

Please join me in voting YES for Measure 108 to make sure kids like me, my friends, and my cousin, never have to learn the dangerous way.

Omar Sandoval, 23
Yamhill County

(This information furnished by Anca Matica, Yes for a Healthy Future.)

Argument in Favor

American Indian and Alaska Native Urban Communities & Oregon Tribal Nations Urge Support for Measure 108

Measure 108 will reduce smoking and vaping and save lives with direct benefits to American Indian and Alaska Native communities.

Measure 108 offers direct benefits to American Indian and Alaska Native communities by earmarking funding for tribal health providers, Urban Indian Health programs, regional health equity coalitions, culturally specific and community-specific health programs and funding the Oregon Health Plan.

41% of American Indians and Alaska Natives on the Oregon Health Plan consume commercial tobacco products and experience among the poorest health outcomes due to tobacco related illness.

The high use of commercial tobacco products among American Indians and Alaska Natives is by design through generations of targeted marketing to our communities by Big Tobacco. Commercial tobacco corporations exploit our cultural heritage for profit while we pay the price in health care costs and lives.

Measure 108 will help address these disparities and directly reinvest dollars into the communities most impacted by commercial tobacco use through funding our health care and tripling our access to community-based smoking cessation and prevention programs.

Our Native community members are wisdom carriers, life bearers, aunties, uncles, brothers, sisters, mothers, and fathers. We must preserve and protect our communities from the harmful impacts of smoking and vaping. ITobacco used in a traditional way for prayer or ceremony is not addictive. Commercial tobacco and vapes are marketed and made cheap and accessible to our communities and lead to addiction and death. Measure 108 will empower our communities to quit commercial tobacco while honoring our sacred relationship to traditional tobacco.

Join Oregon's Tribes and American Indian and Alaska Native advocacy groups in reducing smoking and vaping and saving lives in our communities. Vote YES on Measure 108.

Northwest Portland Area Indian Health Board
NAYA Family Center

(This information furnished by Anca Matica, Yes for a Healthy Future.)

Argument in Favor

**Nurses, doctors and community groups
Democrats, Republicans and small businesses**

Everyone says Yes on Measure 108

People are suffering from vaping-related illnesses while tobacco companies target kids with candy-flavored vapes. Research shows young people who vape are almost three times more likely to start smoking. But Oregon does not tax vapes one penny.

That's why Measure 108 has hundreds of endorsements from the groups Oregonians trust the most. Go to YesForAHealthyFutureOregon.org for a full list.

American Cancer Society Cancer Action Network of Oregon
American Heart Association of Oregon
American Lung Association of Oregon
AFSCME State Council 75
AllCare Health
Alliance of Black Nurses of Oregon
APANO
Beaverton Area Chamber of Commerce
Bend Chamber of Commerce
Bradley Burket, MD, DMD
Center for African Immigrants and Refugees Organization (CAIRO)
Cambia Health Solutions
CareOregon
Cascade AIDS Project
Causa
CCO Oregon
Clackamas County Business Alliance
Community Alliance of Tenants
Coalition of Oregon School Administrators (COSA)
Corvallis-Albany NAACP
COSPD
Democratic Party of Oregon
El Programa Hispano Católico
Eugene Springfield NAACP
Euvalcree
Familias en Acción
Farmers Market Fund
Fluffco Properties LLC.
Fuse
Health Care for All Oregon
Health Share of Oregon
Health Net Health Plan of Oregon
Hillsboro Chamber of Commerce
Humboldt Neighborhood Association
Immigrant and Refugee Community Organization (IRCO)
Klamath County Chamber of Commerce
Lake Oswego Chamber of Commerce
Langenwalter Wellness
Legacy Health
Livin Bend Clothesline
Metropolitan Family Services
Michael Bailey Painting
Miller Ferrari Wealth Management
National Alliance on Mental Illness, Oregon
NARAL Pro Choice Oregon
National LGBT Cancer Network
NAMI Oregon
NAYA Family Center
Sean Suib, Executive Director, New Avenues for Youth
Next Up
North Clackamas Chamber of Commerce
Northwest Portland Area Indian Health Board
North by Northeast Community Health Center

(This information furnished by Anca Matica, Yes for a Healthy Future.)

Argument in Favor

OREGON PEDIATRICIANS SUPPORT M108

Every day, pediatricians see the dangerous and real health consequences of nicotine addiction among children, young adults, and parents who have tried and failed to quit.

Measure 108 is essential to protect the health and future of Oregon children and youth. Raising the price of tobacco products is the single most effective way to prevent young people from starting to smoke or vape altogether.

That's why M108 is endorsed by the Oregon Pediatric Society and dozens of other local health and community organizations across our state.

Smoking kills nearly 8,000 Oregonians every year and is the number one cause of preventable death in Oregon. Nicotine addiction is a pediatric disease. Nearly 9 out of 10 daily smokers try their first cigarette by age 18, and young people who vape are almost three times as likely to start smoking cigarettes. The availability of low-priced vaping products has led to an 80% increase in youth vaping from 2017 to 2019.

Smoking harms every organ system in the body. It causes cancers, strokes, and heart attacks, and can increase the severity of respiratory diseases. Youth who vape are more likely than their peers to be infected with COVID-19. Smoking-related diseases and death disproportionately affect the poor, racial minorities, and the most vulnerable.

Today, Oregonians spend \$1.5 billion per year on smoking-related health care costs. Health care experts drafted M108 knowing that *increasing the tobacco tax would lower costs for everyone.*

Measure 108:

- Raises the tobacco tax by \$2 per pack and establishes the first tax on vape products in Oregon. This brings Oregon in line with Washington and California.
- The revenue will triple funding for tobacco prevention and quit-smoking programs and protect health care access for more than one million Oregonians.

We urge you to join Oregon's pediatricians and vote YES on Measure 108.

(This information furnished by Julie Scholz, Oregon Pediatric Society.)

Argument in Favor

**When we say everyone, we mean everyone is YES on Measure 108
(Except for the Big Tobacco companies)**

Oregon Nurses Association
Oregon Federation of Nurses and Health Professionals (OFNHP)
Oregon Health Care Association
Oregon Medical Association
Oregon Academy of Family Physicians
Oregon AFL-CIO
Oregon Alliance for Children, Families and Communities
Oregon Association of Hospitals & Health Systems
Oregon Coalition of Christian Voices
Oregon Education Association
Oregon Environmental Council
Oregon Health Care Association
Oregon Latino Health Coalition
Oregon League of Conservation Voters
Oregon Pediatric Society
Oregon Primary Care Association
Oregon PTA
Oregon Public Health Institute
Oregon Recovers
Oregon School Based Health Alliance
Oregon Thoracic Society

Orp Industries
Our Children Oregon
Pacific Climate Warriors Portland
PacificSource
PeaceHealth
Pendleton Chamber of Commerce
Pine Echoes
Planned Parenthood Advocates of Oregon
Portland Community Reinvestment Initiatives Inc. (PCRI)
Portland Consulting Group
Prism Health
Providence Health & Services
Rabbi Debra Kolodny
Redmond Chamber of Commerce & CVB
Real in Bend Real Estate
Salem Health Hospitals and Clinics
Samaritan Health Services
SEIU 503
Self Enhancement, Inc
Sustain Interiors
Tax Fairness Oregon
Tigard Chamber of Commerce
The Numberz Radio Station
Tobacco Free Coalition of Oregon
Tobacco Free Kids Action Fund
Treeline Financial Planning
Trillium Community Health Plan
Tualatin Chamber of Commerce
Upstream Public Health
Virginia Garcia Memorial Foundation
Virginia Garcia Memorial Health Center
Washington County Ignite
Willamette Valley Consultants
YWCA of Greater Portland

We are united because we know that too many kids are getting hooked on candy flavored vapes, leading them to a deadly, lifelong addiction to nicotine. We know that the single best way to protect them is with Measure 108.

(This information furnished by Anca Matica, Yes for a Healthy Future.)

Argument in Favor

For health, for life, for youth

Oregon Nurses Association urges YES on Measure 108

As nurses, every day we work with patients facing one or more of the dozens of illnesses, like lung cancer and heart disease, that are brought on by tobacco use. Smoking-related illnesses are the number one cause of preventable death in Oregon. That is why we so strongly support Measure 108.

Tobacco companies are targeting children with candy flavored nicotine vapes like Cool Cucumber, Cotton Candy, and Gummy Bears. The huge amount of nicotine in these products leads to a lifetime of addiction, and they're sold tax-free to keep the costs low and affordable to kids.

And it works:

- Even though there has been an onslaught of vaping-related illness and death in the last 18 months, youth vaping in Oregon is still an epidemic.
- 1 in 4 Oregon high schoolers have used nicotine vapes.
- 1 in 8 middle schoolers have used nicotine vapes.

The Journal of American Medicine found that young people who vape are almost 3x more likely to start smoking.

According to the U.S. Department of Health and Human Services, we know that the most effective way to reduce access and addiction—and particularly to ensure kids never start smoking—is by raising the price of tobacco and nicotine products. And by increasing tobacco taxes we'll also lower health care costs for everyone.

Today, we all pay the price for tobacco. Oregonians pay \$1.5 billion per year for smoking-related health care costs while Big Tobacco profits from addiction. And studies show that increasing the tobacco tax will prevent nearly 12,000 premature deaths.

The evidence is clear. Measure 108 will save lives and save health care costs. Oregon's nurses urge you to join us and major health care organizations, advocates and unions in voting YES on Measure 108.

Oregon Nurses Association

(This information furnished by Catherine Theisen, Oregon Nurses Association.)

Argument in Favor

Oregon kids need your help: Vote Yes on Measure 108 to prevent teen vaping

I see vaping everywhere in school, from classrooms to the lunchroom. Many of the vapes are silent and odorless, so that the teachers don't notice them. Other times, the smell is overwhelming—plumes of candy-flavored vape that tobacco companies target to teens like me, pollute every bathroom.

I see increasingly younger kids try vaping every year, and it scares me because I know that teens who vape are three times more likely to start smoking. The popularity of vaping shocked me when I started high school, and now I worry about how it is going to affect my friends and peers long-term.

One thing is clear: If we want to prevent teens from getting addicted to nicotine, we need to make vaping less accessible. Oregonians can do that by passing Measure 108.

It makes no sense that we don't currently tax vapes—they are just as addictive as cigarettes and are clearly targeted to teens. For years, Big Tobacco companies have tried to get kids hooked on vaping by advertising near schools and selling sweet candy flavors.

These untaxed vapes are cheap and easy for high schoolers to get—you only have to visit a school to see how common they are. **The good news is that Measure 108 will finally tax vapes, which research shows will prevent thousands of teens from starting smoking and getting hooked.**

I want my classmates to have long, happy futures free from nicotine addiction and smoking related illnesses.

I'm not old enough to vote yet, so I am asking you to vote YES on Measure 108 for young people like me.

Oregon kids deserve healthy, addiction-free futures.

Bianca Gherghe
Westview High School, Beaverton

(This information furnished by Anca Matica, Yes for a Healthy Future.)

Argument in Favor

AFSCME Supports Measure 108 - A Bipartisan Solution to the Vaping Crisis

The research is clear: Young people who vape are 3x more likely to start smoking, leading to a lifetime of nicotine addiction and serious health problems. Working families across Oregon have seen the toll nicotine vaping is taking on our youth, and that's why we're proud to support a YES vote on Measure 108.

At a time when:

- **1 in 4 high school students have vaped**
- **Vaping has sickened and killed Oregonians**
- **Big Tobacco is targeting children with gummy bear and cotton candy flavored nicotine vapes**

- **Tobacco use is STILL the number one cause of preventable death**

... Voting YES on Measure 108 is a major and overdue step in combating the vaping crisis.

Measure 108 has BIPARTISAN support

The measure came from a **bipartisan** committee. Democrats and Republicans are coming together to vote YES on Measure 108 and prevent 19,000 kids from becoming smokers.

Now, we can ALL come together and

vote YES to protect our kids.

This isn't a partisan issue—it's about the health of Oregonians.

Measure 108 is transparent and accountable

This measure is crystal clear about where the money goes.

ALL FUNDS raised by the vaping and tobacco tax are dedicated to:

1. The Oregon Health Plan, which provides health care coverage for 1 million low-income and working-class Oregonians — including 400,000 children — so they can see a doctor when they get sick or get treatments they need.
2. Public health programs, including smoking prevention and cessation programs that help Oregonians across the state.

Hard working families across Oregon want to take steps to prevent teens from vaping and eventually smoking, but they can't do it alone. Measure 108 taxes vapes just like other tobacco products, helping to keep them out of the hands of kids.

Measure 108 is a commonsense, accountable solution to the teen vaping crisis. Please join us in voting YES.

AFSCME Council 75

(This information furnished by Lamar Wise, AFSCME Council 75.)

Argument in Favor

MEASURE 108 WILL ESTABLISH THE FIRST TAX ON NICOTINE VAPING PRODUCTS AND RAISE THE TOBACCO TAX SO THAT WE CAN SAVE LIVES AND LOWER HEALTH CARE COSTS FOR EVERYONE.

Across the country more and more youth are becoming addicted to nicotine with e-cigarettes, and in Oregon, more kids use e-cigarettes than smoke cigarettes. But here, vaping products aren't taxed at all.

Tobacco companies target children by selling candy-flavored vaping products in flavors like Cotton Candy, Peanut Butter Cup, and Gummy Bear. These untaxed products - which can contain huge amounts of nicotine - threaten to addict a whole new generation.

VOTING YES ON MEASURE 108 WILL SAVE LIVES AND LOWER HEALTH CARE COSTS FOR EVERYONE

Today, we all pay the price for tobacco use – Oregonians pay \$1.5 billion per year for smoking-related health care costs. Every household in Oregon pays \$713 per year in taxes to cover the costs of smoking, whether there are smokers in that household or not.

STRICT ACCOUNTABILITY MEASURES ENSURES TOBACCO TAX FUNDING ONLY GOES TO THE OREGON HEALTH PLAN

Despite what opponents claim, a bipartisan committee constructed and approved tight accountability measures to direct the money from the tobacco tax increase to the Oregon Health Plan.

MEASURE 108 PROTECTS OUR CHILDREN

A study in the Journal of the American Medical Association Network Open found that youth e-cigarette use was associated with more than four times the odds of trying cigarettes and nearly three times the odds of current cigarette use. Big Tobacco opposes tobacco taxes because they know that the more we charge for tobacco products (including e-cigarettes or vapes), the more we can prevent them from hooking their next generation of smokers.

The Campaign for Tobacco-Free Kids, an organization committed to saving lives from the leading cause of preventable death: tobacco use, asks you to vote YES ON 108.

Tobacco Free Kids Action Fund

Learn more at <https://yeson108.org>

(This information furnished by Elisabeth Shepard, Yes for a Healthy Future.)

Argument in Favor

太平洋岛民、美国黑人和美洲印第安人/阿拉斯加土著人在俄勒冈州的烟草使用率最高。我们的社区患病和与烟草相关的并发症和健康差异的比率更高。这就是我们支持第108号措施的原因。

为了解决烟草使用的根本原因，我们必须以文化和语言上敏锐的支持和服务来满足亚洲社区的需求，以解决其健康需求。俄勒冈人每年支付15亿美元与吸烟相关的医疗保健费用，而大烟草公司继续在盈利。尼古丁电子烟和烟草税不仅会为戒烟和预防计划产生急需的收入，而且还会降低全体俄勒冈州人的医疗费用。

第108号措施得到了重要组织的支持，例如美国癌症协会、癌症行动网络、美国心脏协会以及以社区为基础的合作伙伴，如APANO和移民与难民社区组织。我们正在一起努力，争取降低俄勒冈人的医疗费用，并为我们的社区提供资源。对第108号措施投赞成票，将确保为以社区为基础的组织中针对文化和语言的特定计划提供资金，并使受到大烟草公司的掠夺性种族主义策略影响最大的社区可以获得帮助。我们必须对俄勒冈州亚洲社区的医疗服务进行再投资。我们呼吁您支持第108号措施。

俄勒冈州亚太裔美国人网络 (APANO)

(This information furnished by Anca Matica, Yes for a Healthy Future.)

Argument in Favor

Open letter to Big Tobacco from BIPOC and LGBTQIA2S+ communities in favor of Measure 108

Dear tobacco industry leaders,

We see you. We see you in our neighborhoods. You advertise in Black neighborhoods 70% more than other neighborhoods. We feel your shameless cultural dog whistles like Indian Chiefs, graffiti style fonts, and brand names like “Rio” and “El Dorado”. **There are over 15,000 vape flavors and many of them are tailor made to not only appeal to children, but to Black and Brown children in particular.**

The playbook you have used for decades to addict and eventually kill off our communities, separating families through death and illness to shore up your profits, must stop. We pay in medical bills. We pay with our lives. Vaping and smoking is a choice, but Big Tobacco chooses to spend \$1 million dollars per hour in harmful, targeted advertising and it is this power differential our effort seeks to remedy.

Black, Brown, Indigenous People of Color and LGBTQIA2S+ communities experience the most *regressive health outcomes* as a result of your targeted marketing tactics. We have among the highest rates of lung cancer, heart disease and other chronic illnesses caused by tobacco use. Now, you're targeting the youngest generations with nicotine vape products.

Youth who vape are three times more likely to smoke commercial rolled cigarettes within two years of starting vaping.

That's why we're voting YES on Measure 108. It's a proven method to reduce smoking which saves lives and costs. When people quit vaping and smoking, Big Tobacco loses profit which dismantles their power. Join us.

NAACP Eugene Springfield

Self Enhancement, Inc.

Cascade AIDS project

Asian Pacific American Network of Oregon (APANO)

Micronesian Islander Community

Northwest Portland Area Indian Health Board

Oregon Latino Health Coalition

(This information furnished by Anthony Deloney, Self Enhancement, Inc.)

Argument in Favor

American Cancer Society Cancer Action Network

8,000 reasons to vote YES on Measure 108

Smoking is the number one cause of preventable death in Oregon, killing nearly 8,000 Oregonians a year. (Oregon Vital Statistics Annual Reports, Volume 2: Chapter 6. Mortality. Table 6-20).

Youth e-cigarette use or “vaping” reached epidemic proportions—increasing 80% between 2017 and 2019. We know that youth who use e-cigarettes or “vape” are three times more likely to smoke cigarettes.

The American Cancer Society Cancer Action Network works with families fighting against cancer in every state throughout the country. We fight for policies to reduce cancer risk and save lives.

The evidence is clear: increasing the price of tobacco lowers tobacco use, reduces tobacco related illnesses, and saves lives. Measure 108 brings Oregon's cigarette tax in line with other west coast states and introduces the first tax on e-cigarettes in Oregon.

Measure 108 reduces preventable death by:

- **Decreasing youth tobacco use, including the use of e-cigarettes** and protecting against a lifetime of deadly tobacco addiction. The Journal of American Medicine found that youth who start using e-cigarettes or begin “vaping” are three times more likely to smoke cigarettes within two years.
- **Funding tobacco prevention.** The tobacco industry spends \$116.2 million in Oregon each year marketing their deadly products. Measure 108 will give us the means to fight back.
- **Helping people quit.** According to the Centers for Disease Control, more than 70% of smokers want to quit. Measure 108 funds smoking cessation programs so that everyone can get the help they need.

Measure 108 increases funding for prevention and cessation programs and protects healthcare access.

Measure 108 will save lives. Vote YES on Measure 108

American Cancer Society Cancer Action Network

(This information furnished by Audrey Miller, American Cancer Society Cancer Action Network.)

Argument in Favor

OREGON IS EXPERIENCING A VAPING EPIDEMIC. VOTING YES ON MEASURE 108 CAN HELP PREVENT YOUTH SMOKING AND SAVE LIVES.

*“As of last count, the Oregon Health Authority said Oregon has had 23 cases of the vaping-related lung disease and two deaths.”
- The Oregonian (5/18/2020)*

"Since 2017, the data shows, e-cigarette use among youth has increased by 80 percent—and one in four eleventh graders have used a vaping device." - Willamette Week (10/24/2019)

"...E-cigarette brand uses 99-cent vaporizers, social media and artist designed 'wraps' to grab market share...aimed at younger adults." - The Wall Street Journal (8/17/2020)

We cannot sit idly by while more and more Oregon teens take up vaping. Currently, nicotine vapes go completely untaxed, despite their skyrocketing popularity among Oregon youth. We tax cigarettes—there is no reason why we shouldn't also tax nicotine vapes.

Vote YES on Measure 108 - Help end the vaping epidemic

Research shows that the more tobacco and vape products cost, fewer people start smoking and vaping, especially teens. Young people who vape are almost 3x more likely to start smoking. Increasing the tobacco and nicotine vape tax will keep young people from starting and help prevent another generation from becoming addicted to nicotine.

Big Tobacco knows that there is big money to be made off our kids. They market candy-flavored, kid-friendly vape flavors to teens to get them hooked on nicotine for life. By voting YES on 108, we can keep these potent, addictive products out of the hands of Oregon youth.

- Vaping is reaching epidemic proportions among Oregon teens - 1 in 4 high schoolers have tried vaping
- Vaping can cause life-threatening illnesses, and it can make illnesses like COVID-19 more deadly than they already are.
- Vaping leads to smoking. KIDS WHO VAPE ARE 3 TIMES AS LIKELY TO SMOKE.

We can kick the vaping epidemic.

Measure 108 is an unprecedented opportunity to improve the health of our kids and communities — VOTE YES.

(This information furnished by Anca Matica, Yes for a Healthy Future.)

Argument in Favor

As a parent, I've always worried about my kids smoking.

But the vaping epidemic is terrifying.

That's why I'm voting YES on 108

We've all known about how the tobacco industry has targeted young people for a long time. As a parent of a high schooler, their latest strategy of using vaping to protect their profits by hooking the next generation of smokers is truly frightening.

Vaping is all over our schools: the Oregon Health Authority reports that one in four Oregon high schoolers have vaped. That's not an accident. Tobacco companies are targeting children with gummy bears and cotton candy flavored vapes that contain huge amounts of nicotine—some selling for as little as \$0.99, —leading to a lifetime of addiction.

The health impacts of smoking are deadly. At the same time, vaping is being marketed as a "safer" alternative to smoking. But research from the Journal of American Medicine shows that young people who vape are almost three times more likely to start smoking.

Taxing nicotine products is one of the most effective ways to prevent more kids from starting to use them. Yet Oregon doesn't currently tax nicotine vapes one penny. It just doesn't make sense.

If you are a parent, a grandparent or just someone who cares about kids like I do, I beg you to protect them when you fill out your ballot. Please Vote YES on Measure 108.

Kristi Dille, Oregon PTA President

(This information furnished by Kristi S Dille, Oregon PTA.)

Argument in Favor

TAX FAIRNESS OREGON SUPPORTS MEASURE 108 THE FISCALLY RESPONSIBLE CHOICE FOR OREGON TAXPAYERS

At Tax Fairness Oregon we review and research tax proposals for equity and efficiency. We can confidently say that passing Measure 108 is a smart choice for Oregon families and taxpayers.

Who pays the vaping tax?

Only people who purchase nicotine vapes or cigarettes pay.

Where does the money go?

By law, every single dollar raised must go to public health. It cannot be used for anything else. And the math is simple:

**90% for the Oregon Health Plan
10% for smoking prevention = 100%**

Who supports Measure 108?

Republicans and Democrats don't find a lot of common ground anymore, but a bipartisan committee wrote Measure 108. And voters across the political spectrum support Measure 108 because politicians will NOT be able to divert money dedicated to health care. Measure 108 guarantees accountability.

Who does Measure 108 help?

Taxpayers. Oregon families pay over a billion every year for health care costs related to smoking. A price on vaping is a proven tool to keep addictive nicotine vapes out of the hands of our kids. And research shows that young people who vape are about 3 times more likely to start smoking. By passing Measure 108 we can protect children from a lifetime of addiction and save taxpayers money by lowering the cost of health care.

Measure 108 is fiscally responsible.

**Tax Fairness Oregon recommends a YES vote.
It's the right choice for Oregon taxpayers.**

(This information furnished by Jody Wiser, Tax Fairness Oregon.)

Argument in Favor

Black communities urge YES on Measure 108 Protect access to healthcare. Reduce youth vaping and smoking.

Measure 108 establishes the first ever nicotine vape tax in Oregon, brings our commercial tobacco taxes in line with other west coast states, and is explicit about where the money goes. 90% is directly allocated to the Oregon Health Plan. The other 10% goes to smoking prevention and cessation programs, nearly tripling current funding. That means Oregonians will have almost three times more access to resources that help them quit smoking, as well as resources to help prevent our children from starting in the first place.

40% of Black Oregonians are on the Oregon Health Plan. Of that, 32.6% consume tobacco products.

We experience among the most regressive health outcomes due to tobacco related illness, costing our families money while Big Tobacco profits and spends \$1 million an hour in marketing. Measure 108 ensures that our communities have access to care when we need it, programs to help our loved ones quit vaping and smoking, and empowers our children to avoid the habit altogether.

Measure 108 directly benefits Black communities by safeguarding our healthcare and reducing vape and tobacco consumption, saving lives and money.

With so much uncertainty at the federal level, protecting OHP with Oregon-grown solutions is more important than ever. Measure 108 does just that. If Measure 108 doesn't pass, the over one million Oregonians who rely on OHP are at risk of losing access to healthcare (including services and providers), and vaping and smoking rates among youth will continue to climb at alarming rates—all while Big Tobacco profits and we pay the cost.

**That's why we stand firmly in support of Measure 108.
Vote YES for a healthy future for Black Oregonians.**

**Alliance of Black Nurses of Oregon
Corvallis-Albany NAACP
Eugene-Springfield NAACP
Portland NAACP
Self Enhancement, Inc.**

North by Northeast Community Health Center

(This information furnished by Anthony Deloney, Self Enhancement, Inc.)

Argument in Favor

**REPUBLICANS AND DEMOCRATS AGREE –
MEASURE 108 SAVES LIVES!**

It's not very often when Republicans and Democrats agree on tax measures. Measure 108 is the exception.

Both Republicans and Democrats know how harmful commercial tobacco is to our communities. In Oregon, Big Tobacco has enjoyed one of the lowest tobacco tax rates in the country. Shockingly, Oregon doesn't tax nicotine vape products one penny. Health experts tell us Measure 108 is a proven way to reduce youth nicotine and tobacco consumption and stop kids from starting.

STRICT ACCOUNTABILITY FOR NEW REVENUE

The new revenue generated is not a blank check for politicians, and instead has strict accountability measures to ensure it goes towards our healthcare system to help our most underserved communities. The revenue must go to the Oregon Health Authority to fund important public health programs such as the Oregon Health Plan, which provides healthcare for nearly 1 in 4 Oregonians. Without this funding, over a million low-income and working-class Oregonians, including 400,000 children, could lose their access to Medicaid and their ability to see a doctor when they get sick or get treatments they need.

The remaining revenue will go towards other public health programs for tobacco prevention and cessation, Tribal health providers, Urban Indian Health programs, regional health equity coalitions, and culturally and community-specific health programs.

That's why Democrats and Republicans agree that this tax will stop Big Tobacco's fatal impact on our communities.

Join us in voting Yes on 108.

Multnomah County Commissioner Dr. Sharon Meieran, Democrat
Former Candidate for Governor Dr. Bud Pierce, Republican

(This information furnished by Anca Matica, Yes for a Healthy Future.)

Argument in Opposition

Taxpayers Association of Oregon
urges No on 108

5 reasons to vote against the tobacco tax

1. **It's regressive. Hurts the poor.** In 2018, PEW research stated, "these taxes tend to affect lower-income consumers more than affluent ones, most economists consider them regressive."
2. **Hurts local shops, rewards online retailers:** High product taxes force local neighborhood shops to close and drives customers to use online companies (sometimes foreign). Small businesses close. Unregulated online companies profit. Little change in actual smoking.
3. **Unstable revenue source:** As customers flee to online sales, Oregon loses tax revenue. In 2020, Tax Foundation said of tobacco taxes, "Across almost all states, tax rate hikes are met with a momentary bump in revenue, followed by a falloff in collections in future years."
4. **Don't raise taxes in a global pandemic, worldwide recession.**
5. **Four years of non-stop tax increases proves politicians can't help themselves:**

2017 - 10 cent gas tax increase
2017 - \$300 million health care tax
2017 - New .1% payroll tax for transportation
2017 - Auto registration, title fee increase
2017 - New car sales tax
2017 - 25% truck mileage tax hike, bike tax
2017 - 565 fee increases (not a typo)
2018 - \$330 million small business income tax
2019 - \$1.3 billion Corporate Activities (sales) Tax
2019 - \$1.1 billion payroll tax (PFL)
2019 - \$334 million health care tax renewal
2019 - \$108 million income tax (Kicker Refund theft)
2019 - 300% beer, wine license fee increase
2019 - 571 fee increases
2020 - 25+ local property tax increases enacted
2020 - New statewide cell phone tax
2020 - Payroll transit tax increase
2020 - \$240 million Income, business tax (METRO)

Give small business a break from higher taxes!

Taxpayers Association of Oregon
urges No on 108

-- Please follow us online at OregonWatchdog.com (also OregonCatalyst.com). We've been fighting government waste, fraud and abuse for over 20 years.

(This information furnished by Jason D Williams, Founder, Taxpayers Association of Oregon.)

Argument in Opposition

MEASURE 108 PUNISHES OREGON'S MOST VULNERABLE

Measure 108 targets a small and shrinking minority. **Less than one in six Oregonians use tobacco products.** Measure 108 wants to balance the budget of one of the state's largest agencies on their backs. It's an unfair measure that disproportionately punishes some of Oregon's most vulnerable residents.

Adult cigarette use in Oregon has dropped 20% since 2011, while the state's human services budget has grown by 80%. **The Oregon Health Plan is busting the budget** by increasing spending at double its own targets since 2012.

Now the state wants Measure 108 to feed Oregon's growing appetite for more spending with an ever shrinking source of money.

Oregon sends nearly 65% of its tobacco tax revenue to the Oregon Health Plan. **Measure 108 makes the state's health care system even more addicted to tobacco taxes.** If tobacco sales plummet as much as proponents promise, where will the state get the next hunk of money?

**MEASURE 108'S VAPING TAX WILL HARM
PUBLIC HEALTH AND KILL SMALL BUSINESS**

Evidence indicates vaping products have helped millions of smokers quit using cigarettes. The popularity of this safer alternative allowed many small businesses to open and thrive throughout the state. **Measure 108's vaping tax will cause many former smokers to switch back to cigarettes and will destroy many small businesses along the way.**

**MEASURE 108 ROLLS OUT THE
WELCOME MAT FOR THE BLACK MARKET**

Measure 108 will make Oregon's cigarette tax higher than Washington's. Because of Washington's high tax rate, the state reports more than one-third of all packs consumed in Washington are black market sales. Commercial smuggling is so bad in Washington that the legislature approved funding to create a unit of 12 officers dedicated to tobacco tax enforcement.

Measure 108 will open up Oregon to black market sales at a time our law enforcement agencies are already dangerously stretched thin.

(This information furnished by Eric Fruits, Cascade Policy Institute.)

Proposed by initiative petition to be voted on at the General Election, November 3, 2020.

Measure No.

109

Allows manufacture, delivery, administration of psilocybin at supervised, licensed facilities; imposes two-year development period

Estimate of Financial Impact

84

Text of Measure

85

Explanatory Statement

108

Arguments in Favor

108

Arguments in Opposition

119

Result of “Yes” Vote

Allows manufacture, delivery, administration of psilocybin (psychoactive mushroom) at supervised, licensed facilities; imposes two-year development period. Creates enforcement/ taxation system, advisory board, administration fund.

Result of “No” Vote

“No” vote retains current law, which prohibits manufacture, delivery, and possession of psilocybin and imposes misdemeanor or felony criminal penalties.

Summary

Currently, federal and state laws prohibit the manufacture, delivery, and possession of psilocybin (psychoactive mushroom). Initiative amends state law to require Oregon Health Authority (OHA) to establish Oregon Psilocybin Services Program to allow licensed/regulated production, processing, delivery, possession of psilocybin exclusively for administration of “psilocybin services” (defined) by licensed “facilitator” (defined) to “qualified client” (defined). Grants OHA authority to implement, administer, and enforce program. Imposes two-year development period before implementation of program. Establishes fund for program administration and governor-appointed advisory board that must initially include one measure sponsor; members are compensated. Imposes packaging, labeling, and dosage requirements. Requires sales tax for retail psilocybin. Preempts local laws inconsistent with program except “reasonable regulations” (defined). Exempts licensed/regulated activities from criminal penalties. Other provisions.

Estimate of Financial Impact

This measure legalizes, regulates and taxes the manufacture, sale, and administration of psilocybin for mental health purposes. State revenue and expenditures will be impacted by passage of this measure. Local government expenditures will be impacted. A fifteen percent point of sales tax based on the retail sales of psilocybin is established as a source of funding for administering the program by the Oregon Health Authority, tax collection and enforcement by the Oregon Department of Revenue, and administration by the Oregon Liquor Control Commission of a psilocybin tracking system.

The measure requires the Oregon Health Authority (OHA) to develop, over a two year period, beginning January 1, 2021, a regulation, licensure, and enforcement program, including fees and fines. The revenue estimate from fees and taxes when fully implemented is indeterminate.

The financial impact during the two-year development period, which runs through December of 2022, is estimated to be \$5.4 million General Fund to begin activities required under the Act. Once the program is established, ongoing costs are estimated at \$3.1 million annually, which will be covered by the fees and tax funds for the administration and enforcement of the Act. The development cost estimate is based on the cost of developing the medical marijuana program following the passage of Measure 67 in 1998.

The financial effect on local government for conducting required land use compatibility assessments for licensee applicants and adoption of any pertinent ordinances is indeterminate.

Committee Members:
Secretary of State Bev Clarno
State Treasurer Tobias Read
Katy Coba, Director, Department of Administrative Services
Betsy Imholt, Acting Director, Department of Revenue
Tim Collier, Local Government Representative

(The estimate of financial impact was provided by the above committee pursuant to ORS 250.127.)

Text of Measure

Be It Enacted by the People of the State of Oregon:

SECTION 1. Findings.

The People of the State of Oregon find that:

- (1) Oregon has the one of the highest prevalence of mental illness among adults in the nation;
- (2) An estimated one in every five adults in Oregon is coping with a mental health condition;
- (3) The Governor has declared addiction as a public health crisis in this state;
- (4) The 2019–2021 Governor’s Budget proposes spending over \$2.8 billion on mental health and behavioral health programs;
- (5) Studies conducted by nationally and internationally recognized medical institutions indicate that psilocybin has shown efficacy, tolerability, and safety in the treatment of a variety of mental health conditions, including but not limited to addiction, depression, anxiety disorders, and end-of-life psychological distress;
- (6) The United States Food and Drug Administration has:
 - (a) Determined that preliminary clinical evidence indicates that psilocybin may demonstrate substantial improvement over available therapies for treatment-resistant depression; and
 - (b) Granted a Breakthrough Therapy designation for a treatment that uses psilocybin as a therapy for such depression;
- (7) The Oregon Health Authority has direct supervision of all matters relating to the preservation of life and health of the people of this state;
- (8) During a two-year program development period, the authority should:
 - (a) Examine, publish, and distribute to the public available medical, psychological, and scientific studies, research, and other information relating to the safety and efficacy of psilocybin in treating mental health conditions; and
 - (b) Adopt rules and regulations for the eventual implementation of a comprehensive regulatory framework that will allow persons 21 years of age and older in this state to be provided psilocybin services; and
- (9) An advisory board should be established within the authority for the purpose of advising and making recommendations to the authority.

SECTION 2. Purposes of this 2020 Act.

- (1) The People of the State of Oregon declare that the purposes of this 2020 Act are:
 - (a) To educate the people of this state about the safety and efficacy of psilocybin in treating mental health conditions;
 - (b) To reduce the prevalence of mental illness among adults in this state, and to improve the physical, mental, and social well-being of all people in this state;
 - (c) To develop a long-term strategic plan for ensuring that psilocybin services will become and remain a safe, accessible and affordable therapeutic option for all persons 21 years of age and older in this state for whom psilocybin may be appropriate;
 - (d) To protect the safety, welfare, health and peace of the people of this state by prioritizing this state’s limited law enforcement resources in the most effective, consistent and rational way; and
 - (e) After a two-year program development period, to:
 - (A) Permit persons licensed, controlled and regulated by this state to legally manufacture psilocybin products and provide psilocybin services to persons 21 years of age and older, subject to the provisions of this 2020 Act; and
 - (B) Establish a comprehensive regulatory framework concerning psilocybin products and psilocybin services under state law.

(2) The People of the State of Oregon intend that the provisions of this 2020 Act, together with other provisions of state law, will:

- (a) Prevent the distribution of psilocybin products to other persons who are not permitted to possess psilocybin products under the provisions of sections 3 to 129 of this 2020 Act and rules adopted under sections 3 to 129 of this 2020 Act, including but not limited to persons under 21 years of age; and
- (b) Prevent the diversion of psilocybin products from this state to other states.

SECTION 3. Short title.

Sections 3 to 129 of this 2020 Act shall be known and may be cited as the Oregon Psilocybin Services Act.

SECTION 4. Construction.

Sections 3 to 129 of this 2020 Act may not be construed:

- (1) To require a government medical assistance program or private health insurer to reimburse a person for costs associated with the use of psilocybin products;
- (2) To amend or affect state or federal law pertaining to employment matters;
- (3) To amend or affect state or federal law pertaining to landlord-tenant matters;
- (4) To prohibit a recipient of a federal grant or an applicant for a federal grant from prohibiting the manufacture, delivery, possession or use of psilocybin products to the extent necessary to satisfy federal requirements for the grant;
- (5) To prohibit a party to a federal contract or a person applying to be a party to a federal contract from prohibiting the manufacture, delivery, possession or use of psilocybin products to the extent necessary to comply with the terms and conditions of the contract or to satisfy federal requirements for the contract;
- (6) To require a person to violate a federal law;
- (7) To exempt a person from a federal law or obstruct the enforcement of a federal law; or
- (8) To amend or affect state law, to the extent that a person does not manufacture, deliver, or possess psilocybin products in accordance with the provisions of sections 3 to 129 of this 2020 Act and rules adopted under sections 3 to 129 of this 2020 Act.

SECTION 5. Definitions.

As used in sections 3 to 129 of this 2020 Act:

- (1) “Administration session” means a session held at a psilocybin service center at which a client purchases, consumes, and experiences the effects of a psilocybin product under the supervision of a psilocybin service facilitator.
- (2) “Client” means an individual that is provided psilocybin services in this state.
- (3) “Integration session” means a meeting between a client and a psilocybin service facilitator that may occur after the client completes an administration session.
- (4) “Legal entity” means a corporation, limited liability company, limited partnership, or other legal entity that is registered with the office of the Secretary of State or with a comparable office of another jurisdiction.
- (5) “Licensee” means a person that holds a license issued under section 23, 26, 30 or 97 of this 2020 Act.
- (6) “Licensee representative” means an owner, director, officer, manager, employee, agent or other representative of a licensee, to the extent that the person acts in a representative capacity.

(7) “Manufacture” means the manufacture, planting, cultivation, growing, harvesting, production, preparation, propagation, compounding, conversion or processing of a psilocybin product, either directly or indirectly by extraction from substances of natural origin, or independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis, and includes any packaging or repackaging of the psilocybin product or labeling or relabeling of its container.

(8)(a) “Premises” includes the following areas of a location licensed under sections 3 to 129 of this 2020 Act:

(A) All public and private enclosed areas at the location that are used in the business operated at the location, including offices, kitchens, rest rooms and storerooms;

(B) All areas outside a building that the Oregon Health Authority has specifically licensed for the manufacturing of psilocybin products or the operation of a psilocybin service center; and

(C) For a location that the authority has specifically licensed for the operation of a psilocybin service center outside a building, that portion of the location used to operate the psilocybin service center and provide psilocybin services to clients. (b) “Premises” does not include a primary residence.

(9) “Preparation session” means a meeting between a client and a psilocybin service facilitator that must occur before the client participates in an administration session.

(10) “Psilocybin” means psilocybin or psilocin.

(11) “Psilocybin product manufacturer” means a person that manufactures psilocybin products in this state.

(12)(a) “Psilocybin products” means:

(A) Psilocybin-producing fungi; and

(B) Mixtures or substances containing a detectable amount of psilocybin.

(b) “Psilocybin products” does not include psilocybin services.

(13) “Psilocybin service center” means an establishment:

(a) At which administration sessions are held; and

(b) At which other psilocybin services may be provided.

(14) “Psilocybin service center operator” means a person that operates a psilocybin service center in this state.

(15) “Psilocybin service facilitator” means an individual that facilitates the provision of psilocybin services in this state.

(16) “Psilocybin services” means services provided to a client before, during, and after the client’s consumption of a psilocybin product, including:

(a) A preparation session;

(b) An administration session; and

(c) An integration session.

(17) “Two-year program development period” means the period beginning on January 1, 2021 and ending no later than December 31, 2022.

OREGON PSILOCYBIN ADVISORY BOARD

SECTION 6. Members; terms; meetings; compensation.

(1)(a) The Oregon Psilocybin Advisory Board is established within the Oregon Health Authority for the purpose of advising and making recommendations to the authority. The Oregon Psilocybin Advisory Board shall consist of:

(A) Fourteen to sixteen members appointed by the Governor as specified in paragraph (b) of this subsection;

(B) The Public Health Director or the Public Health Director’s designee;

(C) If the Public Health Director is not the State Health Officer, the State Health Officer or a physician licensed under ORS chapter 677 acting as the State Health Officer’s designee;

(D) If the Public Health Director is the State Health Officer, a representative from the Oregon Health Authority who is familiar with public health programs and public health activities in this state; and

(E) A designee of the Oregon Health Policy Board.

(b) The Governor shall appoint the following individuals to the board:

(A) Any four of the following:

(i) A state employee who has technical expertise in the field of public health;

(ii) A local health officer, as defined in ORS 431.003;

(iii) An individual who is a member of, or who represents, a federally recognized Indian tribe in this state;

(iv) An individual who is a member of, or who represents, the Addictions and Mental Health Planning and Advisory Council within the authority;

(v) An individual who is a member of, or who represents, the Health Equity Policy Committee within the authority;

(vi) An individual who is a member of, or who represents, the Palliative Care and Quality of Life Interdisciplinary Advisory Council within the authority; and

(vii) An individual who represents individuals who provide public health services directly to the public;

(B) A psychologist licensed under ORS chapter 675 who has professional experience engaging in the diagnosis or treatment of a mental, emotional, or behavioral condition;

(C) A physician licensed under ORS chapter 677 who holds a degree of Doctor of Medicine;

(D) A naturopathic physician licensed under ORS chapter 685;

(E) An expert in the field of public health who has a background in academia;

(F) Any three of the following:

(i) A person who has professional experience conducting scientific research regarding the use of psychedelic compounds in clinical therapy;

(ii) A person who has experience in the field of mycology;

(iii) A person who has experience in the field of ethnobotany;

(iv) A person who has experience in the field of psychopharmacology; and

(v) A person who has experience in the field of psilocybin harm reduction;

(G) A person representing the Oregon Liquor Control Commission who has experience working with the system developed and maintained by the commission under ORS 475B.177 for tracking the transfer of marijuana items;

(H) A person representing the Oregon Department of Justice; and

(I) The following:

(i) During the two-year program development period:

(I) One of the chief petitioners of this 2020 Act; and

(II) One or two at-large members; and

(ii) After the two-year program development period, one, two, or three at-large members.

(2)(a) The term of office for a board member appointed under this section is four years, but a member serves at the pleasure of the Governor. Before the expiration of the term of a member, the Governor shall appoint a successor whose term begins on January 1 next following. A member is eligible for reappointment. If there is a vacancy for any cause, the Governor shall make an appointment to become immediately effective for the unexpired term.

(b) Members of the board described in subsection (1)(a)(B) to (E) of this section are nonvoting ex officio members of the board.

(3) A majority of the voting members of the board constitutes a quorum for the transaction of business.

(4) Official action by the board requires the approval of a majority of the voting members of the board.

(5) The board shall elect one of its voting members to serve as chairperson.

(6) During the two-year program development period, the board shall meet at least once every two calendar months at a time and place determined by the chairperson or a majority of the voting members of the board. After the two-year program development period, the board shall meet at least once every calendar quarter at a time and place determined by the chairperson or a majority of the voting members of the board. The board also may meet at other times and places specified by the call of the chairperson or of a majority of the voting members of the board.

(7) The board may adopt rules necessary for the operation of the board.

(8) The board may establish committees and subcommittees necessary for the operation of the board.

(9) Members of the board are entitled to compensation and expenses as provided in ORS 292.495.

SECTION 7. Duties of Oregon Psilocybin Advisory Board.

The Oregon Psilocybin Advisory Board shall:

(1) Provide advice to the Oregon Health Authority with respect to the administration of sections 3 to 129 of this 2020 Act;

(2) Make recommendations to the authority on available medical, psychological, and scientific studies, research, and other information relating to the safety and efficacy of psilocybin in treating mental health conditions, including but not limited to addiction, depression, anxiety disorders, and end-of-life psychological distress;

(3) Make recommendations to the authority on the requirements, specifications and guidelines for providing psilocybin services to a client, including:

(a) The requirements, specifications and guidelines for holding and verifying the completion of a preparation session, an administration session, and an integration session; and

(b) The contents of the client information form that a client must complete and sign before the client participates in an administration session, giving particular consideration to:

(A) The information that should be solicited from the client to determine whether the client should participate in the administration session, including information that may identify risk factors and contraindications;

(B) The information that should be solicited from the client to assist the psilocybin service center operator and the psilocybin service facilitator in meeting any public health and safety standards and industry best practices during the administration session; and

(C) The health and safety warnings and other disclosures that should be made to the client before the client participates in the administration session.

(4) Make recommendations to the authority on public health and safety standards and industry best practices for each type of licensee under sections 3 to 129 of this 2020 Act;

(5) Make recommendations to the authority on the formulation of a code of professional conduct for psilocybin service facilitators, giving particular consideration to a code of ethics;

(6) Make recommendations to the authority on the education and training that psilocybin service facilitators must complete:

(a) Giving particular consideration to:

(A) Facilitation skills that are affirming, non-judgmental, and non-directive;

(B) Support skills for clients during an administration session, including specialized skills for:

(i) Client safety; and

(ii) Clients who may have a mental health condition;

(C) The environment in which psilocybin services should occur; and

(D) Social and cultural considerations; and

(b) Including whether such education and training should be available through online resources;

(7) Make recommendations to the authority on the examinations that psilocybin service facilitators must pass;

(8) Make recommendations to the authority on public health and safety standards and industry best practices for holding and completing an administration session, including:

(a) Whether group administration sessions should be available;

(b) Whether clients should be able to access common or outside areas on the premises of the psilocybin service center at which the administration session is held;

(c) The circumstances under which an administration session is considered complete; and

(d) The transportation needs of the client after the completion of the administration session;

(9) Develop a long-term strategic plan for ensuring that psilocybin services will become and remain a safe, accessible and affordable therapeutic option for all persons 21 years of age and older in this state for whom psilocybin may be appropriate;

(10) Monitor and study federal laws, regulations and policies regarding psilocybin; and

(11) Attempt to meet with the United States Attorney's Office for the District of Oregon to discuss this 2020 Act and potential federal enforcement policies regarding psilocybin in Oregon after the expiration of the two-year program development period.

POWERS AND DUTIES OF OREGON HEALTH AUTHORITY

SECTION 8. General powers and duties; rules.

(1) The Oregon Health Authority has the duties, functions and powers specified in sections 3 to 129 of this 2020 Act and the powers necessary or proper to enable the authority to carry out the authority's duties, functions and powers under sections 3 to 129 of this 2020 Act. The jurisdiction, supervision, duties, functions and powers of the authority extend to any person that produces, processes, transports, delivers, sells or purchases a psilocybin product in this state or that provides a psilocybin service in this state. The authority may sue and be sued.

(2) The duties, functions and powers of the authority specified in sections 3 to 129 of this 2020 Act include the following:

(a) To examine, publish, and distribute to the public available medical, psychological, and scientific studies, research, and other information relating to the safety and efficacy of psilocybin in treating mental health conditions, including but not limited to addiction, depression, anxiety disorders, and end-of-life psychological distress.

(b) After the two-year program development period:

(A) To regulate the manufacturing, transportation, delivery, sale and purchase of psilocybin products and the provision of psilocybin services in this state in accordance with the provisions of sections 3 to 129 of this 2020 Act;

(B) To issue, renew, suspend, revoke or refuse to issue or renew licenses for the manufacturing or sale of psilocybin products, the provision of psilocybin services, or other licenses related to the consumption of psilocybin products, and to permit, in the authority's discretion, the transfer of a license between persons; and

(C) To regulate the use of psilocybin products and psilocybin services for other purposes as deemed necessary or appropriate by the authority.

(c) To adopt, amend or repeal rules as necessary to carry out the intent and provisions of sections 3 to 129 of this 2020 Act, including rules that the authority considers necessary to protect the public health and safety.

(d) To exercise all powers incidental, convenient or necessary to enable the authority to administer or carry out the provisions of sections 3 to 129 of this 2020 Act or any other law of this state that charges the authority with a duty, function or power related to psilocybin products and psilocybin services. Powers described in this paragraph include, but are not limited to:

(A) Issuing subpoenas;

(B) Compelling the attendance of witnesses;

(C) Administering oaths;

(D) Certifying official acts;

(E) Taking depositions as provided by law;

(F) Compelling the production of books, payrolls, accounts, papers, records, documents and testimony; and

(G) Establishing fees in addition to the application, licensing and renewal fees described in sections 23, 26, 30 and 97 of this 2020 Act, provided that any fee established by the authority is reasonably calculated not to exceed the cost of the activity for which the fee is charged.

(e) To adopt rules prohibiting advertising psilocybin products to the public.

(f) To adopt rules regulating and prohibiting advertising psilocybin services in a manner:

(A) That is appealing to minors;

(B) That promotes excessive use;

(C) That promotes illegal activity;

(D) That violates the code of professional conduct for psilocybin service facilitators formulated by the authority; or

(E) That otherwise presents a significant risk to public health and safety.

(3) The authority may not require that a psilocybin product be manufactured by means of chemical synthesis.

(4) The authority may not require a client to be diagnosed with or have any particular medical condition as a condition to being provided psilocybin services.

(5) Fees collected pursuant to subsection (2)(d)(G) of this section shall be deposited in the Psilocybin Control and Regulation Fund established under section 69 of this 2020 Act.

SECTION 9. Authority to purchase, possess, seize, transfer to licensee or dispose of psilocybin products.

Subject to any applicable provision of ORS chapter 183, the Oregon Health Authority may purchase, possess, seize, transfer to a licensee or dispose of psilocybin products as is necessary for the authority to ensure compliance with and enforce the provisions of sections 3 to 129 of this 2020 Act and any rule adopted under sections 3 to 129 of this 2020 Act.

TWO-YEAR PROGRAM DEVELOPMENT PERIOD

SECTION 10. No licenses.

Unless the Legislative Assembly provides otherwise, the Oregon Health Authority may not issue any licenses under sections 3 to 129 of this 2020 Act during the two-year program development period.

SECTION 11. Oregon Psilocybin Advisory Board; dates.

(1) On or before February 28, 2021, the Governor shall appoint the individuals specified in subsection (1)(b) of section 6 of this 2020 Act to the Oregon Psilocybin Board.

(2) On or before March 31, 2021, the board shall hold its first meeting at a time and place specified by the Governor. (3) On or before June 30, 2021, and from time to time after such date, the board shall submit its findings and recommendations to the Oregon Health Authority on available medical, psychological, and scientific studies, research, and other information relating to the safety and efficacy of psilocybin in treating mental health conditions, including but not limited to addiction, depression, anxiety disorders, and end-of-life psychological distress.

(4) On or before June 30, 2022, the board shall submit its findings and recommendations:

(a) For rules and regulations for the implementation of sections 3 to 129 of this 2020 Act;

(b) For a long-term strategic plan for ensuring that psilocybin services will become and remain a safe, accessible and affordable therapeutic option for all persons 21 years of age and older in this state for whom psilocybin may be appropriate; and

(c) With respect to federal laws, regulations and policies regarding psilocybin.

SECTION 12. Oregon Health Authority; dates.

(1) On or before July 31, 2021, and from time to time after such date, the Oregon Health Authority shall publish and distribute to the public available medical, psychological, and scientific studies, research, and other information relating to the safety and efficacy of psilocybin in treating mental health conditions, including but not limited to addiction, depression, anxiety disorders, and end-of-life psychological distress.

(2) On or before December 31, 2022, the authority shall prescribe forms and adopt such rules and regulations as the authority deems necessary for the implementation of sections 3 to 129 of this 2020 Act.

APPLICATION PROCESS AND LICENSES

SECTION 13. Date.

On or before January 2, 2023, the Oregon Health Authority shall begin receiving applications for the licensing of persons to:

(1) Manufacture psilocybin products;

(2) Operate a psilocybin service center;

(3) Facilitate psilocybin services; and

(4) Test psilocybin products.

SECTION 14. Application process for all licensees; rules.

(1) Except as provided in subsection

(2) of this section, an applicant for a license or renewal of a license issued under sections 3 to 129 of this 2020 Act shall apply to the Oregon Health Authority in the form required by the authority by rule, showing the name and address of the applicant, location of the premises that is to be operated under the license and other pertinent information required by the authority. The authority may not issue or renew a license until the applicant has complied with the provisions of sections 3 to 129 of this 2020 Act and rules adopted under sections 3 to 129 of this 2020 Act.

(2) The authority may reject any application that is not submitted in the form required by the authority by rule. The authority shall give applicants an opportunity to be heard if an application is rejected. A hearing under this subsection is not subject to the requirements for contested case proceedings under ORS chapter 183.

(3) Except as provided in subsection (2) of this section, a revocation of, or a refusal to issue or renew, a license issued under sections 3 to 129 of this 2020 Act is subject to the requirements for contested case proceedings under ORS chapter 183.

(4) An applicant for a facilitator license or renewal of a facilitator license issued under section 30 of this 2020 Act need not show the location of any premises.

SECTION 15. Grounds for refusing to issue license or issuing restricted license.

(1) The Oregon Health Authority may not license an applicant under the provisions of sections 3 to 129 of this 2020 Act if the applicant is under 21 years of age.

(2) The authority may refuse to issue a license or may issue a restricted license to an applicant under the provisions of sections 3 to 129 of this 2020 Act if the authority makes a finding that the applicant:

(a) Has not completed any education or training required by the provisions of sections 3 to 129 of this 2020 Act or rules adopted under sections 3 to 129 of this 2020 Act.

(b) Has not passed any examination required by the provisions of sections 3 to 129 of this 2020 Act or rules adopted under sections 3 to 129 of this 2020 Act.

(c) Is in the habit of using alcoholic beverages, habit-forming drugs, or controlled substances to excess.

(d) Has made false statements to the authority.

(e) Is incompetent or physically unable to carry on the management of the establishment proposed to be licensed.

(f) Has been convicted of violating a federal law, state law or local ordinance if the conviction is substantially related to the fitness and ability of the applicant to lawfully carry out activities under the license.

(g) Is not of good repute and moral character.

(h) Does not have a good record of compliance with sections 3 to 129 of this 2020 Act or any rule adopted under sections 3 to 129 of this 2020 Act.

(i) Is not the legitimate owner of the premises proposed to be licensed, or has not disclosed that other persons have ownership interests in the premises proposed to be licensed.

(j) Has not demonstrated financial responsibility sufficient to adequately meet the requirements of the premises proposed to be licensed.

(k) Is unable to understand the laws of this state relating to psilocybin products, psilocybin services, or the rules adopted under sections 3 to 129 of this 2020 Act.

(3) Notwithstanding subsection (2)(f) of this section, in determining whether to issue a license or a restricted license to an applicant, the authority may not consider the prior conviction of the applicant or any owner, director, officer, manager, employee, agent or other representative of the applicant for:

(a) The manufacture of psilocybin or the manufacture of a marijuana item, as defined in ORS 475B.015, if:

(A) The date of the conviction is two or more years before the date of the application; and

(B) The person has not been convicted more than once for the manufacture of psilocybin or a marijuana item; or

(b) The possession of a controlled substance, as defined in ORS 475.005, or a marijuana item, as defined in ORS 475B.015, if:

(A) The date of the conviction is two or more years before the date of the application; or

(B) The person has not been convicted more than once for the possession of a controlled substance or a marijuana item.

SECTION 16. Authority to require fingerprints of applicants and other individuals.

For the purpose of requesting a state or nationwide criminal records check under ORS 181A.195, the Oregon Health Authority may require the fingerprints of any individual listed on an application submitted under section 14 of this 2020 Act. The powers conferred on the authority under this section include the power to require the fingerprints of: (1) If the applicant is a limited partnership, each general partner of the limited partnership;

(2) If the applicant is a manager-managed limited liability company, each manager of the limited liability company;

(3) If the applicant is a member-managed limited liability company, each voting member of the limited liability company;

(4) If the applicant is a corporation, each director and officer of the corporation; and

(5) Any individual who holds a financial interest of 10 percent or more in the person applying for the license.

SECTION 17. Properties of license.

A license issued under sections 3 to 129 of this 2020 Act:

(1) Is a personal privilege.

(2) Is renewable in the manner provided in section 14 of this 2020 Act, except for a cause that would be grounds for refusal to issue the license under section 15 of this 2020 Act.

(3) Is revocable or suspendible as provided in section 64 of this 2020 Act.

(4) Except for a license issued to a psilocybin service facilitator under section 30 of this 2020 Act, is transferable from the premises for which the license was originally issued to another premises subject to the provisions of sections 3 to 129 of this 2020 Act, applicable rules adopted under sections 3 to 129 of this 2020 Act and applicable local ordinances.

(5) If the license was issued to an individual, expires upon the death of the licensee, except as provided in section 51 of this 2020 Act.

(6) Does not constitute property.

(7) Is not alienable.

(8) Is not subject to attachment or execution.

(9) Does not descend by the laws of testate or intestate devolution.

SECTION 18. Duties of Oregon Health Authority with respect to issuing licenses.

(1) The Oregon Health Authority shall approve or deny an application to be licensed under sections 3 to 129 of this 2020 Act. Upon receiving an application under section 14 of this 2020 Act, the authority may not unreasonably delay processing, approving or denying the application or, if the application is approved, issuing the license.

(2) The licenses described in sections 3 to 129 of this 2020 Act must be issued by the authority, subject to the provisions of sections 3 to 129 of this 2020 Act and rules adopted under sections 3 to 129 of this 2020 Act.

(3) The authority may not license a premises that does not have defined boundaries. A premises does not need to be enclosed by a wall, fence or other structure, but the authority may require a premises to be enclosed as a condition of issuing or renewing a license. The authority may not license a mobile premises.

SECTION 19. Duty to request land use compatibility statement.

(1) Prior to receiving a license under section 23 or 26 of this 2020 Act, an applicant shall request a land use compatibility statement from the city or county that authorizes the land use. The land use compatibility statement must demonstrate that the requested license is for a land use that is allowable as a permitted or conditional use within the given zoning designation where the land is located. The Oregon Health Authority may not issue a license if the land use compatibility statement shows that the proposed land use is prohibited in the applicable zone.

(2) Except as provided in subsection (3) of this section, a city or county that receives a request for a land use compatibility statement under this section must act on that request within 21 days of:

(a) Receipt of the request, if the land use is allowable as an outright permitted use; or

(b) Final local permit approval, if the land use is allowable as a conditional use.

(3) A city or county that receives a request for a land use compatibility statement under this section is not required to act on that request during the period that the authority discontinues licensing those premises pursuant to section 128(4) of this 2020 Act.

(4) A city or county action concerning a land use compatibility statement under this section is not a land use decision for purposes of ORS chapter 195, 196, 197, 215 or 227.

LICENSEES IN GENERAL

SECTION 20. Lawful manufacture, delivery, and possession of psilocybin products.

Licensees and licensee representatives may manufacture, deliver and possess psilocybin products subject to the provisions of sections 3 to 129 of this 2020 Act and rules adopted under sections 3 to 129 of this 2020 Act. The manufacture, delivery or possession of psilocybin products by a licensee or a licensee representative in compliance with sections 3 to 129 of this 2020 Act and rules adopted under sections 3 to 129 of this 2020 Act does not constitute a criminal or civil offense under the laws of this state.

SECTION 21. Restriction on financial interests in multiple licensees.

An individual may not have a financial interest in:

- (1) More than one psilocybin product manufacturer; or
- (2) More than five psilocybin service center operators.

SECTION 22. Authority to hold multiple licenses.

Subject to section 21 of this 2020 Act:

- (1) A person may hold multiple service center operator licenses under section 26 this 2020 Act; and
- (2) A person may hold both a manufacturer license under section 23 this 2020 Act and a service center operator license under section 26 this 2020 Act at the same or different premises.

LICENSE TO MANUFACTURE PSILOCYBIN PRODUCTS

SECTION 23. Manufacturer license; fees; rules.

(1) The manufacture of psilocybin products is subject to regulation by the Oregon Health Authority.

(2) A psilocybin product manufacturer must have a manufacturer license issued by the authority for the premises at which the psilocybin products are manufactured. To hold a manufacturer license issued under this section, a psilocybin product manufacturer:

- (a) Must apply for a license in the manner described in section 14 of this 2020 Act;
- (b) Must provide proof that the applicant is 21 years of age or older;
- (c) Must, until January 1, 2025:

(A) If the direct owner of the business operating or to be operated under the license is a legal entity, provide proof that more than 50 percent of the shares, membership interests, partnership interests, or other ownership interests of the legal entity are held, directly or indirectly, by one or more individuals who have been residents of this state for two or more years;

(B) If the direct owner of the business operating or to be operated under the license is a partnership that is not a legal entity, provide proof that more than 50 percent of the partnership interests of the partnership are held, directly or indirectly, by one or more individuals who have been residents of this state for two or more years; and

(C) If the direct owner of the business operating or to be operated under the license is an individual, provide proof that the individual has been a resident of this state for two or more years; and

(d) Must meet the requirements of any rule adopted by the authority under subsections (3) and (4) of this section. (3)(a) If the applicant is not the owner of the premises at which the psilocybin is to be manufactured, the applicant shall submit to the authority signed informed consent from the owner of the premises to manufacture psilocybin at the premises.

(b) The authority may adopt rules regarding the informed consent described in this subsection.

(4) The authority shall adopt rules that:

(a) Require a psilocybin product manufacturer to annually renew a license issued under this section;

(b) Establish application, licensure and renewal of licensure fees for psilocybin product manufacturers; and

(c) Require psilocybin products manufactured by psilocybin product manufacturers to be tested in accordance with section 96 of this 2020 Act.

(5) Fees adopted under subsection (4)(b) of this section:

(a) May not exceed, together with other fees collected under sections 3 to 129 of this 2020 Act, the cost of administering sections 3 to 129 of this 2020 Act; and

(b) Shall be deposited in the Psilocybin Control and Regulation Fund established under section 69 of this 2020 Act.

SECTION 24. Psilocybin product manufacturers; endorsements.

(1) The Oregon Health Authority shall adopt rules that designate different types of manufacturing activities. A psilocybin product manufacturer may only engage in a type of manufacturing activity if the psilocybin product manufacturer has received an endorsement from the authority for that type of manufacturing activity.

(2) An applicant must request an endorsement upon submission of an initial application but may also request an endorsement at any time following licensure.

(3) Only one application and license fee is required regardless of how many endorsements an applicant or licensee requests or at what time the request is made.

(4) A psilocybin product manufacturer licensee may hold multiple endorsements.

(5) The authority may deny a psilocybin product manufacturer's request for an endorsement or revoke an existing endorsement if the psilocybin product manufacturer cannot or does not meet the requirements for the endorsement that is requested. If the authority denies or revokes approval the psilocybin product manufacturer has a right to a hearing under the procedures of ORS chapter 183.

SECTION 25. Psilocybin product quantities; rules.

The Oregon Health Authority shall adopt rules restricting the quantities of psilocybin products at premises for which a license has been issued under section 23 of this 2020 Act. In adopting rules under this section, the authority shall take into consideration the demand for psilocybin services in this state, the number of psilocybin product manufacturers applying for a license under section 23 of this 2020 Act, the number of psilocybin product manufacturers that hold a license issued under section 23 of this 2020 Act and whether the availability of psilocybin products in this state is commensurate with the demand for psilocybin services.

LICENSE TO OPERATE PSILOCYBIN SERVICE CENTER

SECTION 26. Service center operator license; fees; rules.

(1)(a) The operation of a psilocybin service center is subject to regulation by the Oregon Health Authority.

(b) A psilocybin service center is not a health care facility subject to ORS chapter 441.

(2) A psilocybin service center operator must have a service center operator license issued by the authority for the premises at which psilocybin services are provided. To hold a service center operator license under this section, a psilocybin service center operator:

(a) Must apply for a license in the manner described in section 14 of this 2020 Act;

(b) Must provide proof that the applicant is 21 years of age or older;

(c) Must, until January 1, 2025:

(A) If the direct owner of the business operating or to be operated under the license is a legal entity, provide proof that more than 50 percent of the shares, membership interests, partnership interests, or other ownership interests of the legal entity are held, directly or indirectly, by one or more individuals who have been residents of this state for two or more years;

(B) If the direct owner of the business operating or to be operated under the license is a partnership that is not a legal entity, provide proof that more than 50 percent of the partnership interests of the partnership are held, directly or indirectly, by one or more individuals who have been residents of this state for two or more years; and

(C) If the direct owner of the business operating or to be operated under the license is an individual, provide proof that the individual has been a resident of this state for two or more years;

(d) Must ensure that the psilocybin service center is located in an area that is not:

(A) Within the limits of an incorporated city or town; and

(B) Zoned exclusively for residential use;

(e) Except as provided in section 27 of this 2020 Act, must ensure that the psilocybin service center is not located within 1,000 feet of:

(A) A public elementary or secondary school for which attendance is compulsory under ORS 339.020; or

(B) A private or parochial elementary or secondary school, teaching children as described in ORS 339.030 (1)(a); and

(f) Must meet the requirements of any rule adopted by the authority under subsection (3) of this section. (3) The authority shall adopt rules that:

(a) Require a psilocybin service center operator to annually renew a license issued under this section;

(b) Establish application, licensure and renewal of licensure fees for psilocybin service center operators;

(c) Require psilocybin products sold by a psilocybin service center operator to be tested in accordance with section 96 of this 2020 Act; and

(d) Require a psilocybin service center operator to meet any public health and safety standards and industry best practices established by the authority by rule.

(4) Fees adopted under subsection (3)(b) of this section:

(a) May not exceed, together with other fees collected under sections 3 to 129 of this 2020 Act, the cost of administering sections 3 to 129 of this 2020 Act; and

(b) Shall be deposited in the Psilocybin Control and Regulation Fund established under section 69 of this 2020 Act.

SECTION 27. Proximity of psilocybin service center to school.

Notwithstanding subsection 2(e) of section 26 of this 2020 Act, a psilocybin service center may be located within 1,000 feet of a school if:

(1) The psilocybin service center is not located within 500 feet of:

(a) A public elementary or secondary school for which attendance is compulsory under ORS 339.020; or

(b) A private or parochial elementary or secondary school, teaching children as described in ORS 339.030 (1)(a); and (2) The Oregon Health Authority determines that there is a physical or geographic barrier capable of preventing children from traversing to the premises of the psilocybin service center.

SECTION 28. Establishment of school after issuance of license.

If a school described in subsection 2(e) of section 26 of this 2020 Act that has not previously been attended by children is established within 1,000 feet of a premises for which a license has been issued under section 26 of this 2020 Act, the psilocybin service center operator located at that premises may remain at that location unless the Oregon Health Authority revokes the license of the psilocybin service center operator under section 64 of this 2020 Act.

SECTION 29. Requirement to verify person's age; rules.

The Oregon Health Authority may adopt rules establishing the circumstances under which the authority may require a psilocybin service center operator that holds a license issued under section 26 of this 2020 Act to use an age verification scanner or any other equipment used to verify a person's age for the purpose of ensuring that the psilocybin service center operator does not sell psilocybin products to a person under 21 years of age. Information obtained under this section may not be retained after verifying a person's age and may not be used for any purpose other than verifying a person's age.

LICENSE TO FACILITATE PSILOCYBIN SERVICES

SECTION 30. Facilitator license; fees; rules.

(1) The facilitation of psilocybin services is subject to regulation by the Oregon Health Authority.

(2) A psilocybin service facilitator must have a facilitator license issued by the authority. To hold a facilitator license issued under this section, a psilocybin service facilitator:

(a) Must apply for a license in the manner described in section 14 of this 2020 Act;

(b) Must provide proof that the applicant is 21 years of age or older;

(c) Must, until January 1, 2025, provide proof that the applicant has been a resident of this state for two or more years;

(d) Must have a high school diploma or equivalent education;

(e) Must submit evidence of completion of education and training prescribed and approved by the authority;

(f) Must have passed an examination approved, administered or recognized by the authority; and

(g) Must meet the requirements of any rule adopted by the authority under subsection (4) of this section.

(3) The authority may not require a psilocybin service facilitator to have a degree from a university, college, post-secondary institution, or other institution of higher education.

(4) The authority shall adopt rules that:

(a) Require a psilocybin service facilitator to annually renew a license issued under this section;

(b) Establish application, licensure and renewal of licensure fees for psilocybin service facilitators; and

(c) Require a psilocybin service facilitator to meet any public health and safety standards and industry best practices established by the authority by rule.

(5) Fees adopted under subsection (4)(b) of this section:

(a) May not exceed, together with other fees collected under sections 3 to 129 of this 2020 Act, the cost of administering sections 3 to 129 of this 2020 Act; and

(b) Shall be deposited in the Psilocybin Control and Regulation Fund established under section 69 of this 2020 Act.

(6) A psilocybin service facilitator may be, but need not be, an employee, manager, director, officer, partner, member, shareholder, or direct or indirect owner of one or more psilocybin service center operators.

(7) A license issued to a psilocybin service facilitator under this section is not limited to any one or more premises.

SECTION 31. Examinations; rules.

The Oregon Health Authority shall offer an examination for applicants for licenses to facilitate psilocybin services at least twice a year. An applicant who fails any part of the examination may retake the failed section in accordance with rules adopted by the authority.

SECTION 32. Requirement to verify person's age; rules.

The Oregon Health Authority may adopt rules establishing the circumstances under which the authority may require a psilocybin service facilitator that holds a license issued under section 30 of this 2020 Act to use an age verification scanner or any other equipment used to verify a person's age for the purpose of ensuring that the psilocybin service facilitator does not provide psilocybin services to a person under 21 years of age. Information obtained under this section may not be retained after verifying a person's age and may not be used for any purpose other than verifying a person's age.

PSILOCYBIN SERVICES

SECTION 33. Psilocybin services.

The Oregon Health Authority shall adopt by rule the requirements, specifications and guidelines for:

- (1) Providing psilocybin services to a client;
- (2) Holding and verifying the completion of a preparation session;
- (3) Having a client complete, sign, and deliver a client information form to a psilocybin service center operator and a psilocybin service facilitator;
- (4) Holding and verifying the completion of an administration session; and
- (5) Holding and verifying the completion of an integration session.

SECTION 34. Preparation session.

- (1) Before a client participates in an administration session, the client must attend a preparation session with a psilocybin service facilitator.
- (2) A preparation session may be, but need not be, held at a psilocybin service center.
- (3) If a preparation session is completed in accordance with all applicable requirements, specifications and guidelines, as determined by the Oregon Health Authority, the psilocybin service facilitator must certify, in a form and manner prescribed by the authority, that the client completed the preparation session.

SECTION 35. Client information form.

- (1) Before a client participates in an administration session:
 - (a) The client must complete and sign a client information form, in a form and manner prescribed by the Oregon Health Authority; and
 - (b) A copy of the completed and signed client information form must be delivered to:
 - (A) The psilocybin service center operator that operates the psilocybin service center at which the administration session is to be held; and
 - (B) The psilocybin service facilitator that will supervise the administration session.
- (2) The client information form:

(a) Will solicit from the client such information as may be necessary:

(A) To enable a psilocybin service center operator and a psilocybin service facilitator to determine whether the client should participate in an administration session, including information that may identify risk factors and contraindications; and

(B) If so, to assist the psilocybin service center operator and the psilocybin service facilitator in meeting any public health and safety standards and industry best practices during the administration session; and

(b) Will contain such health and safety warnings and other disclosures to the client as the authority may prescribe.

SECTION 36. Administration session.

- (1) After a client completes a preparation session and completes and signs a client information form, the client may participate in an administration session.
- (2) An administration session must be held at a psilocybin service center.
- (3) If an administration session is completed in accordance with all applicable requirements, specifications and guidelines, as determined by the Oregon Health Authority, the psilocybin service facilitator must certify, in a form and manner prescribed by the authority, that the client completed the administration session.

SECTION 37. Integration session.

- (1) After a client completes an administration session, the psilocybin service facilitator who supervised the administration session must offer the client an opportunity to participate in an integration session. The client may, but need not, participate in an integration session.
- (2) An integration session may be, but need not be, held at a psilocybin service center.
- (3) If an integration session is completed in accordance with all applicable requirements, specifications and guidelines, as determined by the Oregon Health Authority, the psilocybin service facilitator must certify, in a form and manner prescribed by the authority, that the client completed the integration session.

SECTION 38. Protections on reliance on client information form.

- (1) If a client information form is offered as evidence in any administrative or criminal prosecution of a licensee or licensee representative for sale or service of a psilocybin product to a client, the licensee or licensee representative is not guilty of any offense prohibiting a person from selling or serving a psilocybin product to a client unless it is demonstrated that a reasonable person would have determined that the responses provided by the client on the client information form were incorrect or altered.
- (2) A licensee or licensee representative shall be entitled to rely upon all statements, declarations, and representations made by a client in a client information form unless it is demonstrated that:
 - (a) A reasonable person would have determined that one or more of the statements, declarations, and representations made by the client in the client information form were incorrect or altered; or
 - (b) The licensee or licensee representative violated a provision of sections 3 to 129 of this 2020 Act or a rule adopted under sections 3 to 129 of this 2020 Act relative to the client information form.
- (3) Except as provided in subsection (2) of this section, no licensee or licensee representative shall incur legal liability by virtue of any untrue statements, declarations, or representations so relied upon in good faith by the licensee or licensee representative.

SECTION 39. Protections on refusal to provide psilocybin services to a client.

(1) Subject to other applicable law, a licensee or licensee representative may refuse to provide psilocybin services to a potential client for any or no reason.

(2)(a) Except as provided in paragraph (b) of this subsection, and subject to other applicable law, a licensee or licensee representative may cease providing psilocybin services to a client for any or no reason.

(b) A psilocybin service center operator and a psilocybin service facilitator may not cease providing psilocybin services to a client during an administration session after the client has consumed a psilocybin product, except as authorized by the Oregon Health Authority by rule, or as necessary in an emergency.

POWERS AND DUTIES OF OREGON HEALTH AUTHORITY WITH RESPECT TO LICENSEES**SECTION 40. Powers and duties relating to psilocybin service facilitators.**

The Oregon Health Authority shall:

(1) Determine the qualifications, training, education and fitness of applicants for licenses to facilitate psilocybin services, giving particular consideration to:

- (a) Facilitation skills that are affirming, non-judgmental, and non-directive;
- (b) Support skills for clients during an administration session, including specialized skills for:
 - (A) Client safety; and
 - (B) Clients who may have a mental health condition;
- (c) The environment in which psilocybin services should occur; and
- (d) Social and cultural considerations.

(2) Formulate a code of professional conduct for psilocybin service facilitators, giving particular consideration to a code of ethics;

(3) Establish standards of practice and professional responsibility for individuals licensed by the authority to facilitate psilocybin services;

(4) Select licensing examinations for licenses to facilitate psilocybin services;

(5) Provide for waivers of examinations as appropriate; and

(6) Appoint representatives to conduct or supervise examinations of applicants for licenses to facilitate psilocybin services.

SECTION 41. Minimum standards of education and training for psilocybin service facilitators; rules.

(1) The Oregon Health Authority shall adopt by rule minimum standards of education and training requirements for psilocybin service facilitators.

(2) The authority shall approve courses for psilocybin service facilitators. To obtain approval of a course, the provider of a course must submit an outline of instruction to the office and the Department of Education. The outline must include the approved courses, total hours of instruction, hours of lectures in theory and the hours of instruction in application of practical skills.

SECTION 42. Authority to inspect books and premises; notice.

(1) The Oregon Health Authority may, after 72 hours' notice, make an examination of the books of a licensee for the purpose of determining compliance with sections 3 to 129 of this 2020 Act and rules adopted under sections 3 to 129 of this 2020 Act.

(2) The authority may at any time make an examination of a premises for which a license has been issued under sections 3 to 129 of this 2020 Act for the purpose of determining compliance with sections 3 to 129 of this 2020 Act and rules adopted under sections 3 to 129 of this 2020 Act.

(3) The authority may not require the books of a licensee to be maintained on a premises of the licensee.

SECTION 43. Authority to require segregation of premises.

If a licensee holds more than one license issued under sections 3 to 129 of this 2020 Act for the same premises, the Oregon Health Authority may require the premises to be segregated into separate areas for conducting the activities permitted under each license as is necessary to protect the public health and safety.

SECTION 44. Authority to require general liability insurance.

As is necessary to protect the public health and safety, the Oregon Health Authority may require a licensee to maintain general liability insurance in an amount that the authority determines is reasonably affordable and available for the purpose of protecting the licensee against damages resulting from a cause of action related to activities undertaken pursuant to the license held by the licensee.

SECTION 45. Use of Oregon Liquor Control Commission tracking system for psilocybin products; exemptions; rules.

(1) The Oregon Health Authority shall:

- (a) Develop and maintain a system for tracking the transfer of psilocybin products between premises for which licenses have been issued under sections 3 to 129 of this 2020 Act; or
- (b) Enter into an agreement with the Oregon Liquor Control Commission under which the commission shall permit the authority to use the system developed and maintained under ORS 475B.177 to track the transfer of psilocybin products between premises for which licenses have been issued under sections 3 to 129 of this 2020 Act.

(2) The purposes of the system include, but are not limited to:

- (a) Preventing the diversion of psilocybin products to other states;
- (b) Preventing persons from substituting or tampering with psilocybin products;
- (c) Ensuring an accurate accounting of the production, processing and sale of psilocybin products;
- (d) Ensuring that laboratory testing results are accurately reported; and
- (e) Ensuring compliance with sections 3 to 129 of this 2020 Act, rules adopted under sections 3 to 129 of this 2020 Act and any other law of this state that charges the authority or commission with a duty, function or power related to psilocybin.

(3) The system must be capable of tracking, at a minimum:

- (a) The manufacturing of psilocybin products;
- (b) The sale of psilocybin products by a psilocybin service center operator to a client;
- (c) The sale and purchase of psilocybin products between licensees, as permitted by sections 3 to 129 of this 2020 Act;
- (d) The transfer of psilocybin products between premises for which licenses have been issued under sections 3 to 129 of this 2020 Act; and
- (e) Any other information that the authority determines is reasonably necessary to accomplish the duties, functions and powers of the authority under sections 3 to 129 of this 2020 Act.

(4) Notwithstanding section 126 of this 2020 Act, before making any other distribution from the Oregon Psilocybin Account established under section 126 of this 2020 Act, the Department of Revenue shall first distribute moneys quarterly from the account to the commission for deposit in the Marijuana Control and Regulation Fund established under ORS 475B.296 for purposes of paying any costs incurred by the commission under subsection (1)(b) of this section.

For purposes of estimating the amount of moneys necessary to pay any costs incurred under this section, the commission shall establish a formulary based on expected costs for each licensee that is tracked under this section. The commission shall provide to the Department of Revenue and the Legislative Fiscal Officer before each quarter the estimated amount of moneys necessary to pay costs expected to be incurred under this section and the formulary.

SECTION 46. Authority to prevent diversion of psilocybin products.

Except as otherwise provided by law, the Oregon Health Authority has any power, and may perform any function, necessary for the authority to prevent the diversion of psilocybin products from licensees to a source that is not operating legally under the laws of this state.

SECTION 47. Authority to discipline for unregulated commerce.

In addition to any other disciplinary action available to the Oregon Health Authority under sections 3 to 129 of this 2020 Act, the authority may immediately restrict, suspend or refuse to renew a license issued under sections 3 to 129 of this 2020 Act if circumstances create probable cause for the authority to conclude that a licensee has purchased or received a psilocybin product from an unlicensed source or that a licensee has sold, stored or transferred a psilocybin product in a manner that is not permitted by the licensee's license.

SECTION 48. Authority to require financial disclosure from licensee.

(1) The Oregon Health Authority may require a licensee or applicant for a license under sections 3 to 129 of this 2020 Act to submit, in a form and manner prescribed by the authority, to the authority a sworn statement showing:

- (a) The name and address of each person that has a financial interest in the business operating or to be operated under the license; and
- (b) The nature and extent of the financial interest of each person that has a financial interest in the business operating or to be operated under the license.

(2) The authority may refuse to issue, or may suspend, revoke or refuse to renew, a license issued under sections 3 to 129 of this 2020 Act if the authority determines that a person that has a financial interest in the business operating or to be operated under the license committed or failed to commit an act that would constitute grounds for the authority to refuse to issue, or to suspend, revoke or refuse to renew, the license if the person were the licensee or applicant for the license.

SECTION 49. Authority to investigate, discipline licensees.

(1) Notwithstanding the lapse, suspension or revocation of a license issued under sections 3 to 129 of this 2020 Act, the Oregon Health Authority may:

- (a) Proceed with any investigation of, or any action or disciplinary proceeding against, the person who held the license; or
- (b) Revise or render void an order suspending or revoking the license.

(2) In cases involving the proposed denial of a license issued under sections 3 to 129 of this 2020 Act, the applicant for licensure may not withdraw the applicant's application.

SECTION 50. Authority to investigate, discipline permit holder.

(1) Notwithstanding the lapse, suspension or revocation of a permit issued under section 66 of this 2020 Act, the Oregon Health Authority may:

- (a) Proceed with any investigation of, or any action or disciplinary proceeding against, the person who held the permit; or
- (b) Revise or render void an order suspending or revoking the permit.

(2) In cases involving the proposed denial of a permit issued under section 66 of this 2020 Act, the applicant may not withdraw the applicant's application.

SECTION 51. Powers related to decedents and insolvent or bankrupt persons.

The Oregon Health Authority may, by rule or order, provide for the manner and conditions under which: (1) Psilocybin products left by a deceased, insolvent or bankrupt person or licensee, or subject to a security interest, may be foreclosed, sold under execution or otherwise disposed.

(2) The business of a deceased, insolvent or bankrupt licensee may be operated for a reasonable period following the death, insolvency or bankruptcy.

(3) A secured party, as defined in ORS 79.0102, may continue to operate at a premises for which a license has been issued under sections 3 to 129 of this 2020 Act for a reasonable period after default on the indebtedness by the debtor.

CONDUCT OF LICENSEES

SECTION 52. Prohibition against manufacturing psilocybin products outdoors.

A psilocybin product manufacturer that holds a license under section 23 of this 2020 Act may not manufacture psilocybin products outdoors.

SECTION 53. Restrictions on delivery or receipt; waiver by authority.

(1) A psilocybin product manufacturer that holds a license under section 23 of this 2020 Act:

- (a) May deliver psilocybin products only to or on a premises for which a license has been issued under section 23 or section 26 of this 2020 Act; and
- (b) May receive psilocybin products only from a psilocybin product manufacturer that holds a license under section 23 of this 2020 Act.

(2) A psilocybin service center operator that holds a license under section 26 of this 2020 Act:

- (a) May deliver psilocybin products only to or on a premises for which a license has been issued under section 26 of this 2020 Act.; and
- (b) May receive psilocybin products only from a psilocybin product manufacturer that holds a license under section 23 of this 2020 Act or a psilocybin service center operator that holds a license under section 26 of this 2020 Act.

(3) The sale of psilocybin products to a client by a psilocybin service center operator that holds a license issued under section 26 of this 2020 Act must be restricted to the premises for which the license has been issued.

(4) The Oregon Health Authority may by order waive the requirements of subsections (1) and (2) of this section to ensure compliance with sections 3 to 129 of this 2020 Act or a rule adopted under sections 3 to 129 of this 2020 Act. An order issued under this subsection does not constitute a waiver of any other requirement of sections 3 to 129 of this 2020 Act or any other rule adopted under sections 3 to 129 of this 2020 Act.

SECTION 54. Prohibition against selling or delivering psilocybin products to persons under 21 years of age.

A licensee or licensee representative may not sell or deliver a psilocybin product to a person under 21 years of age.

SECTION 55. Identification requirement; rules.

(1) Subject to subsection (2) of this section, a licensee or licensee representative, before selling or providing a psilocybin product to another person, must require the person to produce one of the following pieces of identification:

- (a) The person's passport.

- (b) The person's driver license, issued by the State of Oregon or another state of the United States.
- (c) An identification card issued under ORS 807.400.
- (d) A United States military identification card.
- (e) An identification card issued by a federally recognized Indian tribe.
- (f) Any other identification card issued by a state or territory of the United States that bears a picture of the person, the name of the person, the person's date of birth and a physical description of the person.

- (2) The Oregon Health Authority may adopt rules exempting a licensee or licensee representative from this section.
- (3) A client may not be required to procure for the purpose of acquiring or purchasing a psilocybin product a piece of identification other than a piece of identification described in subsection (1) of this section.

SECTION 56. Confidentiality of information and communications by clients; exceptions.

A psilocybin service center operator, a psilocybin service facilitator, or any employee of a psilocybin service center operator or psilocybin service facilitator may not disclose any information that may be used to identify a client, or any communication made by a client during the course of providing psilocybin services or selling psilocybin products to the client, except:

- (1) When the client or a person authorized to act on behalf of the client gives consent to the disclosure;
- (2) When the client initiates legal action or makes a complaint against the psilocybin service center operator, the psilocybin service facilitator, or the employee;
- (3) When the communication reveals the intent to commit a crime harmful to the client or others;
- (4) When the communication reveals that a minor may have been a victim of a crime or physical, sexual or emotional abuse or neglect; or
- (5) When responding to an inquiry by the Oregon Health Authority made during the course of an investigation into the conduct of the psilocybin service center operator, the psilocybin service facilitator, or the employee under sections 3 to 129 of this 2020 Act.

SECTION 57. Prohibition against purchasing, possessing, and consuming a psilocybin product outside a psilocybin service center.

A client may purchase, possess, and consume a psilocybin product:

- (1) Only at a psilocybin service center; and
- (2) Only under the supervision of a psilocybin service facilitator.

SECTION 58. Prohibition against psilocybin service facilitator consuming a psilocybin product during an administration session.

A psilocybin service facilitator may not consume a psilocybin product during an administration session that the psilocybin service facilitator is supervising.

SECTION 59. Prohibition against employing persons under 21 years of age.

- (1) A licensee may not employ a person under 21 years of age at a premises for which a license has been issued under sections 3 to 129 of this 2020 Act.
- (2) During an inspection of a premises for which a license has been issued under sections 3 to 129 of this 2020 Act, the Oregon Health Authority may require proof that a person performing work at the premises is 21 years of age or older. If the person does not provide the authority with acceptable proof of age upon request, the authority may require the person to immediately cease any activity and leave the premises until the authority receives acceptable proof of age.

This subsection does not apply to a person temporarily at the premises to make a service, maintenance or repair call or for other purposes independent of the premises operations.

- (3) If a person performing work has not provided proof of age requested by the authority under subsection (2) of this section, the authority may request that the licensee provide proof that the person is 21 years of age or older. Failure of the licensee to respond to a request made under this subsection by providing acceptable proof of age for a person is prima facie evidence that the licensee has allowed the person to perform work at the premises for which a license has been issued under sections 3 to 129 of this 2020 Act in violation of the minimum age requirement.

SECTION 60. Prohibition against obfuscating mark or label or using mark or label to deceive.

- (1) A licensee may not use or allow the use of a mark or label on the container of a psilocybin product that is kept for sale if the mark or label does not precisely and clearly indicate the nature of the container's contents or if the mark or label in any way might deceive a person about the nature, composition, quantity, age or quality of the container's contents.
- (2) The Oregon Health Authority may prohibit a licensee from selling any psilocybin product that in the authority's judgment is deceptively labeled or contains injurious or adulterated ingredients.

SECTION 61. Requirement that psilocybin products comply with minimum standards.

- (1) A psilocybin product may not be sold or offered for sale within this state unless the psilocybin product complies with the minimum standards prescribed by the statutory laws of this state.
- (2) The Oregon Health Authority may prohibit the sale of a psilocybin product by a psilocybin service center operator for a reasonable period of time for the purpose of determining whether the psilocybin product complies with the minimum standards prescribed by the statutory laws of this state.

SECTION 62. Other prohibitions.

- (1) A person may not make false representations or statements to the Oregon Health Authority in order to induce or prevent action by the authority.
- (2) A licensee may not maintain a noisy, lewd, disorderly or insanitary establishment or supply impure or otherwise deleterious psilocybin products.
- (3) A licensee may not misrepresent to a person or to the public any psilocybin products. SECTION 63. Purpose of license issued under sections 3 to 129 of this 2020 Act. A license issued under sections 3 to 129 of this 2020 Act serves the purpose of exempting the person that holds the license from the criminal laws of this state for possession, delivery or manufacture of psilocybin products, provided that the person complies with all state laws and rules applicable to licensees.

DISCIPLINING LICENSEES

SECTION 64. Grounds for revocation, suspension or restriction of license.

The Oregon Health Authority may revoke, suspend or restrict a license issued under sections 3 to 129 of this 2020 Act or require a licensee or licensee representative to undergo training if the authority finds or has reasonable ground to believe any of the following to be true:

- (1) That the licensee or licensee representative:
 - (a) Has violated a provision of sections 3 to 129 of this 2020 Act or a rule adopted under ORS sections 3 to 129 of this 2020 Act, including any code of professional conduct or code of ethics.
 - (b) Has made any false representation or statement to the authority in order to induce or prevent action by the authority.

(c) Is insolvent or incompetent or physically unable to carry on the management of the establishment of the licensee. (d) Is in the habit of using alcoholic liquor, habit-forming drugs, marijuana, psilocybin products or controlled substances to excess.

(e) Has misrepresented to a person or the public any psilocybin products sold by the licensee or licensee representative.

(f) Since the issuance of the license, has been convicted of a felony, of violating any of the psilocybin products laws of this state, general or local, or of any misdemeanor or violation of any municipal ordinance committed on the premises for which the license has been issued.

(2) That there is any other reason that, in the opinion of the authority, based on public convenience or necessity, warrants revoking, suspending or restricting the license.

EMPLOYEES AND OTHER WORKERS

SECTION 65. Permit required to perform work for or on behalf of a licensee.

(1) An individual who performs work for or on behalf of a licensee must have a valid permit issued by the Oregon Health Authority under section 66 of this 2020 Act if the individual participates in:

(a) The provision of psilocybin services at the premises for which the license has been issued;

(b) The possession, manufacturing, securing or selling of psilocybin products at the premises for which the license has been issued;

(c) The recording of the possession, manufacturing, securing or selling of psilocybin products at the premises for which the license has been issued; or

(d) The verification of any document described in section 55 of this 2020 Act.

(2) A licensee must verify that an individual has a valid permit issued under section 66 of this 2020 Act before allowing the individual to perform any work described in subsection (1) of this section at the premises for which the license has been issued.

SECTION 66. Issuing, renewing permits; fees; rules.

(1) The Oregon Health Authority shall issue permits to qualified applicants to perform work described in section 65 of this 2020 Act. The authority shall adopt rules establishing:

(a) The qualifications for performing work described in section 65 of this 2020 Act;

(b) The term of a permit issued under this section;

(c) Procedures for applying for and renewing a permit issued under this section; and

(d) Reasonable application, issuance and renewal fees for a permit issued under this section.

(2)(a) The authority may require an individual applying for a permit under this section to successfully complete a course, made available by or through the authority, through which the individual receives training on:

(A) Checking identification;

(B) Detecting intoxication;

(C) Handling psilocybin products;

(D) If applicable, the manufacturing of psilocybin products;

(E) The content of sections 3 to 129 of this 2020 Act and rules adopted under sections 3 to 129 of this 2020 Act; or

(F) Any matter deemed necessary by the authority to protect the public health and safety.

(b) The authority or other provider of a course may charge a reasonable fee for the course.

(c) The authority may not require an individual to successfully complete a course more than once, except that:

(A) As part of a final order suspending a permit issued under this section, the authority may require a permit holder to successfully complete the course as a condition of lifting the suspension; and

(B) As part of a final order revoking a permit issued under this section, the authority shall require an individual to successfully complete the course prior to applying for a new permit.

(3) The authority shall conduct a criminal records check under ORS 181A.195 on an individual applying for a permit under this section.

(4) Subject to the applicable provisions of ORS chapter 183, the authority may suspend, revoke or refuse to issue or renew a permit if the individual who is applying for or who holds the permit:

(a) Is convicted of a felony or is convicted of an offense under sections 3 to 129 of this 2020 Act, except that the authority may not consider a conviction for an offense under sections 3 to 129 of this 2020 Act if the date of the conviction is two or more years before the date of the application or renewal;

(b) Violates any provision of sections 3 to 129 of this 2020 Act or any rule adopted under sections 3 to 129 of this 2020 Act; or

(c) Makes a false statement to the authority.

(5) A permit issued under this section is a personal privilege and permits work described under section 65 of this 2020 Act only for the individual who holds the permit.

SECTION 67. Authority to require fingerprints of individuals listed on application.

For the purpose of requesting a state or nationwide criminal records check under ORS 181A.195, the Oregon Health Authority may require the fingerprints of any individual listed on an application submitted under section 66 of this 2020 Act.

SECTION 68. Whistleblower protection for employees.

(1) It is an unlawful employment practice for a licensee to discharge, demote, suspend or in any manner discriminate or retaliate against an employee of the licensee with regard to promotion, compensation or other terms, conditions or privileges of employment on the basis that the employee has in good faith reported information to the Oregon Health Authority that the employee believes is evidence of a violation of sections 3 to 129 of this 2020 Act or a rule adopted under sections 3 to 129 of this 2020 Act.

(2) This section is subject to enforcement under ORS chapter 659A.

PSILOCYBIN CONTROL AND REGULATION FUND

SECTION 69. Psilocybin Control and Regulation Fund.

The Psilocybin Control and Regulation Fund is established in the State Treasury, separate and distinct from the General Fund. Interest earned by the Psilocybin Control and Regulation Fund shall be credited to the fund. Moneys in the fund are continuously appropriated to the Oregon Health Authority to administer and enforce sections 3 to 129 of this 2020 Act.

PROHIBITED CONDUCT

SECTION 70. Prohibition against person under 21 years of age entering premises; penalty.

(1) Except as authorized by the Oregon Health Authority by rule, or as necessary in an emergency, a person under 21 years of age may not enter or attempt to enter any portion of a premises that is posted or otherwise identified as being prohibited to the use of persons under 21 years of age.

(2) A person who violates subsection (1) of this section commits a Class B violation.

(3) The prohibitions of this section do not apply to a person under 21 years of age who is acting under the direction of the authority or under the direction of state or local law enforcement agencies for the purpose of investigating possible violations of laws prohibiting sales of psilocybin products to persons who are under 21 years of age.

(4) The prohibitions of this section do not apply to a person under 21 years of age who is acting under the direction of a licensee for the purpose of investigating possible violations by employees of the licensee of laws prohibiting sales of psilocybin products to persons who are under 21 years of age.

(5)(a) A person under 21 years of age is not in violation of, and is immune from prosecution under, this section if:

(A) The person contacted emergency medical services or a law enforcement agency in order to obtain medical assistance for another person who was in need of medical assistance because that person consumed a psilocybin product and the evidence of the violation was obtained as a result of the person's having contacted emergency medical services or a law enforcement agency; or

(B) The person was in need of medical assistance because the person consumed a psilocybin product and the evidence of the violation was obtained as a result of the person's having sought or obtained the medical assistance.

(b) Paragraph (a) of this subsection does not exclude the use of evidence obtained as a result of a person's having sought medical assistance in proceedings for crimes or offenses other than a violation of this section.

SECTION 71. Prohibition against producing identification that falsely indicates age; protections on reliance on identification.

(1) A person may not produce any piece of identification that falsely indicates the person's age.

(2) Violation of this section is a Class A misdemeanor.

(3) If a piece of identification is offered as evidence in any administrative or criminal prosecution of a licensee or licensee representative for sale or service of a psilocybin product to a person under 21 years of age, the licensee or licensee representative is not guilty of any offense prohibiting a person from selling or serving a psilocybin product to a person under 21 years of age unless it is demonstrated that a reasonable person would have determined that the identification exhibited by the person under 21 years of age was altered, or that the identification exhibited by the person under 21 years of age did not accurately describe the person to whom the psilocybin product was sold or served.

SECTION 72. Prohibition regarding person who is visibly intoxicated; penalty.

(1) A person may not sell, give or otherwise make available a psilocybin product to a person who is visibly intoxicated. (2) Violation of this section is a Class A misdemeanor.

SECTION 73. Prohibition against giving psilocybin product as prize; penalty.

(1) A psilocybin product may not be given as a prize, premium or consideration for a lottery, contest, game of chance, game of skill or competition of any kind.

(2) Violation of this section is a Class A violation.

CIVIL ENFORCEMENT OF SECTIONS 3 TO 129 OF THIS 2020 ACT

SECTION 74. Authority to issue subpoenas.

For purposes of sections 3 to 129 of this 2020 Act, the provisions of ORS 183.440 apply to subpoenas issued by the Oregon Health Authority and to subpoenas issued by an authorized agent of the authority.

SECTION 75. Civil penalty for violating sections 3 to 129 of this 2020 Act.

In addition to any other liability or penalty provided by law, the Oregon Health Authority may impose for each violation of a provision of sections 3 to 129 of this 2020 Act or a rule adopted under sections 3 to 129 of this 2020 Act a civil penalty that does not exceed \$5,000 for each violation. The authority shall impose civil penalties under this section in the manner provided by ORS 183.745. Moneys collected under this section shall be deposited in the Psilocybin Control and Regulation Fund established under section 69 of this 2020 Act.

CRIMINAL ENFORCEMENT OF SECTIONS 3 TO 129 OF THIS 2020 ACT

SECTION 76. Authority of law enforcement to enforce sections 3 to 129 of this 2020 Act.

The law enforcement officers of this state may enforce sections 3 to 129 of this 2020 Act and assist the Oregon Health Authority in detecting violations of sections 3 to 129 of this 2020 Act and apprehending offenders. A law enforcement officer who has notice, knowledge or reasonable ground of suspicion of a violation of sections 3 to 129 of this 2020 Act shall immediately notify the district attorney who has jurisdiction over the violation and furnish the district attorney who has jurisdiction over the violation with names and addresses of any witnesses to the violation or other information related to the violation.

SECTION 77. Duty to notify Oregon Health Authority of conviction of licensee.

The county courts, district attorneys and municipal authorities, immediately upon the conviction of a licensee of a violation of sections 3 to 129 of this 2020 Act, or of a violation of any other law of this state or ordinance of a city or county located in this state an element of which is the possession, delivery or manufacture of a psilocybin product, shall notify the Oregon Health Authority of the conviction.

SECTION 78. Penalty for violating sections 3 to 129 of this 2020 Act.

Subject to ORS 153.022, violation of a rule adopted under subsection (2)(c) of section 8 of this 2020 Act is a Class C violation.

REGULATION BY CITIES AND COUNTIES OF PSILOCYBIN PRODUCTS

SECTION 79. Preemption of municipal charter amendments and local ordinances.

The provisions of sections 3 to 129 of this 2020 Act are designed to operate uniformly throughout the state and are paramount and superior to and fully replace and supersede any municipal charter amendment or local ordinance inconsistent with the provisions of sections 3 to 129 of this 2020 Act. Amendments and ordinances that are inconsistent with the provisions of sections 3 to 129 of this 2020 Act are repealed.

SECTION 80. No local licenses.

The authority to require a license for the manufacturing or sale of psilocybin products in this state, or for the provision of psilocybin services in this state, is vested solely in the Legislative Assembly.

SECTION 81. Local time, place and manner regulations.

(1) For purposes of this section, "reasonable regulations" includes:

(a) Reasonable conditions on the manner in which a psilocybin product manufacturer that holds a license issued under section 23 of this 2020 Act may manufacture psilocybin products;

(b) Reasonable conditions on the manner in which a psilocybin service center operator that holds a license issued under section 26 of this 2020 Act may provide psilocybin services;

(c) Reasonable limitations on the hours during which a premises for which a license has been issued under sections 3 to 129 of this 2020 Act may operate;

(d) Reasonable requirements related to the public's access to a premises for which a license has been issued under sections 3 to 129 of this 2020 Act; and

(e) Reasonable limitations on where a premises for which a license may be issued under sections 3 to 129 of this 2020 Act may be located.

(2) Notwithstanding ORS 30.935, 215.253 (1) or 633.738, the governing body of a city or county may adopt ordinances that impose reasonable regulations on the operation of businesses located at premises for which a license has been issued under sections 3 to 129 of this 2020 Act if the premises are located in the area subject to the jurisdiction of the city or county, except that the governing body of a city or county may not adopt an ordinance that prohibits a premises for which a license has been issued under section 26 of this 2020 Act from being located within a distance that is greater than 1,000 feet of another premises for which a license has been issued under section 26 of this 2020 Act.

SECTION 82. Local tax or fee; referral to electors for approval.

(1)(a) The authority to impose a tax or fee on the manufacturing or sale of psilocybin products in this state, or on the provision of psilocybin services in this state, is vested solely in the Legislative Assembly.

(b) A county, city or other municipal corporation or district may not adopt or enact ordinances imposing a tax or fee on the manufacturing or sale of psilocybin products in this state or on the provision of psilocybin services in this state.

SECTION 83. Repeal of city, county ordinance that prohibits certain establishments.

(1) The governing body of a city or county may repeal an ordinance that prohibits the establishment of any one or more of the following in the area subject to the jurisdiction of the city or in the unincorporated area subject to the jurisdiction of the county:

(a) Psilocybin product manufacturers that hold a license issued under section 23 of this 2020 Act;

(b) Psilocybin service center operators that hold a license issued under section 26 of this 2020 Act; or (c) Any combination of the entities described in this subsection.

(2) If the governing body of a city or county repeals an ordinance under this section, the governing body must provide the text of the ordinance to the Oregon Health Authority, in a form and manner prescribed by the authority, if the ordinance concerns a premises for which a license has been issued under sections 3 to 129 of this 2020 Act.

POWERS AND DUTIES OF STATE AGENCIES AND OFFICERS AND GOVERNOR

SECTION 84. Duty of Oregon Liquor Control Commission to assist.

The Oregon Liquor Control Commission shall assist and cooperate with the Oregon Health Authority and the State Department of Agriculture to the extent necessary for the authority and the department to carry out the duties of the authority and the department under sections 3 to 129 of this 2020 Act.

SECTION 85. Duty of State Department of Agriculture to assist.

The State Department of Agriculture shall assist and cooperate with the Oregon Health Authority to the extent necessary for the authority to carry out the duties of the authority under sections 3 to 129 of this 2020 Act.

SECTION 86. Authority of State Department of Agriculture.

The State Department of Agriculture may possess, test and dispose of psilocybin products.

SECTION 87. Prohibition against refusing to perform duties on basis that certain conduct is prohibited by federal law.

(1) The Oregon Health Authority, the State Department of Agriculture and the Oregon Liquor Control Commission may not refuse to perform any duty under sections 3 to 129 of this 2020 Act on the basis that manufacturing, distributing, dispensing, possessing or using psilocybin products is prohibited by federal law.

(2) The authority may not revoke or refuse to issue or renew a license or permit under sections 3 to 129 of this 2020 Act on the basis that manufacturing, distributing, dispensing, possessing or using psilocybin products is prohibited by federal law.

SECTION 88. Immunity for state agencies, officers and employees in performance of duties.

A person may not sue the Oregon Health Authority, the State Department of Agriculture or the Oregon Liquor Control Commission or a member of the commission, or any employee of the authority, department or commission, for performing or omitting to perform any duty, function or power of the authority, department or commission set forth in sections 3 to 129 of this 2020 Act or in any other law of this state requiring the authority, department or commission to perform a duty, function or power related to psilocybin products.

SECTION 89. Authority to purchase, possess, seize or dispose of psilocybin products.

Subject to any applicable provision of ORS chapter 131A or 183, any state officer, board, commission, corporation, institution, department or other state body, and any local officer, board, commission, institution, department or other local government body, that is authorized by the statutory laws of this state to perform a duty, function or power with respect to a psilocybin product, may purchase, possess, seize or dispose of the psilocybin product as the state officer, board, commission, corporation, institution, department or other state body, or the local officer, board, commission, institution, department or other local government body, considers necessary to ensure compliance with and enforce the applicable statutory law or any rule adopted under the applicable statutory law.

SECTION 90. Authority of Governor to suspend license or permit without notice.

In case of invasion, disaster, insurrection or riot, or imminent danger of invasion, disaster, insurrection or riot, the Governor may, for the duration of the invasion, disaster, insurrection or riot, or imminent danger, immediately and without notice suspend, in the area involved, any license or permit issued under sections 3 to 129 of this 2020 Act.

OTHER PROVISIONS

SECTION 91. Psilocybin-producing fungi as crop; exceptions to permitted uses.

(1) Psilocybin-producing fungi is:

(a) A crop for the purposes of “farm use” as defined in ORS 215.203;

(b) A crop for purposes of a “farm” and “farming practice,” both as defined in ORS 30.930;

(c) A product of farm use as described in ORS 308A.062; and

(d) The product of an agricultural activity for purposes of ORS 568.909.

(2) Notwithstanding ORS chapters 195, 196, 197, 215 and 227, the following are not permitted uses on land designated for exclusive farm use:

(a) A new dwelling used in conjunction with a psilocybin-producing fungi crop;

(b) A farm stand, as described in ORS 215.213 (1)(r) or 215.283 (1)(o), used in conjunction with a psilocybin-producing fungi crop; and

(c) Subject to subsection (3) of this section, a commercial activity, as described in ORS 215.213 (2)(c) or 215.283 (2)(a), carried on in conjunction with a psilocybin-producing fungi crop. (3) The operation of a psilocybin service center may be carried on in conjunction with a psilocybin-producing fungi crop.

(4) A county may allow the manufacture of psilocybin products as a farm use on land zoned for farm or forest use in the same manner as the manufacture of psilocybin products is allowed in exclusive farm use zones under this section and ORS 215.213, 215.283 and 475B.063.

(5) This section applies to psilocybin product manufacturers that hold a license under section 23 of this 2020 Act.

SECTION 92. Regulation of psilocybin products as food or other commodity subject to regulation by State Department of Agriculture.

(1) Notwithstanding the authority granted to the State Department of Agriculture under ORS chapters 571, 618 and 633 and ORS 632.275 to 632.290, 632.450 to 632.490, 632.516 to 632.625, 632.705 to 632.815, 632.835 to 632.850 and 632.900 to 632.985, the department may not exercise authority over psilocybin products or a licensee, except that ORS 618.121 to 618.161, 618.991, 618.995, 633.311 to 633.479, 633.992 and 633.994 apply to psilocybin products or to a licensee.

(2) In exercising its authority under ORS chapter 616, the department may not:

(a) Establish standards for psilocybin products as a food additive, as defined in ORS 616.205;

(b) Consider psilocybin products to be an adulterant, unless the concentration of a psilocybin product exceeds acceptable levels established by the Oregon Health Authority by rule; or

(c) Apply ORS 616.256, 616.265, 616.270 or 616.275 to psilocybin products or enforce ORS 616.256, 616.265, 616.270 or 616.275 with respect to psilocybin products.

SECTION 93. Enforceability of contracts.

A contract is not unenforceable on the basis that manufacturing, distributing, dispensing, possessing or using psilocybin products is prohibited by federal law.

SECTION 94. Oregon Health Authority hotline for verification of license.

The Oregon Health Authority shall maintain a telephone hotline for the following persons to inquire if an address is the location of a premises for which a license has been issued under sections 3 to 129 of this 2020 Act or is the location of a premises for which an application for licensure has been submitted under section 14 of this 2020 Act:

- (1) A person designated by a city or a county;
- (2) A person designated by the Water Resources Department; and
- (3) A person designated by the watermaster of any water district.

SECTION 95. Certain information related to licensure exempt from disclosure.

(1) Subject to subsection

(2) of this section, information is exempt from public disclosure under ORS 192.311 to 192.478 if the information is:

- (a) Personally identifiable information, as defined in ORS 432.005;
 - (b) The address of a premises for which a license has been issued or for which an applicant has proposed licensure under section 23, 26 or 97 of this 2020 Act;
 - (c) Related to the security plan or the operational plan for a premises for which a license has been issued or for which an applicant has proposed licensure under sections 23, 26 or 97 of this 2020 Act; or
 - (d) Related to any record that the Oregon Health Authority determines contains proprietary information of a licensee.
- (2) The exemption from public disclosure as provided by this section does not apply to:

- (a) The name of an individual listed on an application, if the individual is a direct owner of the business operating or to be operated under the license; or
 - (b) A request for information if the request is made by a law enforcement agency.
- (3) For purposes of subsection (2)(a) of this section, an individual is not a direct owner of the business operating or to be operated under the license if:
- (a) The direct owner of the business operating or to be operated under the license is a legal entity; and

(b) The individual is merely a general partner, limited partner, member, shareholder, or other direct or indirect owner of the legal entity.

TESTING OF PSILOCYBIN PRODUCTS

SECTION 96. Testing standards and processes; rules.

(1) As is necessary to protect the public health and safety, and in consultation with the Oregon Liquor Control Commission and the State Department of Agriculture, the Oregon Health Authority shall adopt rules:

- (a) Establishing standards for testing psilocybin products.
- (b) Identifying appropriate tests for psilocybin products, depending on the type of psilocybin product and the manner in which the psilocybin product was manufactured, that are necessary to protect the public health and safety, which may include, but not be limited to, tests for:

- (A) Microbiological contaminants;
- (B) Pesticides;
- (C) Other contaminants;
- (D) Solvents or residual solvents; and
- (E) Psilocybin concentration.

(c) Establishing procedures for determining batch sizes and for sampling psilocybin products.

(d) Establishing different minimum standards for different varieties of psilocybin products.

(2) In addition to the testing requirements established under subsection (1) of this section, the authority may require psilocybin products to be tested in accordance with any applicable law of this state, or any applicable rule adopted under a law of this state, related to the production and processing of food products or commodities.

(3) In adopting rules under sections 3 to 129 of this 2020 Act, the authority may require a psilocybin product manufacturer that holds a license under section 23 of this 2020 Act to test psilocybin products before selling or transferring the psilocybin products.

(4) The authority may conduct random testing of psilocybin products for the purpose of determining whether a licensee subject to testing under subsection (3) of this section is in compliance with this section.

(5) In adopting rules to implement this section, the authority may not require a psilocybin product to undergo the same test more than once unless the psilocybin product is processed into a different type of psilocybin product or the condition of the psilocybin product has fundamentally changed.

(6) The testing of psilocybin products as required by this section must be conducted by a laboratory licensed by the authority under section 97 of this 2020 Act and accredited by the authority under section 100 of this 2020 Act.

(7) In adopting rules under subsection (1) of this section, the authority: (a) Shall consider the cost of a potential testing procedure and how that cost will affect the cost to the ultimate client; and (b) May not adopt rules that are more restrictive than is reasonably necessary to protect the public health and safety.

SECTION 97. Laboratory licensure; qualifications; fees; rules.

(1) A laboratory that conducts testing of psilocybin products as required by section 96 of this 2020 Act must have a license to operate at the premises at which the psilocybin products are tested.

(2) For purposes of this section, the Oregon Health Authority shall adopt rules establishing:

- (a) Qualifications to be licensed under this section, including that an applicant for licensure under this section must be accredited by the authority as described in section 100 of this 2020 Act;
- (b) Processes for applying for and renewing a license under this section;

(c) Fees for applying for, receiving and renewing a license under this section; and

(d) Procedures for:

(A) Tracking psilocybin products to be tested;

(B) Documenting and reporting test results; and

(C) Disposing of samples of psilocybin products that have been tested.

(3) A license issued under this section must be renewed annually.

(4) The authority may inspect premises licensed under this section to ensure compliance with sections 96 to 104 of this 2020 Act and rules adopted under sections 96 to 104 of this 2020 Act.

(5) Subject to the applicable provisions of ORS chapter 183, the authority may refuse to issue or renew, or may suspend or revoke, a license issued under this section for violation of a provision of sections 3 to 129 of this 2020 Act or a rule adopted under a provision of sections 3 to 129 of this 2020 Act.

(6) Fees adopted under subsection (2)(c) of this section must be reasonably calculated to pay the expenses incurred by the authority under sections 3 to 129 of this 2020 Act.

(7) Fee moneys collected under this section shall be deposited in the Psilocybin Control and Regulation Fund established under section 69 of this 2020 Act and are continuously appropriated to the authority for the purpose of carrying out the duties, functions and powers of the authority under sections 3 to 129 of this 2020 Act.

SECTION 98. Authority to require fingerprints of applicants and other individuals.

For the purpose of requesting a state or nationwide criminal records check under ORS 181A.195, the Oregon Health Authority may require the fingerprints of any individual listed on an application submitted under section 97 of this 2020 Act. The powers conferred on the authority under this section include the power to require the fingerprints of:

(1) If the applicant is a limited partnership, each general partner of the limited partnership;

(2) If the applicant is a manager-managed limited liability company, each manager of the limited liability company;

(3) If the applicant is a member-managed limited liability company, each voting member of the limited liability company;

(4) If the applicant is a corporation, each director and officer of the corporation; and

(5) Any individual who holds a financial interest of 10 percent or more in the person applying for the license.

SECTION 99. Statement of applicant for license under Section 97 of this 2020 Act.

(1) The Oregon Health Authority may require a licensee or applicant for a license under section 97 of this 2020 Act to submit, in a form and manner prescribed by the authority, to the authority a sworn statement showing:

(a) The name and address of each person that has a financial interest in the business operating or to be operated under the license; and

(b) The nature and extent of the financial interest of each person that has a financial interest in the business operating or to be operated under the license.

(2) The authority may refuse to issue, or may suspend, revoke or refuse to renew, a license issued under section 97 of this 2020 Act if the authority determines that a person that has a financial interest in the business operating or to be operated under the license committed or failed to commit an act that would constitute grounds for the authority to refuse to issue, or to suspend, revoke or refuse to renew, the license if the person were the licensee or applicant for the license.

SECTION 100. Laboratory accreditation; qualifications; fees; rules.

(1) A laboratory that conducts testing of psilocybin products as required by section 96 of this 2020 Act must be accredited under ORS 438.605 to 438.620 and meet other qualifications as established by the Oregon Health Authority under this section.

(2) In addition to other qualifications required pursuant to ORS 438.605 to 438.620, the authority shall require an applicant for accreditation under ORS 438.605 to 438.620 for purposes related to the testing of psilocybin products to:

(a) Complete an application; and

(b) Undergo an onsite inspection; and

(c) Meet other applicable requirements, specifications and guidelines for testing psilocybin products, as determined to be appropriate by the authority by rule.

(3) The authority may inspect premises licensed under section 97 of this 2020 Act to ensure compliance with sections 96 to 104 of this 2020 Act and rules adopted under sections 96 to 104 of this 2020 Act.

(4) Subject to the applicable provisions of ORS chapter 183, the authority may refuse to issue or renew, or may suspend or revoke, a laboratory's accreditation granted under this section and ORS 438.605 to 438.620 for violation of a provision of sections 3 to 129 of this 2020 Act or a rule adopted under a provision of sections 3 to 129 of this 2020 Act.

(5) In establishing fees under ORS 438.620 for laboratories that test psilocybin products, the authority shall establish fees that are reasonably calculated to pay the expenses incurred by the authority under this section and ORS 438.605 to 438.620 in accrediting laboratories that test psilocybin products.

SECTION 101. Authority of Oregon Health Authority to discipline licensees of authority.

Subject to the applicable provisions of ORS chapter 183, if an applicant or licensee violates a provision of sections 96 to 104 of this 2020 Act or a rule adopted under a provision of sections 96 to 104 of this 2020 Act, the Oregon Health Authority may refuse to issue or renew, or may suspend or revoke, a license issued under section 23, 26, 30 or 97 of this 2020 Act.

SECTION 102. Authority of Oregon Health Authority over certain persons, license actions.

(1) Notwithstanding the lapse, suspension or revocation of a license issued under section 97 of this 2020 Act, the Oregon Health Authority may:

(a) Proceed with any investigation of, or any action or disciplinary proceeding against, the person who held the license; or

(b) Revise or render void an order suspending or revoking the license.

(2) In cases involving the proposed denial of a license issued under sections 3 to 129 of this 2020 Act, the applicant for licensure may not withdraw the applicant's application.

SECTION 103. Civil penalty for violating sections 96 to 104 of this 2020 Act.

(1) In addition to any other liability or penalty provided by law, the Oregon Health Authority may impose for each violation of a provision of sections 96 to 104 of this 2020 Act, or a rule adopted under a provision of sections 96 to 104 of this 2020 Act, a civil penalty that does not exceed \$500 for each day that the violation occurs.

(2) The authority shall impose civil penalties under this section in the manner provided by ORS 183.745.

(3) Moneys collected under this section shall be deposited in the Oregon Health Authority Fund established under ORS 413.101 and are continuously appropriated to the authority for the purpose of carrying out the duties, functions and powers of the authority under sections 3 to 129 of this 2020 Act.

SECTION 104. Exemption from criminal liability.

A person who holds a license under section 97 of this 2020 Act, and an employee of or other person who performs work for a person who holds a license under section 97 of this 2020 Act, are exempt from the criminal laws of this state for possession, delivery or manufacture of psilocybin, aiding and abetting another in the possession, delivery or manufacture of psilocybin, or any other criminal offense in which possession, delivery or manufacture of psilocybin is an element, while performing activities related to testing as described in sections 96 to 104 of this 2020 Act.

PACKAGING, LABELING AND DOSAGE OF PSILOCYBIN PRODUCTS**SECTION 105. Labeling requirements; rules.**

(1) As is necessary to protect the public health and safety, and in consultation with the State Department of Agriculture and the Oregon Liquor Control Commission, the Oregon Health Authority shall adopt rules establishing standards for the labeling of psilocybin products, including but not limited to:

(a) Ensuring that psilocybin products have labeling that communicates:

- (A) Health and safety warnings;
- (B) If applicable, activation time;
- (C) Potency;

(D) If applicable, serving size and the number of servings included in a psilocybin product;

(E) Content of the psilocybin product; and

(b) Labeling that is in accordance with applicable state food labeling requirements for the same type of food product or potable liquid when the food product or potable liquid does not contain psilocybin.

(2) In adopting rules under sections 3 to 129 of this 2020 Act, the authority shall require all psilocybin products sold or transferred by a psilocybin service center that holds a license issued under section 26 of this 2020 Act to be labeled in accordance with subsection (1) of this section and rules adopted under subsection (1) of this section.

(3) In adopting rules under subsection (1) of this section, the authority:

- (a) May establish different labeling standards for different varieties and types of psilocybin products;
- (b) Shall consider the cost of a potential requirement and how that cost will affect the cost to the ultimate client; and
- (c) May not adopt rules that are more restrictive than is reasonably necessary to protect the public health and safety.

SECTION 106. Authority to require preapproval of labels.

(1) The Oregon Health Authority may by rule require a licensee to submit a label intended for use on a psilocybin product for preapproval by the authority before the licensee may sell or transfer a psilocybin product bearing the label. The authority shall determine whether a label submitted under this section complies with section 105 of this 2020 Act and any rule adopted under section 105 of this 2020 Act.

(2) The authority may impose a fee for submitting a label for preapproval under this section that is reasonably calculated to not exceed the cost of administering this section.

SECTION 107. Packaging requirements; rules.

(1) As is necessary to protect the public health and safety, and in consultation with the State Department of Agriculture and the Oregon Liquor Control Commission, the Oregon Health Authority shall adopt rules establishing standards for the packaging of psilocybin products, including but not limited to ensuring that psilocybin products are not marketed in a manner that:

(a) Is untruthful or misleading; or

(b) Otherwise creates a significant risk of harm to public health and safety.

(2) In adopting rules under sections 3 to 129 of this 2020 Act, the authority shall require all psilocybin products sold or transferred by a psilocybin service center that holds a license issued under section 26 of this 2020 Act to be packaged in accordance with subsection (1) of this section and rules adopted under subsection (1) of this section.

(3) In adopting rules under subsection (1) of this section, the authority:

- (a) May establish different packaging standards for different varieties and types of psilocybin products;
- (b) May consider the effect on the environment of requiring certain packaging;
- (c) Shall consider the cost of a potential requirement and how that cost will affect the cost to the ultimate client; and
- (d) May not adopt rules that are more restrictive than is reasonably necessary to protect the public health and safety.

SECTION 108. Authority to require preapproval of packaging.

(1) The Oregon Health Authority may by rule require a licensee to submit packaging intended for a psilocybin product for preapproval by the authority before the licensee may sell or transfer a psilocybin product packaged in the packaging. The authority shall determine whether packaging submitted under this section complies with section 107 of this 2020 Act and any rule adopted under section 107 of this 2020 Act.

(2) The authority may impose a fee for submitting packaging for preapproval under this section that is reasonably calculated to not exceed the cost of administering this section.

SECTION 109. Dosage requirements; rules.

(1) The Oregon Health Authority shall adopt rules establishing:

- (a) The maximum concentration of psilocybin that is permitted in a single serving of a psilocybin product; and
- (b) The number of servings that are permitted in a psilocybin product package.

(2) In adopting rules under sections 3 to 129 of this 2020 Act, the authority shall require all psilocybin products sold or transferred by a psilocybin service center that holds a license under section 26 of this 2020 Act to meet the concentration standards and packaging standards adopted by rule pursuant to this section.

SECTION 110. Authority of Oregon Health Authority to inspect.

To ensure compliance with sections 105 to 112 of this 2020 Act and any rule adopted under sections 105 to 112 of this 2020 Act, the Oregon Health Authority may inspect the premises of a person that holds a license under section 23 or 26 of this 2020 Act.

SECTION 111. Authority of Oregon Health Authority to discipline licensees of authority.

Subject to the applicable provisions of ORS chapter 183, if the applicant or licensee violates a provision of sections 105 to 112 of this 2020 Act or a rule adopted under a provision of sections 105 to 112 of this 2020 Act, the Oregon Health Authority may refuse to issue or renew, or may suspend or revoke, a license issued under section 23, 26 or 30 of this 2020 Act.

SECTION 112. Civil penalty for violating sections 105 to 112 of this 2020 Act.

(1) In addition to any other liability or penalty provided by law, the Oregon Health Authority may impose for each violation of a provision of sections 105 to 112 of this 2020 Act, or a rule adopted under a provision of sections 105 to 112 of this 2020 Act, a civil penalty that does not exceed \$500 for each day that the violation occurs.

(2) The authority shall impose civil penalties under this section in the manner provided by ORS 183.745. (3) Moneys collected under this section shall be deposited in the Psilocybin Control and Regulation Fund established under section 69 of this 2020 Act and are continuously appropriated to the authority for the purpose of carrying out the duties, functions and powers of the authority under sections 3 to 129 of this 2020 Act.

TAXATION OF PSILOCYBIN PRODUCTS

SECTION 113. Definitions for sections 113 to 127 of this 2020 Act.

As used in sections 113 to 127 of this 2020 Act:

(1) "Retail sale" means any transfer, exchange, gift or barter of a psilocybin product by any person to a client.

(2) "Retail sales price" means the price paid for a psilocybin product, excluding tax, to a psilocybin service center operator by or on behalf of a client.

SECTION 114. Imposition of tax on retail sale of psilocybin products.

(1) A tax is hereby imposed upon the retail sale of psilocybin products in this state. The tax imposed by this section is a direct tax on the client, for which payment upon retail sale is required. The tax shall be collected at the point of sale of a psilocybin product by a psilocybin service center operator at the time at which the retail sale occurs.

(2) The tax imposed under this section shall be imposed at the rate of 15 percent of the retail sales price of psilocybin products.

(3) If the tax imposed under this section does not equal an amount calculable to a whole cent, the tax shall be equal to the next higher whole cent.

(4) Except as otherwise provided by the Department of Revenue by rule, the amount of the tax shall be separately stated on an invoice, receipt or other similar document that the psilocybin service center operator provides to the client at the time at which the retail sale occurs.

(5) A person may not knowingly sell, purchase, install, transfer or possess electronic devices or software programs for the purposes of:

(a) Hiding or removing records of retail sales of psilocybin products; or

(b) Falsifying records of retail sales of psilocybin products.

(6)(a) A psilocybin service center operator may not discount a psilocybin product or offer a psilocybin product for free if the retail sale of the psilocybin product is made in conjunction with the retail sale of any other item or service.

(b) Paragraph (a) of this subsection does not affect any provision of sections 3 to 129 of this 2020 Act or any rule adopted by the Oregon Health Authority pursuant to sections 3 to 129 of this 2020 Act that is related to the retail sale of psilocybin products.

(7) The authority shall regularly review the rate of tax under subsection (2) of this section and make recommendations to the Legislative Assembly regarding appropriate adjustments to the rate that will further the purposes of:

(a) Providing the authority with moneys sufficient to administer and enforce sections 3 to 129 of this 2020 Act; and

(b) Not providing the authority with moneys that exceed, together with fees collected under sections 3 to 129 of this 2020 Act, the cost of administering and enforcing sections 3 to 129 of this 2020 Act.

SECTION 115. Collection of tax; refund; credit; penalties.

(1) Except as otherwise provided in sections 113 to 127 of this 2020 Act, the tax imposed upon the client under section 114 of this 2020 Act shall be collected at the point of sale and remitted by each psilocybin service center operator that engages in the retail sale of psilocybin products. The tax is considered a tax upon the psilocybin service center operator that is required to collect the tax, and the psilocybin service center operator is considered a taxpayer.

(2) The psilocybin service center operator shall file a return to the Department of Revenue on or before the last day of January, April, July and October of each year for the previous calendar quarter.

(3) The psilocybin service center operator shall pay the tax to the department in the form and manner prescribed by the department, but not later than with each quarterly return, without regard to an extension granted under subsection (5) of this section.

(4) Psilocybin service center operators shall file the returns required under this section regardless of whether any tax is owed.

(5) For good cause, the department may extend the time for filing a return under this section. The extension may be granted at any time if a written request is filed with the department during or prior to the period for which the extension may be granted. The department may not grant an extension of more than 30 days.

(6) Interest shall be added at the rate established under ORS 305.220 from the time the return was originally required to be filed to the time of payment.

(7) If a psilocybin service center operator fails to file a return or pay the tax as required by this section, the department shall impose a penalty in the manner provided in ORS 314.400.

(8) Except as provided in subsections (9) and (10) of this section, the period prescribed for the department to allow or make a refund of any overpayment of tax paid under sections 113 to 127 of this 2020 Act is as provided in ORS 314.415.

(9)(a) The department shall first apply any overpayment of tax by a psilocybin service center operator to any psilocybin tax that is owed by the psilocybin service center operator.

(b) If after any offset against any delinquent amount the overpayment of tax remains greater than \$1,000, the remaining refund shall be applied as a credit against the next subsequent calendar quarter as an estimated payment.

(10) The department may not make a refund of, or credit, any overpayment of tax under sections 113 to 127 of this 2020 Act that was credited to the account of a psilocybin service center operator under subsection (9)(b) of this section if the return for that tax period is not filed within three years after the due date of that return.

SECTION 116. Psilocybin revenue estimate.

(1) Not later than 30 days before the beginning of each calendar quarter, the Oregon Department of Administrative Services shall forecast and prepare an estimate of the revenue that will be received during the remainder of the current biennium and subsequent three biennia pursuant to the tax imposed under section 114 of this 2020 Act. The estimate may be made on the basis of all pertinent information available to the Oregon Department of Administrative Services. Upon making the estimate, the Oregon Department of Administrative Services shall report the estimate to the Legislative Revenue Officer, the Legislative Fiscal Officer and the Department of Revenue.

(2) The Department of Revenue and the Oregon Health Authority shall provide the Oregon Department of Administrative Services with any information necessary for the Oregon Department of Administrative Services to perform its duties under this section.

SECTION 117. Enforcement; liability; notice of liability; notices of determination and assessment.

(1) Every person who collects any amount under section 115 of this 2020 Act shall hold the same in trust for the State of Oregon and for the payment thereof to the Department of Revenue in the manner and at the time provided in section 115 of this 2020 Act.

(2) At any time a psilocybin service center operator fails to remit any amount collected, the department may enforce collection by the issuance of a distraint warrant for the collection of the delinquent amount and all penalties, interest and collection charges accrued thereon. The warrant shall be issued, recorded and proceeded upon in the same manner and shall have the same force and effect as is prescribed with respect to warrants for the collection of delinquent income taxes.

(3)(a) In the case of a psilocybin service center operator that is assessed pursuant to the provisions of ORS 305.265 (12) and 314.407 (1), the department may issue a notice of liability to any officer, employee or member of the psilocybin service center operator within three years from the time of assessment. Within 30 days from the date the notice of liability is mailed to the officer, employee or member, the officer, employee or member shall pay the assessment, plus penalties and interest, or advise the department in writing of objections to the liability and, if desired, request a conference. A conference shall be governed by the provisions of ORS 305.265 pertaining to a conference requested from a notice of deficiency.

(b) After a conference or, if no conference is requested, a determination of the issues considering the written objections, the department shall mail the officer, employee or member a conference letter affirming, canceling or adjusting the notice of liability. Within 90 days from the date the conference letter is mailed to the officer, employee or member, the officer, employee or member shall pay the assessment, plus penalties and interest, or appeal to the tax court in the manner provided for an appeal from a notice of assessment.

(c) If the department does not receive payment or written objection to the notice of liability within 30 days after the notice of liability was mailed, the notice of liability becomes final. In that event, the officer, employee or member may appeal the notice of liability to the tax court within 90 days after it became final in the manner provided for an appeal from a notice of assessment.

(4)(a) In the case of a failure to file a return on the due date, governed by the provisions of ORS 305.265 (10) and 314.400, the department, in addition to any action described in the provisions of ORS 305.265 (10) and 314.400, may send notices of determination and assessment to any officer, employee or member any time within three years after the assessment. The time of assessment against the officer, employee or member is 30 days after the date the notice of determination and assessment is mailed. Within 30 days from the date the notice of determination and assessment is mailed to the officer, employee or member, the officer, employee or member shall pay the assessment, plus penalties and interest, or advise the department in writing of objections to the assessment and, if desired, request a conference. A conference shall be governed by the provisions of ORS 305.265 pertaining to a conference requested from a notice of deficiency.

(b) After a conference or, if no conference is requested, a determination of the issues considering the written objections, the department shall mail the officer, employee or member a conference letter affirming, canceling or adjusting the notice of determination and assessment. Within 90 days from the date the conference letter is mailed to the officer, employee or member, the officer, employee or member shall pay the assessment, plus penalties and interest, or appeal in the manner provided for an appeal from a notice of assessment.

(c) If the department does not receive payment or written objection to the notice of determination and assessment within 30 days after the notice of determination and assessment was mailed, the notice of determination and assessment becomes final. In that event, the officer, employee or member may appeal the notice of determination and assessment to the tax court within 90 days after it became final in the manner provided for an appeal from a notice of assessment.

(5)(a) More than one officer or employee of a corporation may be held jointly and severally liable for payment of taxes.

(b) Notwithstanding the confidentiality provisions of section 125 of this 2020 Act, if more than one officer or employee of a corporation may be held jointly and severally liable for payment of taxes, the department may require any or all of the officers, members or employees who may be held liable to appear before the department for a joint determination of liability. The department shall notify each officer, member or employee of the time and place set for the determination of liability.

(c) Each person notified of a joint determination under this subsection shall appear and present such information as is necessary to establish that person's liability or nonliability for payment of taxes to the department. If a person who was notified fails to appear, the department shall make its determination on the basis of all the information and evidence presented. The department's determination is binding on all persons notified and required to appear under this subsection.

(d)(A) If an appeal is taken to the Oregon Tax Court pursuant to section 125 of this 2020 Act by any person determined to be liable for unpaid taxes under this subsection, each person required to appear before the department under this subsection shall be impleaded by the plaintiff. The department may implead any officer, employee or member who may be held jointly and severally liable for the payment of taxes. Each person impleaded under this paragraph shall be made a party to the action before the tax court and shall make available to the tax court the information that was presented before the department, as well as other information that may be presented to the court.

(B) The court may determine that one or more persons impleaded under this paragraph are liable for unpaid taxes without regard to any earlier determination by the department that an impleaded person was not liable for unpaid taxes.

(C) If a person required to appear before the court under this subsection fails or refuses to appear or bring such information in part or in whole, or is outside the jurisdiction of the tax court, the court shall make its determination on the basis of all the evidence introduced. Notwithstanding section 125 of this 2020 Act, the evidence constitutes a public record and shall be available to the parties and the court. The determination of the tax court is binding on all persons made parties to the action under this subsection.

(e) This section may not be construed to preclude a determination by the department or the Oregon Tax Court that more than one officer, employee or member are jointly and severally liable for unpaid taxes.

SECTION 118. Duty to keep receipts, invoices and other records.

(1) A psilocybin service center operator shall keep receipts, invoices and other pertinent records related to retail sales of psilocybin products in the form required by the Department of Revenue. Each record shall be preserved for five years from the time to which the record relates, or for as long as the psilocybin service center operator retains the psilocybin products to which the record relates, whichever is later. During the retention period and at any time prior to the destruction of records, the department may give written notice to the psilocybin service center operator not to destroy records described in the notice without written permission of the department. Notwithstanding any other provision of law, the department shall preserve reports and returns filed with the department for at least five years.

(2) The department or its authorized representative, upon oral or written demand, may make examinations of the books, papers, records and equipment of persons making retail sales of psilocybin products and any other investigations as the department deems necessary to carry out the provisions of sections 113 to 127 of this 2020 Act.

SECTION 119. Authority to require production of books, papers, accounts and other information.

(1) The Department of Revenue has authority, by order or subpoena to be served with the same force and effect and in the same manner as a subpoena is served in a civil action in the circuit court, or the Oregon Tax Court, to require the production at any time and place the department designates of any books, papers, accounts or other information necessary to carry out sections 113 to 127 of this 2020 Act. The department may require the attendance of any person having knowledge in the premises, and may take testimony and require proof material for the information, with power to administer oaths to the person.

(2) If a person fails to comply with a subpoena or order of the department or to produce or permit the examination or inspection of any books, papers, records and equipment pertinent to an investigation or inquiry under sections 113 to 127 of this 2020 Act, or to testify to any matter regarding which the person is lawfully interrogated, the department may apply to the Oregon Tax Court or to the circuit court of the county in which the person resides or where the person is for an order to the person to attend and testify, or otherwise to comply with the demand or request of the department. The department shall apply to the court by ex parte motion, upon which the court shall make an order requiring the person against whom the motion is directed to comply with the request or demand of the department within 10 days after the service of the order, or within the additional time granted by the court, or to justify the failure within that time. The order shall be served upon the person to whom it is directed in the manner required by this state for service of process, which service is required to confer jurisdiction upon the court. Failure to obey any order issued by the court under this section is contempt of court. The remedy provided by this section is in addition to other remedies, civil or criminal, existing under the tax laws or other laws of this state.

SECTION 120. Disclosure of information.

(1) Notwithstanding the confidentiality provisions of section 125 of this 2020 Act, the Department of Revenue may disclose information received under ORS 317.363 and sections 113 to 127 of this 2020 Act to the Oregon Health Authority to carry out the provisions of sections 3 to 129 of this 2020 Act.

(2) The authority may disclose information obtained pursuant to sections 3 to 129 of this 2020 Act to the department for the purpose of carrying out the provisions of sections 3 to 129 of this 2020 Act.

SECTION 121. Right to appeal determination of tax liability.

Except as otherwise provided in sections 3 to 129 of this 2020 Act, a person aggrieved by an act or determination of the Department of Revenue or its authorized agent under ORS 317.363 and sections 113 to 127 of this 2020 Act may appeal, within 90 days after the act or determination, to the Oregon Tax Court in the manner provided in ORS 305.404 to 305.560. These appeal rights are the exclusive remedy available to determine the person's liability for the tax imposed under sections 113 to 127 of this 2020 Act.

SECTION 122. Duty to return excess tax collected.

(1)(a) When an amount represented by a psilocybin service center operator at retail to a client as constituting the tax imposed under sections 113 to 127 of this 2020 Act is computed upon an amount that is not taxable or is in excess of the taxable amount and is actually paid by the client to the psilocybin service center operator, the excess tax paid shall be returned by the psilocybin service center operator to the client upon written notification by the Department of Revenue or the client.

(b) The written notification must contain information necessary to determine the validity of the client's claim.

(2) If the psilocybin service center operator does not return the excess tax within 60 days after mailing of the written notification required under subsection (1) of this section, the client may appeal to the department for a refund of the amount of the excess tax, in the manner and within the time allowed under rules adopted by the department.

(3) If excess tax is returned to the client by the department, the department may issue a notice of deficiency for the excess tax to the psilocybin service center operator in the manner provided under ORS 305.265.

SECTION 123. Authority to retain portions of tax to pay expenses incurred.

For the purpose of compensating psilocybin service center operators for expenses incurred in collecting the tax imposed under section 114 of this 2020 Act, each psilocybin service center operator is permitted to deduct and retain two percent of the amount of taxes that are collected by the psilocybin service center operator from all retail sales of psilocybin products conducted by the psilocybin service center operator.

SECTION 124. Duties and powers of Department of Revenue; rules; interagency cooperation.

(1) The Department of Revenue shall administer and enforce sections 113 to 127 of this 2020 Act. The department is authorized to establish rules and procedures for the implementation and enforcement of sections 113 to 127 of this 2020 Act that are consistent with sections 113 to 127 of this 2020 Act and that the department considers necessary and appropriate to administer and enforce sections 113 to 127 of this 2020 Act.

(2) The Oregon Health Authority shall enter into an agreement with the department for the purpose of administering and enforcing those provisions of sections 113 to 127 of this 2020 Act, and rules or procedures established for the purpose of implementing and enforcing sections 113 to 127 of this 2020 Act, that the authority and the department determine are necessary for the effective and efficient administration, implementation and enforcement of sections 113 to 127 of this 2020 Act.

SECTION 125. Applicability of tax laws to sections 113 to 127 of this 2020 Act.

Except as otherwise provided in sections 113 to 127 of this 2020 Act or where the context requires otherwise, the provisions of ORS chapters 305 and 314 as to the audit and examination of returns, periods of limitation, determination of and notices of deficiencies, assessments, collections, liens, delinquencies, claims for refund and refunds, conferences, appeals to the Oregon Tax Court, stays of collection pending appeal, confidentiality of returns and the penalties relative thereto, and the procedures relating thereto, apply to the determinations of taxes, penalties and interest under sections 113 to 127 of this 2020 Act.

SECTION 126. Oregon Psilocybin Account.

(1) There is established the Oregon Psilocybin Account, separate and distinct from the General Fund.

(2) The account shall consist of moneys transferred to the account under section 127 of this 2020 Act. (3)(a) The Department of Revenue shall certify quarterly the amount of moneys available in the Oregon Psilocybin Account. (b) The department shall transfer quarterly the moneys in the Oregon Psilocybin Account to the Psilocybin Control and Regulation Fund.

SECTION 127. Suspense account; payment of expenses; crediting balance to Oregon Psilocybin Account.

(1) All moneys received by the Department of Revenue under sections 113 to 127 of this 2020 Act shall be deposited in the State Treasury and credited to a suspense account established under ORS 293.445. The department may pay expenses for the administration and enforcement of sections 113 to 127 of this 2020 Act out of moneys received from the tax imposed under section 114 of this 2020 Act. Amounts necessary to pay administrative and enforcement expenses are continuously appropriated to the department from the suspense account.

(2) After the payment of administrative and enforcement expenses and refunds or credits arising from erroneous overpayments, the department shall credit the balance of the moneys received by the department under this section to the Oregon Psilocybin Account established under section 126 of this 2020 Act.

AUTHORITY OF CITIES AND COUNTIES TO PROHIBIT ESTABLISHMENT OF PSILOCYBIN-RELATED BUSINESSES

SECTION 128. Adoption of ordinances; referral to electors for approval.

(1) The governing body of a city or county may adopt ordinances to be referred to the electors of the city or county as described in subsection

(2) of this section that prohibit or allow the establishment of any one or more of the following in the area subject to the jurisdiction of the city or in the unincorporated area subject to the jurisdiction of the county:

(a) Psilocybin product manufacturers that hold a license issued under section 23 of this 2020 Act;

(b) Psilocybin service center operators that hold a license issued under section 26 of this 2020 Act; or (c) Any combination of the entities described in this subsection. (2) If the governing body of a city or county adopts an ordinance under this section, the governing body shall submit the measure of the ordinance to the electors of the city or county for approval at the next statewide general election.

(3) If the governing body of a city or county adopts an ordinance under this section, the governing body must provide the text of the ordinance to the Oregon Health Authority.

(4) Upon receiving notice of a prohibition under subsection (3) of this section, the authority shall discontinue licensing those premises to which the prohibition applies until the date of the next statewide general election.

(5) If an allowance is approved at the next statewide general election under subsection (2) of this section, the authority shall begin licensing the premises to which the allowance applies on the first business day of the January immediately following the date of the next statewide general election.

(6) Notwithstanding any other provisions of law, a city or county that adopts an ordinance under this section that prohibits the establishment of an entity described in subsection (1) of this section may not impose a tax or fee on the manufacturing or sale of psilocybin products.

SEVERABILITY

SECTION 129. Severability.

If any section, subsection, paragraph, phrase or word of sections 3 to 129 of this 2020 Act is held to be unconstitutional, void or illegal, either on its face or as applied, that holding does not affect the applicability, constitutionality or legality of any other section, subsection, paragraph, phrase or word of sections 3 to 129 of this 2020 Act. To that end, the sections, subsections, paragraphs, phrases and words of sections 3 to 129 of this 2020 Act are intended to be severable. It is hereby declared to be the intent of the people of this state in adopting sections 3 to 129 of this 2020 Act that sections 3 to 129 of this 2020 Act would have been adopted had such unconstitutional, void or illegal sections, subsections, paragraphs, phrases or words, if any, not been included in sections 3 to 129 of this 2020 Act.

CONFORMING AMENDMENT

SECTION 130. ORS 475.005 is amended to read:

As used in ORS 475.005 to 475.285 and 475.752 to 475.980, unless the context requires otherwise:

(1) "Abuse" means the repetitive excessive use of a drug short of dependence, without legal or medical supervision, which may have a detrimental effect on the individual or society.

(2) "Administer" means the direct application of a controlled substance, whether by injection, inhalation, ingestion or any other means, to the body of a patient or research subject by:

(a) A practitioner or an authorized agent thereof; or

(b) The patient or research subject at the direction of the practitioner.

(3) "Administration" means the Drug Enforcement Administration of the United States Department of Justice, or its successor agency.

(4) "Agent" means an authorized person who acts on behalf of or at the direction of a manufacturer, distributor or dispenser. It does not include a common or contract carrier, public warehouseman or employee of the carrier or warehouseman.

(5) "Board" means the State Board of Pharmacy.

(6) "Controlled substance":

(a) Means a drug or its immediate precursor classified in Schedules I through V under the federal Controlled Substances Act, 21 U.S.C. 811 to 812, as modified under ORS 475.035. The use of the term "precursor" in this paragraph does not control and is not controlled by the use of the term "precursor" in ORS 475.752 to 475.980. (b) Does not include:

(A) The plant Cannabis family Cannabaceae;

(B) Any part of the plant Cannabis family Cannabaceae, whether growing or not;

(C) Resin extracted from any part of the plant Cannabis family Cannabaceae;

(D) The seeds of the plant Cannabis family Cannabaceae [;or]

(E) Any compound, manufacture, salt, derivative, mixture or preparation of a plant, part of a plant, resin or seed described in this paragraph [.] ; or

(F) Psilocybin or psilocin, but only if and to the extent that a person manufactures, delivers, or possesses psilocybin, psilocin, or psilocybin products in accordance with the provisions of sections 3 to 129 of this 2020 Act and rules adopted under sections 3 to 129 of this 2020 Act.

(7) "Counterfeit substance" means a controlled substance or its container or labeling, which, without authorization, bears the trademark, trade name, or other identifying mark, imprint, number or device, or any likeness thereof, of a manufacturer, distributor or dispenser other than the person who in fact manufactured, delivered or dispensed the substance.

(8) "Deliver" or "delivery" means the actual, constructive or attempted transfer, other than by administering or dispensing, from one person to another of a controlled substance, whether or not there is an agency relationship.

(9) "Device" means instruments, apparatus or contrivances, including their components, parts or accessories, intended:

(a) For use in the diagnosis, cure, mitigation, treatment or prevention of disease in humans or animals; or

(b) To affect the structure of any function of the body of humans or animals.

(10) "Dispense" means to deliver a controlled substance to an ultimate user or research subject by or pursuant to the lawful order of a practitioner, and includes the prescribing, administering, packaging, labeling or compounding necessary to prepare the substance for that delivery.

(11) "Dispenser" means a practitioner who dispenses.

(12) "Distributor" means a person who delivers.

(13) "Drug" means:

(a) Substances recognized as drugs in the official United States Pharmacopoeia, official Homeopathic Pharmacopoeia of the United States or official National Formulary, or any supplement to any of them;

(b) Substances intended for use in the diagnosis, cure, mitigation, treatment or prevention of disease in humans or animals;

(c) Substances (other than food) intended to affect the structure or any function of the body of humans or animals; and

(d) Substances intended for use as a component of any article specified in paragraph (a), (b) or (c) of this subsection; however, the term does not include devices or their components, parts or accessories.

(14) “Electronically transmitted” or “electronic transmission” means a communication sent or received through technological apparatuses, including computer terminals or other equipment or mechanisms linked by telephone or microwave relays, or any similar apparatus having electrical, digital, magnetic, wireless, optical, electromagnetic or similar capabilities.

(15) “Manufacture” means the production, preparation, propagation, compounding, conversion or processing of a controlled substance, either directly or indirectly by extraction from substances of natural origin, or independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis, and includes any packaging or repackaging of the substance or labeling or relabeling of its container, except that this term does not include the preparation or compounding of a controlled substance:

(a) By a practitioner as an incident to administering or dispensing of a controlled substance in the course of professional practice; or

(b) By a practitioner, or by an authorized agent under the practitioner’s supervision, for the purpose of, or as an incident to, research, teaching or chemical analysis and not for sale.

(16) “Person” includes a government subdivision or agency, business trust, estate, trust or any other legal entity

(17) “Practitioner” means physician, dentist, veterinarian, scientific investigator, certified nurse practitioner, physician assistant or other person licensed, registered or otherwise permitted by law to dispense, conduct research with respect to or to administer a controlled substance in the course of professional practice or research in this state but does not include a pharmacist or a pharmacy.

(18) “Prescription” means a written, oral or electronically transmitted direction, given by a practitioner for the preparation and use of a drug. When the context requires, “prescription” also means the drug prepared under such written, oral or electronically transmitted direction. Any label affixed to a drug prepared under written, oral or electronically transmitted direction shall prominently display a warning that the removal thereof is prohibited by law.

(19) “Production” includes the manufacture, planting, cultivation, growing or harvesting of a controlled substance.

(20) “Research” means an activity conducted by the person registered with the federal Drug Enforcement Administration pursuant to a protocol approved by the United States Food and Drug Administration.

(21) “Ultimate user” means a person who lawfully possesses a controlled substance for the use of the person or for the use of a member of the household of the person or for administering to an animal owned by the person or by a member of the household of the person.

(22) “Usable quantity” means: (a) An amount of a controlled substance that is sufficient to physically weigh independent of its packaging and that does not fall below the uncertainty of the measuring scale; or (b) An amount of a controlled substance that has not been deemed unweighable, as determined by a Department of State Police forensic laboratory, due to the circumstances of the controlled substance.

(23) “Within 1,000 feet” means a straight line measurement in a radius extending for 1,000 feet or less in every direction from a specified location or from any point on the boundary line of a specified unit of property.

OTHER AMENDMENTS

SECTION 131. ORS 316.680 is amended to read:

316.680. (1) There shall be subtracted from federal taxable income:

(a) The interest or dividends on obligations of the United States and its territories and possessions or of any authority, commission or instrumentality of the United States to the extent includable in gross income for federal income tax purposes but exempt from state income taxes under the laws of the United States. However, the amount subtracted under this paragraph shall be reduced by any interest on indebtedness incurred to carry the obligations or securities described in this paragraph, and by any expenses incurred in the production of interest or dividend income described in this paragraph to the extent that such expenses, including amortizable bond premiums, are deductible in determining federal taxable income.

(b) The amount of any federal income taxes accrued by the taxpayer during the taxable year as described in ORS 316.685, less the amount of any refunds of federal taxes previously accrued for which a tax benefit was received.

(c) Amounts allowable under sections 2621(a)(2) and 2622(b) of the Internal Revenue Code to the extent that the taxpayer does not elect under section 642(g) of the Internal Revenue Code to reduce federal taxable income by those amounts.

(d) Any supplemental payments made to JOBS Plus Program participants under ORS 411.892.

(e)(A) Federal pension income that is attributable to federal employment occurring before October 1, 1991. Federal pension income that is attributable to federal employment occurring before October 1, 1991, shall be determined by multiplying the total amount of federal pension income for the tax year by the ratio of the number of months of federal creditable service occurring before October 1, 1991, over the total number of months of federal creditable service.

(B) The subtraction allowed under this paragraph applies only to federal pension income received at a time when:

(i) Benefit increases provided under chapter 569, Oregon Laws 1995, are in effect; or

(ii) Public Employees Retirement System benefits received for service prior to October 1, 1991, are exempt from state income tax.

(C) As used in this paragraph:

(i) “Federal creditable service” means those periods of time for which a federal employee earned a federal pension.

(ii) “Federal pension” means any form of retirement allowance provided by the federal government, its agencies or its instrumentalities to retirees of the federal government or their beneficiaries.

(f) Any amount included in federal taxable income for the tax year that is attributable to the conversion of a regular individual retirement account into a Roth individual retirement account described in section 408A of the Internal Revenue Code, to the extent that:

(A) The amount was subject to the income tax of another state or the District of Columbia in a prior tax year; and

(B) The taxpayer was a resident of the other state or the District of Columbia for that prior tax year.

(g) Any amounts awarded to the taxpayer by the Public Safety Memorial Fund Board under ORS 243.954 to 243.974 to the extent that the taxpayer has not taken the amount as a deduction in determining the taxpayer’s federal taxable income for the tax year.

(h) If included in taxable income for federal tax purposes, the amount withdrawn during the tax year in qualified withdrawals from a savings network account for higher education established under ORS 178.300 to 178.355.

(i) Any federal deduction that the taxpayer would have been allowed for the production, processing or sale of marijuana items authorized under ORS 475B.010 to 475B.545 or 475B.785 to 475B.949 but for section 280E of the Internal Revenue Code.

(j) Any federal deduction that the taxpayer would have been allowed for the manufacturing or sale of psilocybin products or the provision of psilocybin services authorized under sections 3 to 129 of this 2020 Act but for section 280E of the Internal Revenue Code.

[(j)] **(k)** If included in taxable income for federal tax purposes, any distributions from an ABLE account that do not exceed the qualified disability expenses of the designated beneficiary as provided in ORS 178.375 and 178.380 and rules adopted by the Oregon 529 Savings Board.

(2) There shall be added to federal taxable income:

(a) Interest or dividends, exempt from federal income tax, on obligations or securities of any foreign state or of a political subdivision or authority of any foreign state. However, the amount added under this paragraph shall be reduced by any interest on indebtedness incurred to carry the obligations or securities described in this paragraph and by any expenses incurred in the production of interest or dividend income described in this paragraph.

(b) Interest or dividends on obligations of any authority, commission, instrumentality and territorial possession of the United States that by the laws of the United States are exempt from federal income tax but not from state income taxes. However, the amount added under this paragraph shall be reduced by any interest on indebtedness incurred to carry the obligations or securities described in this paragraph and by any expenses incurred in the production of interest or dividend income described in this paragraph.

(c) The amount of any federal estate taxes allocable to income in respect of a decedent not taxable by Oregon.

(d) The amount of any allowance for depletion in excess of the taxpayer's adjusted basis in the property depleted, deducted on the taxpayer's federal income tax return for the taxable year, pursuant to sections 613, 613A, 614, 616 and 617 of the Internal Revenue Code.

(e) For taxable years beginning on or after January 1, 1985, the dollar amount deducted under section 151 of the Internal Revenue Code for personal exemptions for the taxable year.

(f) The amount taken as a deduction on the taxpayer's federal return for unused qualified business credits under section 196 of the Internal Revenue Code.

(g) The amount of any increased benefits paid to a taxpayer under chapter 569, Oregon Laws 1995, under the provisions of chapter 796, Oregon Laws 1991, and under section 26, chapter 815, Oregon Laws 1991, that is not includable in the taxpayer's federal taxable income under the Internal Revenue Code.

(h) The amount of any long term care insurance premiums paid or incurred by the taxpayer during the tax year if:

(A) The amount is taken into account as a deduction on the taxpayer's federal return for the tax year; and

(B) The taxpayer claims the credit allowed under ORS 315.610 for the tax year.

(i) Any amount taken as a deduction under section 1341 of the Internal Revenue Code in computing federal taxable income for the tax year, if the taxpayer has claimed a credit for claim of right income repayment adjustment under ORS 315.068.

(j) If the taxpayer makes a nonqualified withdrawal, as defined in ORS 178.300, from a savings network account for higher education established under ORS 178.300 to 178.355, the amount of the withdrawal that is attributable to contributions that were subtracted from federal taxable income under ORS 316.699.

(k) If the taxpayer makes a distribution from an ABLE account that is not a qualified disability expense of the designated beneficiary as provided in ORS 178.375 and 178.380 and rules adopted by the Oregon 529 Savings Board, the amount of the distribution that is attributable to contributions that were subtracted from federal taxable income under ORS 316.699.

(3) Discount and gain or loss on retirement or disposition of obligations described under subsection (2)(a) of this section issued on or after January 1, 1985, shall be treated for purposes of this chapter in the same manner as under sections 1271 to 1283 and other pertinent sections of the Internal Revenue Code as if the obligations, although issued by a foreign state or a political subdivision of a foreign state, were not tax exempt under the Internal Revenue Code.

SECTION 132. ORS 317.363 is amended to read:

317.363. Section 280E of the Internal Revenue Code applies to all trafficking in controlled substances in Schedule I or Schedule II that is prohibited by federal law or the laws of this state, other than conduct authorized under:

(1) ORS 475B.010 to 475B.545 or 475B.785 to 475B.949 *[.]* ; **or**

(2) Sections 3 to 129 of this 2020 Act.

DATES

SECTION 133. Effective date.

This 2020 Act becomes effective 30 days after the date on which it is approved by a majority of the votes cast on it.

SECTION 134. Operative date.

(1) Sections 3 to 129 of this 2020 Act and the amendments to ORS 475.005, 316.680, and 317.363 by sections 130 to 132 of this 2020 Act become operative on January 1, 2021.

(2) The Oregon Health Authority, the Governor, the Department of Agriculture and the Oregon Liquor Control Commission may take any action before the operative date specified in subsection (1) of this section that is necessary to enable the authority, the Governor, the department or the commission to exercise, on and after the operative date specified in subsection (1) of this section, all the duties, functions and powers conferred on the authority, the Governor, the department and the commission by sections 3 to 129 of this 2020 Act.

Note: **Boldfaced** type indicates new language; *[brackets and italic]* type indicates deletions or comments.

Explanatory Statement

Ballot Measure 109 directs the Oregon Health Authority to regulate the manufacture, delivery, purchase, and consumption of psilocybin, a psychoactive component found in certain mushrooms, at licensed psilocybin service centers. A person would be allowed to purchase, possess, consume, and experience the effects of psilocybin only at a licensed psilocybin service center during a psilocybin administration session with a licensed psilocybin service facilitator. The measure also directs the OHA to issue, renew, and revoke licenses in compliance with the measure. The measure establishes the Oregon Psilocybin Advisory Board to advise and make recommendations to the OHA regarding psilocybin, including recommendations regarding the requirements, specifications, and guidelines for providing psilocybin services to clients, public health and safety standards, industry best practices, education and training.

Currently psilocybin is a Schedule I drug, a substance having no currently acceptable medical use within the US. However, the FDA has granted psilocybin a breakthrough therapy designation for treatment resistant depression and major depressive disorder under the direction of physicians and scientists.

The measure provides for an initial two-year development period during which the OHA will not issue any licenses. During the two-year development period, the Advisory Board also will submit findings and recommendations to the OHA regarding the safety and efficacy of using psilocybin to treat mental health conditions, which findings the OHA will examine, publish, and distribute publicly. During the two-year development period, existing law regarding the manufacture, delivery and possession of psilocybin will not be affected by the measure.

After the two-year development period, the measure allows a client who is at least 21 years of age to purchase, possess, consume, and experience the effects of psilocybin at a licensed psilocybin service center during a psilocybin administration session with a licensed psilocybin service facilitator. The measure does not legalize the purchase, possession, and consumption of psilocybin outside of a licensed premises. The measure establishes licensure eligibility criteria and directs the OHA to establish education and training standards for psilocybin service facilitators, provided that a facilitator need not be a currently licensed physician. The measure requires that psilocybin products be tested in a licensed laboratory and packaged and labeled in compliance with specified requirements. The measure allows the OHA to discipline licensees for noncompliance with the provisions of the measure, and to take any action to prevent the diversion of psilocybin to an unlicensed person or entity.

The measure requires the OHA to track the sale and transfer of psilocybin products through a state tracking system. The measure imposes a sales tax on the retail sale of psilocybin products at a rate of 15 percent of the retail sales price.

The measure prohibits a local authority from establishing its own psilocybin licensing system or imposing additional psilocybin taxes or fees. Cities and counties may adopt ordinances to impose reasonable regulations on the operation of licensed establishments and may refer an ordinance to electors to prohibit or allow the establishment of licensed psilocybin facilities in the city or county.

Committee Members:

Sam Chapman
Dave Kopilak
Shane Nelson
Kevin Walruff
Judy Hall

Appointed by:

Chief Petitioners
Chief Petitioners
Secretary of State
Secretary of State
Members of the Committee

(The above committee was appointed to provide an impartial explanation of the ballot measure pursuant to ORS 251.215.)

Argument in Favor

Access to Psilocybin Therapy Means New Opportunities for Our Veterans

Vote Yes on Measure 109 to Support Veterans Struggling With Trauma

At the Heroic Hearts Project, our mission is to provide hope and healing to military veterans who have been left hopeless by the current Veteran Affairs system. We open the door to other viable options.

We connect military veterans struggling with mental trauma to psychedelic therapy retreats supported by additional professional counseling throughout the process. These veterans typically have tried all the available resources offered by the Department of Veteran Affairs, but the inadequate tools provide them with limited success and leave them with very few options.

We seek to spread awareness in the veteran community of powerful plant-based therapies like psilocybin in the hopes that we can provide true support and healing and end the excessive dependence on powerful daily medications to treat the symptoms, but not the cause, of mental traumas.

We urge you to vote Yes on Measure 109.

Measure 109's cautious approach to these powerful therapies compliments our own approach to providing supervised therapy with a string of safety precautions. We rigorously document the science behind the treatments we provide in the hopes that we can add pressure to the US government to reevaluate its outdated drug policies.

Measure 109's licensed system for psilocybin therapy will save lives, and we believe it can act as a breakthrough for veterans everywhere.

Everyday, we fight for veterans and do everything in our power to give them the right to have the best psychotherapy available.

They fought for your rights. Fight for theirs by supporting Measure 109.

Heroic Hearts Project

<https://www.heroicheartsproject.org>

(This information furnished by Jesse Gould, Heroic Hearts Project.)

Argument in Favor

Give Veterans Hope

Vote Yes on Measure 109

Psilocybin Therapy Offers Healing

There is nothing worse than losing hope. It's dark, empty, and all consuming. Veterans have given so much: service, sacrifice, and for many, their youth.

Sometimes it feels like there is nothing left to give. Nothing.

Not even to themselves.

The grim reality is that we lose 22 of our brothers and sisters in arms to suicide every single day. The price of war is paid in blood on the streets of America every year, with our tribe losing more veterans to a preventable outcome than we've lost in 19 years of continuous war.

Our response as a nation needs to change, because what we've been doing simply isn't working.

That is why Veterans of War supports Measure 109 — because it represents a real change and a commitment to help veterans in need.

Psilocybin therapy, when regulated for safety and when performed by trained and licensed experts, offers veterans an effective path towards recovery. This treatment only works in the right setting, which is why the strict guidelines established by Measure 109 are as important as the access to healing the measure provides.

Together – access to psilocybin therapy with the proper guardrails — offers veterans strong exploratory tools useful for reconnecting veterans to purpose, livelihood, love, acceptance, and the pursuit of continued meaningful service after military separation.

Veterans of War believes we can prevent veteran suicide by directly treating the underlying trauma that leads to it in our community. Measure 109 gives us an opportunity for this treatment.

We are done with band-aids. It's time for a true remedy.

Please join us in supporting Measure 109.

It's a lifeline for veterans.

(This information furnished by Wyly Gray, Veterans of War.)

Argument in Favor

Nurses, Doctors and Healthcare Leaders Across Oregon say:

Yes on 109: Healing Options for Those Who Need Them

An estimated 1 in every 5 adults in Oregon is coping with a mental health condition, a problem that is growing rapidly during the pandemic. We see patients every day who suffer because the current options we have for mental health treatments for depression and anxiety simply fall short. The suffering can be overwhelming — and it can lead to other problems like addiction, physical pain, and instability in relationships — that only compound the emotional pain people feel.

We support Measure 109 because it provides a new treatment for many that might break through where others fall short. Research is beginning to show that this therapy holds real promise. The Food and Drug Administration has given psilocybin therapy “breakthrough” status because psilocybin may work where other treatments have failed.

This is our chance to help so many of our loved ones and neighbors. We call on all Oregonians to join us in voting Yes on Measure 109. Together we can save lives.

Signed,

Rachel Knox, MD, MBA

Nancy Morgan, Ph.D

Alan E. Nolasco, MD

Adrianne Rae, Ph.D

Gary Borjesson, Ph.D

Birgit Meyer, MD

Janice Knox, MD

Stephanie Kaplan, ND

Gregory Eckel, ND, LA.c

Christine Dribin, RN

Sarah Brown, RN

Rachel Belschner, BSRN

Kendra Newell, RN

Zoë Presley, LPC

Timothy P. Coughlin, LPC

Claire LaPoma, LPC

Mary Elizabeth Fisher, PhD, LMFT

Phyllis Nasta, LPC

Catherine Crew, PsyD

Charles Jasper Ph.D

(This information furnished by Charlotte Blocker, Yes for Psilocybin Therapy.)

Argument in Favor

Recent Scientific Research Shows
Psilocybin Therapy Can Be Effective

Treating Addiction and Depression

Learn more about the science
behind psilocybin at psilocybinstudies.org

Three of the top studies since 2015:

Treatment for Depression

‘Psilocybin with psychological support for treatment-resistant depression: six-month follow-up’ – Carhart-Harris, R., Bolstridge, M., Day, C., Rucker, J., Watts, R., Erritzoe, D., Kaelen, M., Giribaldi, B., Bloomfield, M., Pilling, S., Rickard, J., Forbes, B., Feilding, A., Taylor, D., Curran, H. & Nutt, D.

Psilocybin appears to show great promise in the treatment of depression. A follow-up study of the first pioneering trial exploring this reported that at six months post-session, 31% of participants with treatment-resistant depression reported enduring antidepressant effects, with reductions in depression tied to the quality of the psychedelic experience.

Treatment to Address Addiction To Smoking

‘Long-term follow-up of psilocybin-facilitated smoking cessation’ – Johnson, M., Garcia-Romeu, A. & Griffiths, R.

Following the results of a few pioneering studies, psilocybin shows great promise in addiction treatment. Johnson et al's 2017 study looking at tobacco addiction yielded impressive results that far surpass any mainstream treatment options. At 12 months post-experience, 67% of participants were smoking free.

Treatment to Address Addiction To Alcohol

‘Psilocybin-assisted treatment for alcohol dependence: A proof-of-concept study’ – Bogenschutz, M., Forcehimes, A., Pommy, J., Wilcox, C., Barbosa, P. & Strassman R.

Psilocybin has also been examined as a treatment for alcoholism. One study found it to be highly effective, with enduring abstinence tied to the intensity of effects experienced. While the results of these latter two studies appear impressive, it is worth noting that they are both small proof-of-concept studies with small sample sizes and no placebo control group. In both cases, more rigorous Phase II studies are currently ongoing to better evaluate psilocybin's addiction-breaking potential. The FDA called psilocybin therapy “breakthrough therapy.”

Learn more today.

(This information furnished by Charlotte Blocker, Yes for Psilocybin Therapy.)

Argument in Favor

As therapists and originators of Measure 109, we are thrilled that voters have a chance to tackle Oregon's mental health crisis by advancing this important therapeutic option. If passed, Measure 109 will provide Oregonians with access to psilocybin therapy. These services would occur in licensed centers only, facilitated by trained and licensed practitioners.

Since the early days of the campaign, we have seen a steady stream of promising data coming from leading research institutes, suggesting that just one or two psilocybin sessions can produce impressive and long-lasting improvements in mental health. In studies with advanced cancer patients, psilocybin therapy led to marked improvements in symptoms of both anxiety and depression. Psilocybin shows similar promise in addressing Major Depressive Disorder, with benefits lasting months after treatment. Psilocybin Therapy significantly decreased alcohol consumption for people with Alcohol Use Disorder, while a full two-thirds of heavy smokers reported continued abstinence from tobacco at 12-month follow up.

We especially appreciate that these studies highlight the safety and efficacy of psilocybin when used within an affirming therapeutic context. Following the science, Measure 109 defines a sequence of therapeutic sessions, powered by the alliance between a trained and licensed facilitator and a client or patient. With Measure 109, Oregon's approach to psilocybin will emphasize the key ingredients of successful therapy, including the helping relationship, the healing setting, and the therapeutic frame.

Since 2015, we have worked tirelessly to develop and advance a careful, durable therapeutic framework, with necessary guardrails to deliver psilocybin services in licensed settings to anyone who might safely benefit. We followed the science, kept safety at the forefront, and emphasized equitable access.

Now, together, we are poised to advance a breakthrough therapeutic option that will help Oregonians find hope and healing. With gratitude for voters across this great state, we hope you will join us in voting "yes" on Measure 109 for a better, healthier Oregon.

Tom and Sheri Eckert
Co-Chief Petitioners
Measure 109

(This information furnished by Tom Eckert, Co-Chief Petitioner, Measure 109.)

Argument in Favor

A Message from Congressman Earl Blumenauer Measure 109 is an Important Step Forward

As an Oregon legislator, local government leader and as a United States Congressman, I have spent much of my public life advocating for better health care choices – from universal coverage, to better end-of-life care, to opening up research into the therapeutic benefits of medicines that have been unwisely blocked at the federal level.

Those same values are why I am in strong support of Ballot Measure 109 and hope you will join me in voting yes.

Measure 109 will offer hope in the form of a breakthrough treatment option in Oregon: psilocybin therapy. Research at America's top universities shows that psilocybin therapy can help those suffering from depression, anxiety, and addiction. Developed with therapeutic and mental health experts, Measure 109 brings this treatment to Oregon through a licensed, research-based system that supports and protects those in urgent need.

One potential benefit is particularly encouraging to me. In Congress I have worked hard deliver better end-of-life care to all Americans. Studies are showing that psilocybin therapy can help address the profound, end-of-life depression and anxiety that can come with a terminal diagnosis. Anyone who has had to confront that issue themselves or through a loved one understands how devastating it can be. Measure 109 is an opportunity to continue Oregon's leadership on improving end-of-life care.

I also appreciate that Measure 109 was carefully and responsibly written by therapeutic and mental health experts, with extensive safeguards and supervision by the Oregon Health Authority.

Please join me by voting Yes
on this important common-sense measure.

(This information furnished by Earl Blumenauer.)

Argument in Favor

Psilocybin therapy isn't for everyone. Measure 109 doesn't pretend it is.

As a law enforcement professional, I have experienced what it means to be on the front line of response to Oregon's mental health crisis. An estimated one in five adults in Oregon faces common mental health challenges like depression and anxiety – conditions that have worsened in our communities during the pandemic and recession. Even when treated, these conditions may lead to interactions with law enforcement that would be better addressed with effective mental health interventions.

Psilocybin therapy has shown great promise for treating these common but hard-to-treat conditions in multiple high-level clinical trials, and has even been granted "breakthrough therapy" designation by the FDA because it shows substantial improvement above and beyond the options currently available for these conditions.

In addition to the benefits many Oregonians could experience from having access to psilocybin therapy, I encourage a Yes vote on Measure 109 because of the thorough protections that are written into this measure:

- There will be a two year rule-making period during which the strict licensing and regulatory framework will be constructed.
- Psilocybin therapy is not for everyone, so this measure requires that clients complete a risk assessment prior to the treatment.
- The treatment will take place at a licensed facility, in the company of a licensed facilitator only.
- These facilities will not be located near schools and minors under the age of 21 will not be eligible for this therapy.
- Psilocybin will not be available to buy in stores or to take home, will not be legalized for recreational use, and will not be branded or marketed to the general public.

With all of these careful regulations in place, Measure 109 provides a safe, legal avenue for those suffering to seek a new treatment, while simultaneously prioritizing public safety.

I urge a "Yes" vote on Measure 109.

Sincerely,

Sergeant Paul J. Steigleder II (Ret.),
Clackamas County Sheriff's Office

(This information furnished by Paul Steigleder II.)

Argument in Favor

Thanks to psilocybin therapy, I wake up happy each morning with my wonderful wife and infant son. Please vote Yes on Measure 109.

I hit rock bottom three years ago. Drinking a bottle of gin a day, wondering whether life was worth living. With my parents' support, I ended the relationship, quit my job, moved back to Oregon, got a divorce, and attended AA meetings. My grandmother, who helped raised me, chose Physician Assisted Suicide after months in agony. I saw a therapist for depression, but I couldn't stop drinking to cope.

After just one psilocybin therapy session, I realized I was abusing alcohol to numb myself and avoid dealing with my problems. The world took on a new grandeur, and I marvelled at the connections between people and the importance of choices and consequences. I resolved to live a better, happier life.

The effects proved lasting. I quit drinking, began meditating, found love, and have been a devoted husband and dad since. Alcohol abuse causes tremendous harm in our community. Psilocybin therapy can help.

Vote YES on 109. End the trauma and embrace an amazing future for Oregon.

Sincerely,

Nicholas Phillips, J.D.
Medford, Oregon

(This information furnished by Nicholas Phillips.)

Argument in Favor

Understanding the Limited Scope of Measure 109

The primary purposes of Measure 109 are to: (i) educate Oregonians about the safety and efficacy of psilocybin; (ii) reduce the prevalence of mental illness in Oregon; and (iii) improve the physical, mental, and social well-being of all Oregonians. Measure 109 will undoubtedly do these things.

As an attorney and the primary drafter of Measure 109, however, I would like everyone to understand the limited scope of Measure 109 and the following legal protections and safeguards contained in the measure:

- The regulatory structure of Measure 109 will be administered by the Oregon Health Authority. The OHA will have broad rulemaking and disciplinary authority over all licensees.
- The OHA will not issue any psilocybin licenses until 2023.
- During a “two-year development period,” the OHA and a Psilocybin Advisory Board made up of 14-16 members appointed by the Governor and 3 members affiliated with the OHA will work together to: (i) establish health, safety, education, and training standards; (ii) develop industry best practices; and (iii) adopt detailed rules implementing Measure 109.
- The administration and consumption of psilocybin (together with the entire process of experiencing its effects) will take place only at a licensed service center and only under the supervision of a licensed facilitator.
- Nobody will be able to consume psilocybin without first attending a preparation session with a licensed facilitator.
- No psilocybin will leave a licensed service center. Nobody will be permitted to take psilocybin home with them.
- Licensed manufacturers may grow psilocybin mushrooms only at an indoor licensed facility.
- Psilocybin products will be tested by licensed laboratories.
- Psilocybin products may not be advertised to the public.
- Cities and counties may “opt out” of Measure 109 and prohibit psilocybin licensees in their jurisdictions.

Measure 109 was carefully drafted to protect the health and safety of all Oregonians. Please consider the above protections and safeguards when casting your ballot. Thank you.

Dave Kopilak
Emerge Law Group

(This information furnished by Dave Kopilak, Emerge Law Group.)

Argument in Favor

Oregon Law Enforcement Professionals

Support Measure 109

We are just some of the many Oregon law enforcement professionals who support Measure 109. We have decades of frontline experience as career law enforcement professionals who have dedicated our lives to making Oregon a safer, better place.

That experience is precisely why we ask you to join us in voting yes on Measure 109.

Measure 109 will create a carefully designed, tightly regulated program that will allow patients access to psilocybin therapy, which the federal Food and Drug Administration has called a “breakthrough therapy” for patients suffering from conditions such as trauma, depression, addiction and more.

Under Measure 109, this natural medicine, derived from mushrooms, can only be used in a supervised, therapeutic setting. The text of the measure is very clear:

- Psilocybin is not allowed for non-therapeutic uses.
- It cannot be sold in stores.
- It cannot even be taken home.

As law enforcement professionals, we are confident that these protections will provide adequate controls. Moreover, the research suggests that many people who undergo this therapy will experience long-term mental health improvements that will make our communities safer.

We got into law enforcement to help people. Measure 109 is a common sense, narrowly focused initiative that has the potential to do exactly that. It is responsible, safe and the right thing to do.

Vote YES on 109

Law Enforcement Action Partnership

Lt. Richard Goerling (Ret.), Hillsboro Police Department

Former State’s Attorney Inge Fryklund

Sergeant Paul J. Steigleder II (Ret.), Clackamas County Sheriff’s Office

(This information furnished by Paul Steigleder II.)

Argument in Favor

Vote Yes on Measure 109.

The evidence shows it can work.

As a member of a family of physicians with backgrounds in Emergency Medicine, Anesthesia, Family Medicine, Integrative Medicine, Preventive Medicine, and Endocannabinology internationally, I have dedicated my life to a full understanding of health and wellness supported by evidence and research. This is why I support Measure 109.

A growing body of evidence shows that psilocybin therapy can be effective in treating depression, anxiety and addiction. Major university research institutions such as Johns Hopkins, UCLA, and NYU have found that psilocybin can provide substantial relief for patients that suffer from these ailments where other treatments have failed. These promising outcomes have led the FDA to give psilocybin therapy “breakthrough” status.

The evidence points to needing safety restrictions and thorough training to make sure the programs we run help as many people as possible while maximizing their safety. Measure 109 includes serious restrictions, including bans on retail sales and home use. The measure requires that the therapy only be administered in licensed therapeutic centers by licensed facilitators. The client must be supervised while under the influence of psilocybin.

The evidence also points to the need for creating new streams of access to guarantee health equity for all Oregonians. We are reminded everyday about the inequity in our healthcare system. We know that the coronavirus has disproportionately impacted Black, Indigenous, and other Communities of Color here in Oregon, and has continued to accentuate the health equity gap.

From my research, all available information shows that Measure 109 creates a psilocybin therapy program that stands to provide new opportunities to expand health equity across all communities.

Please join me in voting Yes on 109,

Dr. Rachel Knox, M.D., MBA

(This information furnished by Rachel Knox.)

Argument in Favor

At the end of life, psilocybin therapy can help Please vote "Yes" on Measure 109

As a hospice medical director, I work with patients experiencing terminal illness. Sometimes it is very hard for them to come terms with their approaching death.

We have tools for the physical pain, but for many, mental anguish and existential fear leave them stuck in a cycle of anxiety and depression during their final days and weeks.

To have access to additional tools, like psilocybin therapy, which has demonstrated potential to help them through this suffering, would be so significant for those that are not helped by the medical treatments, counseling, and chaplaincy care that is offered as part of hospice.

Measure 109 provides us that tool in a thoughtful, regulated environment which could help many patients deal with existential questions, anxiety, and suffering at the end of life.

A terminal diagnosis is profound. You face the loss of so many things: your future, the body that you inhabited, your health, your ability to do activities that cause pleasure. With such overwhelming loss, patients can get stuck in a place of anxiety, sadness and fear, and never quite reach the acceptance that is anyone's hope before they die. Current studies seem to show that psilocybin therapy can help. It opens them to a different perspective, a different way of thinking about their terminal diagnosis, and it can let them better enjoy the time they have left with those they love.

I've seen patients, when they've achieved such a breakthrough, go on to really *enjoy* the time they left, perhaps even live longer, because they are no longer dominated by fear. *That* breakthrough, *that* understanding of their illness, the understanding of what they can control and accept what's coming — *that* is what I believe psilocybin therapy can deliver.

And that's why I'm voting "Yes."

Nick Gideonse, MD

(This information furnished by Nicholas Gideonse.)

Argument in Favor

I was a Navy SEAL for 18 years. 12 combat deployments.

After being medically retired in 2017, I realized that I had been suffering for a long time. At the time I couldn't recognize it, but deep down I knew something was wrong, I just didn't know what it was. I was angry all the time, but I didn't know why.

Later, I would realize that I was suffering from severe depression, anxiety, trauma, and addiction to drugs and alcohol. The doctors tried throwing pills at me, talk therapy, nothing worked. I felt dead inside, like I wasn't able to live anymore.

After two years of searching, I was reunited with an old teammate who helped me get connected with an organization that helped veterans get access to psilocybin therapy in a regulated and controlled setting with a trained and certified facilitator.

After just one psilocybin therapy session, my life was forever changed for the better. Now, I'm living again.

I am exponentially more present in my life. I have so much more awareness. I'm reconnecting with a lot of guys that I served with who have also found psilocybin therapy and as a result, we now have this long lasting bond, this totally new connection. We've dropped all the armor, it's like we're able to connect for the first time.

Thanks to psilocybin therapy, I have a newfound appreciation for life. I can actually be happy again. There are so many Oregon veterans just like me who have yet to have the opportunity to access psilocybin therapy. That's why I'm voting Yes on Measure 109, and I hope you'll join me.

Chad Kuske
Retired Navy SEAL

(This information furnished by Chad Kuske.)

Argument in Favor

Vote Yes to Safely Allow People Access to a Therapy they Need

By Dr. Janice Vaughn-Knox, MD

After over 40 years practicing as a physician, I have seen great advances in care. But even after all that time, when the Food and Drug Administration designates a treatment as a "breakthrough therapy," it gets my attention. This designation doesn't just mean that something can work: it means it may demonstrate substantial improvement over what's currently available.

That's what the FDA termed psilocybin therapy in 2018, backed up by research from prestigious institutions including Johns Hopkins, UCLA, and NYU. They are finding that it is a safe, effective approach for people suffering from mental health conditions like depression, trauma, anxiety – particularly for whom other things haven't worked.

What Measure 109 does is simple: it will allow this therapy to be offered to people who need it through a strictly regulated, supervised program.

For me as a doctor, that regulation is important. Measure 109 was responsibly and thoughtfully designed by therapeutic and mental health experts. There are many safeguards written into the measure:

- There will be a two-year process of developing the proper protocols under the supervision of the Oregon Health Authority;
- Psilocybin will not be available to the general public, to buy in stores, or to take home;
- It can only be used under the supervision of trained facilitators in licensed settings.

As impressed as I am by the careful design of Measure 109, I am even more encouraged by its possible impact on the lives of patients who are suffering with little or no other hope of relief.

Scientific advances in healthcare are exciting. But they only matter if they are available to the people who need it. That's why I encourage you to join me in voting Yes on Measure 109.

(This information furnished by Janice Knox.)

Argument in Favor

The healing power of safe and accessible psilocybin therapy cannot be underestimated. It helped me, and Measure 109 could help others in need.

It was the night before the ultrasound appointment where we were supposed to learn the gender of our baby when I started bleeding. After months of waiting to be a mother, ultimately I would never learn the gender of my baby before I was rushed into emergency surgery.

In the dark months after our tremendous loss, I was diagnosed with Postpartum Depression and PTSD, characterized by incessant rumination: memories constantly replaying in my mind's eye like a movie on a screen in a theater that I could not escape. It was like a computer program feedback loop that started over every time it couldn't find a conclusion. I was prescribed antidepressants, but the incessant flashbacks got even worse with medication. I began to consider that suicide may be the only way to make the movie reel stop.

I'm not out of the woods yet, but the path is now illuminated because of my experience with psilocybin therapy. It gave me something that pharmaceuticals and therapy were never able to. It gave me hope, and reminded me that there is still so much good in the world to be thankful for.

I believe the passage of Measure 109 could potentially save the lives of more people who are struggling to overcome anxiety and depression stemming from trauma, and urge you to vote Yes on Measure 109 today.

Stephanie Head-Hodges
Springfield, Oregon

(This information furnished by Stephanie Head-Hodges.)

Argument in Favor

Vote Yes on Measure 109

From Time, to The New York Times, to US News and World Report:

America's leading news outlets document research findings of psilocybin as "breakthrough therapy".

Time: *Just One Dose of This Psychedelic Drug Can Ease Anxiety* December 1, 2016

"In two new studies released simultaneously by researchers at New York University and Johns Hopkins, doctors reveal that a single dose of psilocybin—a compound from magic mushrooms—can ease anxiety and depression for up to six months. The results have great potential for people dealing with the fear associated with a cancer diagnosis, but also for people with psychiatric disorders that haven't responded to traditional treatments like psychotherapy or antidepressants."

US News and World Report: *Psychedelic Drug Eases Cancer Patients' Distress Long Term* January 28, 2020

"Researchers found that of 15 patients who'd received a one-time treatment with psilocybin, most were still showing "clinically significant" improvements in anxiety and depression four years later."

New York Times: *How Psychedelic Drugs Can Help Patients Face Death* April 20, 2012

"When the research was completed in 2008 — (and published in the Archives of General Psychiatry last year) — the results showed that administering psilocybin to terminally ill subjects could be done safely while reducing the subjects' anxiety and depression about their impending deaths."

PBS News Hour: *Treatment with hallucinogenic mushroom drug shows promise for patients with deep anxiety* December 2016

"...as many as 40 percent of cancer patients suffer from a mood disorder, like anxiety or depression. Two studies published Thursday in the Journal of Psychopharmacology suggest that psilocybin may offer a dramatic helping hand..."

Six months after a single dosing session, the study found, more than 80 percent maintained "clinically significant" improvement in their mood and anxiety levels"

"A similar study at New York University included 29 volunteers; at follow up between 60 and 80 percent showed meaningful improvement on various measures of psychological well-being."

(Google these articles and learn more)

(This information furnished by Charlotte Blocker, Yes for Psilocybin Therapy.)

Argument in Favor

Fellow Oregonians,

As a Marine veteran who served in both Iraq and Afghanistan, I have lost too many brothers-in-combat and tragically, I've lost even more to suicide. This is a major, yet preventable health problem. On behalf of veterans around the state, I implore you to help surviving veterans not suffer the same fate and **vote 'Yes' on Measure 109.**

The Veterans Administration reports that approximately **22 veterans take their own lives every day.** For those who have not committed suicide, the truth is that many veterans are struggling after leaving the military with mental health conditions such as— anxiety, addiction, depression, and PTSD. Others simply have difficulty acclimating to civilian life.

I have no doubt that **some of my brothers would still be alive today if they had access to psilocybin therapy.** The science has shown that facilitated psilocybin therapy has the healing potential to save lives.

As the COVID-19 pandemic increases the isolation and economic struggles of veterans, mental health conditions are surely to exacerbate. Psilocybin therapy is the only FDA-designated breakthrough therapy available to us.

As a veteran, I beg you to please vote **'YES' on Measure 109** and **give us the choice to choose the treatment we deserve.** We have earned it. Thank you.

Respectfully,

Armand Jay LeComte
Operation Iraqi Freedom/Operation Enduring Freedom Veteran
2nd Battalion, 7th Marines

(This information furnished by Armand LeComte.)

Argument in Favor

Vote Yes on 109

Our Children Deserve to Grow Up in a Healthier Oregon: an Open Letter from Oregon Mothers

Oregon is facing a mental health crisis and no one is immune to its devastating effects. We have all seen this play out in our own communities in the forms of depression, anxiety, and substance use disorder. These are issues that mothers like us care about because they affect the overall health of the community in which we raise our children. **With Measure 109, the goal is healing and wellness, and that is something all Oregon mothers can support.**

Measure 109 was written with the safety and well-being of patients and the safety of the community in mind — there will be no retail sales, no advertising, no centers near public schools, no access for minors under the age of 21, and no off-site possession of psilocybin. We can feel comfortable knowing that if anyone needs access to this cutting-edge therapy, they can receive it in a safe environment with trained, licensed experts available at every step. **Vote for a healthier Oregon. Vote Yes on Measure 109.**

Signed,

Oregon Mothers:

Sara Stowe
Malia Geister
Meredith Overstreet Page
Sara R. Holmes
Casey Wiser
Julie Battel
Amy Chin
Signe Bergmark
Victoria Dreyer
Ashley Preece
Natasha St. Peter
Lauren Acevedo
Sarah Ryan-Knox
Kaileen Barley
Melissa Perry
Chiara Juster
Alexis Nottingham
Erinn Rogan
Colleen Shoemaker
Kathryn I. Albert
Valerie Oakes
Rebecca Humility Pack
Rhea Graham
Lindsey Domanico
Caitlin Carleton Barnes
Julie Svoboda
Jenna Bowers
Lori Peck
Casey O'Keefe
Jessica Walsh
Kaitlin Shaw

Melissa Marie Roberts
Sarah J. Johnson
Lindsey Pate
Toni Malvesta
Sydney Green
Erika Russell
Carrie McGowan
Lauren Krygier
Veronica Yepez
Lisa Marie George
Amanda Geertsen
Madeline Witherow
Heather Sielicki
Kelly Francois
Nancy Gudekunst
Shannon Deidre Weldon
Felicia Duke
Kyra Harrell
Kelly O'Connor
Angela Breedlove
Cheryl Ann Alexander
Debbi Spranza
Bethany Haskell
Jolene Liday
Nickia Delaware
Ann Bell
Rebecca Mick
Angela Wood
Casey Adelman
Roberta Robles

(This information furnished by Charlotte Blocker, Yes for Psilocybin Therapy.)

Argument in Favor

As Co-founder of the Black Resilience Fund, I work with Black Portlanders every single day to support their needs and help equip them with the basic life resources they need, not just to survive, but to thrive.

The prevalence of serious mental health conditions like depression and anxiety is a growing epidemic in Oregon and across our country. But now, as COVID-19 challenges us like never before, the problem is just getting worse — over a third of Americans say they are experiencing symptoms of clinical anxiety or depression amid the country's new coronavirus epidemic, according to a recent survey conducted by CDC's National Center for Health Statistics and the Census Bureau.

The problem is especially acute in Oregon — according to Mental Health America, Oregon's mental health crisis is the most severe in the country. These issues are felt most disproportionately by Black, Brown, and Indigenous communities, people who are more likely to work essential jobs with inadequate protective measures and have been experiencing economic insecurity.

The systemic racial inequity that drives such trends is the same force that causes Black, Brown, and Indigenous people to be more likely to experience depression, anxiety, trauma, and associated substance use disorder—all of which are exacerbated by the pandemic.

We urgently need options that generate deep healing for individuals and foster strength for communities. Psilocybin therapy shows promise treating mental health disorders and providing long-term resilience for recipients of the treatment. It can substantially address the crisis in Oregon and save lives. So I'm voting Yes on 109, and I urge you to join me.

With Love and Resilience,

Cameron Whitten
Co-founder, Black Resilience Fund

(This information furnished by Cameron Whitten.)

Argument in Favor

The Law Enforcement Action Project

Recommends a YES Vote on Measure 109

The Law Enforcement Action Partnership (LEAP) is a non-partisan, nonprofit organization of police, prosecutors, judges, corrections officials, and other law enforcement officials advocating for criminal justice reforms that will make our communities safer and more just.

After thoroughly evaluating Measure 109, LEAP strongly recommends a Yes vote.

Measure 109 will permit the use of psilocybin, which is a plant medicine derivative found in mushrooms, for supervised therapeutic use. Developed with therapeutic and mental health experts, this measure is carefully and narrowly written. The change in psilocybin's legal status applies only to that use: Measure 109 does not permit recreational use or sales. It creates a strictly regulated therapeutic program, guarded by a two-year period to develop protocols and safeguards.

It is clear the passage of Measure 109 would have no negative criminal justice or public safety impacts. Research shows it could provide tremendous positive impacts for people suffering from mental health challenges including trauma, depression, anxiety, and more. Members of law enforcement are among those in stressful professions for whom this could be a significant advance.

Oregonians can feel confident that Measure 109 protects public safety while offering hope and healing to many Oregonians who need it.

PLEASE VOTE YES ON 109

Law Enforcement Action Partnership

(This information furnished by Diane Goldstein, Executive Board Chair, Law Enforcement Action Partnership.)

Argument in Favor

I am living proof that psilocybin therapy works, and that is why I am asking you to please vote Yes on Measure 109.

Like many Oregonians, I have struggled with anxiety and depression. For years, I battled hard against suicidality and hopelessness so deep I was convinced I'd never be happy again. I was not without support: I was able to see a doctor, who prescribed me a common pharmaceutical. I was in desperate need of a medication which would provide me with some relief, but all the pills did was make me numb and distance me further from my family. Like so many others, I turned to alcohol to cope.

Two years and one suicide attempt later, I found myself ready to try another way. I am living proof that psilocybin therapy is a safe, effective, non-addictive method for not just combatting, but actually *treating*, depression, so I firmly believe that Oregonians deserve access to this therapy.

My story is not an uncommon one. Nearly a million Oregonians just like me--mothers, business owners, your friends and neighbors and coworkers--struggle with their mental health each year. The available options are failing too many of them, just like they failed me. The science validates my experience. Psilocybin sincerely works. It's time to make this therapy available to more individuals like me, and provide the best options for those who need it the most.

Because of psilocybin therapy, I am still here for my son.

Because of psilocybin therapy, I am able to show up everyday for him and for myself in a truly authentic way.

Because of psilocybin therapy I was able to take my life back, and rebuild from the bottom up with a deeper awareness of myself and reality, with a desire to live life to the fullest.

I'm proof Measure 109 will save lives. Vote Yes on Measure 109.

Sincerely,

Tabitha Quattlebaum
Portland, Oregon

(This information furnished by Tabitha Quattlebaum.)

Argument in Favor

**We Care for Sick Oregonians.
They Need Treatment Options.
Psilocybin Therapy Can Help So Many.
Vote Yes on Measure 109.**

Oregon nurses from around the state support Measure 109 because it represents a chance to help and heal so many.

"According to the National Alliance on Mental Illness, an estimated 1 in 5 adults in America faces common mental health challenges like depression – conditions that have worsened during the pandemic and recession. So many of my patients spend years moving from medication to medication and doctor to doctor, with no relief. Measure 109 offers new promise to Oregonians who need it."

~ Nicole Martin, RN

"Psilocybin is a non-addictive, non-toxic natural medicine. While psilocybin's effects are profound, its use in clinical studies has an excellent safety track record. Psilocybin is not for everyone, so setting up the right regulation and system is essential. I support Measure 109 because it provides this potentially life-changing therapy with the best-practice regulation patients need for their physical and mental safety. A new approach done the right way."

~ Kendra Newell RN

"We have so many ways to help patients who suffer with physical pain, but very few options to truly help people liberate themselves from mental anguish. Current law and medical practice allow patients to access medications to alleviate pain; Measure 109 will offer patients new help and new hope to overcome the anxiety they face and find peace, and that's why I hope you will vote Yes and give Oregonians this effective option."

~ Sarah Brown RN

"Current mental healthcare options have proven inadequate for many in need. Psilocybin therapy has shown great promise as a low-risk and effective long-term treatment for depression and anxiety — so let's vote Yes on 109 and give people the option to responsibly break through the challenges they face everyday"

~ Mike Kuenning RN

**Let's give Oregonians the healing options they need.
Vote Yes on Measure 109.**

(This information furnished by Charlotte Blocker, Yes for Psilocybin Therapy.)

Argument in Favor

**The ACLU of Oregon Endorses Measure 109
Vote Yes**

At the ACLU of Oregon, we have long known that the war on drugs destroys lives. And disproportionately destroys the lives of Black people and other people of color.

One result of the war on drugs has been government interference with the exploration of alternative therapies that could help people with many debilitating conditions like depression, anxiety, and addiction.

Measure 109 represents a new opportunity to provide Oregonians alternative therapies for depression, anxiety and addiction.

So many Oregonians struggle with their mental health and recent studies suggest that psilocybin therapy, with a licensed and trained facilitator, can help. This therapy should be available, but our federal government's backwards and racist drug laws ban the use of psilocybin even in these licensed healthcare settings, even after years of research show it can be a breakthrough for so many.

The government should reverse course on the war on drugs and remove barriers to treatments that offer hope and new possibilities to alleviate suffering. We support ethical and medically sound ways of administering new therapeutic options, and psilocybin therapy is one of them. We should not let Nixon-era drug policies limit access to healthcare and define whether or not 21st Century Oregonians can access a healing therapy.

**We encourage all Oregonians to join
the ACLU of Oregon in voting Yes on Measure 109.**

American Civil Liberties Union (ACLU) of Oregon

(This information furnished by Charlotte Blocker, Yes for Psilocybin Therapy.)

Argument in Favor

It's time to address Oregon's Mental Health Crisis

As healthcare providers of more than 20 years, we have witnessed first-hand the ways current mental health treatment options fail Oregonians time and again. Most people use daily medications, therapy, or less constructive coping mechanisms to get by. But for some people these tools aren't working. And during this pandemic, our health challenges are even more acute.

A quickly growing body of evidence is showing the promise of psilocybin therapy. Clinical results so far have shown relative safety and efficacy, even for "treatment resistant" conditions, and thus deserve increasing attention from medical, psychological and psychiatric professionals. The benefit that ordinary Oregonians could glean by having access to this therapy is impossible to overstate. Everyone from cancer patients dealing with depression because of their terminal diagnosis to veterans grappling with reintegrating into civilian life would have the important option to choose this therapy as a way to overcome their personal struggles, alongside the existing options.

Oregonians are suffering — some like never before — and we have the opportunity to rise to the challenge. The pharmaceutical industry makes billions on the status quo, but current mental health care options have proven inadequate for many in need. A vote Yes on Measure 109 is a vote to put more tools in the toolbelts of suffering Oregonians and their healthcare providers, because the status quo is leaving the most vulnerable behind.

Please vote "Yes" on Measure 109.

Dan Golletz, PhD
Kim Golletz, PhD

(This information furnished by Dan Golletz.)

Argument in Favor

Psilocybin therapy shows promise where other therapies fall short

Oregonians would be wise to invest in developing a psilocybin therapy program through Ballot Measure 109

I have spent my fifteen-year academic career studying psychiatry and the role of psychedelics like psilocybin as a therapeutic tool.

Research on these compounds is early, but promising. Thanks to research at a number of medical research universities from around the country--Johns Hopkins, UCLA, and NYU--the Food and Drug Administration has designated psilocybin therapy as a "breakthrough" treatment, which simply means it shows promise in addressing mental illness where other therapies have failed.

There is much to learn about how this therapy can help address mental illness like depression and anxiety, but it is worth exploring the potential of psilocybin. Measure 109 would allow Oregon to develop a licensed system to regulate this therapy in a responsible manner. Measure 109 requires a two year development period overseen by the Oregon Health Authority. A board of experts, officials and community representatives, appointed by the Governor, would advise the program development. The measure institutes a number of restrictions, including: a ban on retail sales, a ban on home use, and a ban on advertising. It includes a number of important requirements: licensed facilitators and service centers and an approved training program will ensure the treatment is safe and adequately overseen.

Oregon has a rich history of leadership through public policy: the Bottle Bill, Death with Dignity, land use, and legalized cannabis. Those programs succeeded because the state was allowed to develop innovative programs within a regulated context that allowed for both evolution and safety.

Measure 109 follows in that tradition, and Oregon voters will benefit by voting "Yes."

- Dr. Adie Rae, Ph.D

(This information furnished by Charlotte Blocker, Yes for Psilocybin Therapy.)

Argument in Favor

Research for Yourself:

Measure 109 can help those in need

Below is third party reported information about the impact of psilocybin therapy. Ballot Measure 109 proposes that Oregon create a licensing and regulatory system for psilocybin therapy to help those suffering from depression and anxiety and to support mental wellness overall.

As the chief petitioners of Measure 109, we encourage you to do your own research and offer these articles as a useful guide to start.

We hope and believe that by reading more about the science behind Measure 109 you'll be moved to Vote Yes.

**Sincerely, Tom and Sheri Eckert
Co-Chief Petitioners, Measure 109**

Important articles about the use of psilocybin to treat depression and anxiety:

Scientific American
Johns Hopkins Scientists Give
Psychedelics the Serious Treatment
January 16, 2020

Psychology Today
What Psilocybin Could Mean for End-of-Life Care
August 19, 2019

PBS News Hour

Treatment with hallucinogenic mushroom
drug shows promise for patients with deep anxiety
December 1, 2016

U.S. News and World Report

Psychedelic Drug Eases Cancer Patients' Distress Long Term
January 28, 2020

60 Minutes, CBS

Active agent in magic mushrooms could
treat addiction, depression and anxiety
October 10, 2019

Vox

Why psychedelic drugs could transform
how we treat depression and mental illness
August 25, 2018

Men's Journal

Why Doctors Are Turning to Psychedelics
to Treat Depression and Addiction
December 16, 2019

The New York Times Magazine

How Psychedelic Drugs Can Help Patients Face Death
April 20, 2012

(This information furnished by Tom Eckert, Co-Chief Petitioner, Measure 109.)

Argument in Favor

Nurses, Doctors and Healthcare Leaders Across Oregon Urge You to Vote Yes on Measure 109

It's the Healing Solution We Need — Now More Than Ever

Every day, our offices and hospitals are filled with the anguish of illness afflicting so many in so many different ways. We want to offer every patient we see the best and safest treatment we can, and that's why we support Measure 109. By creating a regulated, supervised and licensed psilocybin therapy for people suffering from depression and anxiety, we can provide a new breakthrough treatment option that scientific research shows has an excellent safety track record.

Measure 109 was written by experts, built on a foundation of research and science, and is supported by the world's foremost authorities in these mental health treatments. Over a built-in two-year development period, an Advisory Council composed of public health experts, community representatives, and doctors will invest in safety and systems to maximize client health. This is the kind of responsible healthcare reform Oregon needs, which is why so many of us in the healthcare community are rising up to lend our voice and support for Measure 109.

Well researched.

Well regulated.

Supervision required.

Safety prioritized.

Measure 109 can responsibly help so many who suffer from depression and anxiety — please join us in voting Yes.

Signed,

Andrew Smith, MD
Julie Shafer, Ph.D
Jessie Eisenmann, MD
Joshua Dow, MD, MA
Nathan Gump, Ph.D
Keevin Bybee MD
Erica Zelfand, ND
Matthew Hicks, ND
Jennifer O'Leary, ND

Mike Kuenning, RN
 Levi Smith, RN
 Franklin Rickman Jr, RN
 Sierra Bassett, RN
 Peter Addy, Ph.D
 Elizabeth Zenger, Ph.D, LAC
 Tracy Heart, MA, LPC
 Kimberly Zeszutek, LPC
 Jason Luoma, Ph.D
 Dan Golletz, Ph.D
 Kim Golletz, Ph.D
 Patrick Welly, MA, LMFT
 Elizabeth Hoke, MA, LMFT
 Joseph E Doherty, MSW, Ph.D

(This information furnished by Charlotte Blocker, Yes for Psilocybin Therapy.)

Argument in Favor

Vote Yes on Measure 109 The Regulated Treatment Option Oregonians Need

Psilocybin therapy has the potential to provide a new, effective way to treat depression and anxiety. Pioneering clinical studies from leading medical research institutions such as Johns Hopkins, UCLA, and NYU finds that psilocybin therapy may effectively treat otherwise-intractable mental health conditions.

Measure 109 will allow its use to help Oregonians while ensuring psilocybin will only be administered under the supervision of licensed facilitators as part of a validated three-session therapeutic program. Psilocybin will not be available to buy in stores or take home. It will not be advertised.

We support Measure 109 because it provides safety guardrails while offering long-term treatment relief to Oregonians in need.

Join us in voting Yes on Measure 109!

American Civil Liberties Union (ACLU) of Oregon
 Democratic Party of Oregon
 Law Enforcement Action Partnership
 Veterans of War
 Heroic Hearts Project
 VETS, Inc
 Senator Elizabeth Steiner Hayward, MD
 Senator Jeff Golden
 Congressman Earl Blumenauer

(This information furnished by Charlotte Blocker, Yes for Psilocybin Therapy.)

Argument in Favor

A MESSAGE FROM VETERANS SUPPORTING MEASURE 109

22, Every Day.

As you consider your vote on Measure 109, that's a number we hope you will remember.

Every day, on average, 22 veterans take their own lives. We've lost more of our brothers and sisters to suicide than we have to the last 19 years of combat.

Veterans put themselves in harm's way, often at a terrible cost to themselves and their families. Trauma, depression, and anxiety are among the things many veterans struggle with after their service. And for far too many, there are far too few answers to the suffering these conditions bring.

That is why, as veterans' organizations and individuals we ask you to vote YES on Measure 109.

Research into psilocybin therapy has led the federal government to designate it as a "breakthrough therapy" for the same conditions that are driving the epidemic of veteran suicide. That designation means that it has the potential of working when other approaches do not.

Measure 109 is not about legalizing psilocybin for public use: it will not. It simply creates a tightly regulated, thoughtfully designed program that will make this therapeutic option available for Oregonians who desperately need a better choice to ease their pain.

And no one could benefit from this option more than our veterans.

PLEASE VOTE YES ON MEASURE 109

Armand LeComte, OIF/OEF Marine Combat Veteran
 Chad Kuske, Retired Navy SEAL
 Penny Dextenjaeger, Retired US Army Pharmacy Specialist
 Jesse Gould, Army Ranger Veteran
 Harold Maier, Combat Veteran, MS, Ed.D
 John Weatherly, Retired Air Force Pilot
 Aaron Call, Navy Veteran
 Tim Dehne, Army Veteran
 Heroic Hearts Project

(This information furnished by Charlotte Blocker, Yes for Psilocybin Therapy.)

Argument in Favor

VETS Inc: Our Story and Why We Support Measure 109

We founded VETS, Inc. in 2019 in response to the growing veteran healthcare and suicide crises. I am Marcus Capone, former Navy SEAL, with multiple overseas combat deployments. I separated from the military in 2013 and quickly realized that the subsequent years would be wrought with escalating hardships, misdiagnoses, and a desperation to find meaningful solutions in addressing mounting health and transition challenges.

I felt like I was out of options and running out of time, but thankfully I found a nontraditional, "last-ditch" treatment, much like psilocybin therapy. This therapeutic intervention saved my life, my marriage, and my family. Immediately after finding this amazing healing, my wife and I began sharing this life-transforming experience and raising funds to assist others in dire need of help.

To date we have assisted over 220 Special Operations Soldiers find this same remarkable healing; several on the brink of suicide.

As the incredible stories of healing grew, VETS, Inc. was born to support the growing number of Special Operations Soldiers who were desperately seeking their own "last-ditch" lifeline.

Due to our firsthand knowledge of the levels and numbers of those suffering, we enthusiastically endorse Measure 109. By giving veterans legal access to psilocybin therapy in a regulated environment with true safety guardrails, we are confident that many more veterans will find the healing that these soldiers need.

VETS, Inc. believes that Measure 109 lays the proper foundation for additional layers of healing to become possible. Giving veterans in need the access to this therapy will save lives, and we hope you will join us in voting YES.

For more information about Measure 109, visit voteyeson109.org

To learn more about VETS Inc, visit vetsolutions.org
 To learn more about the science behind psilocybin therapy visit psilocybinstudies.org

Please join us in voting Yes.

(This information furnished by Charlotte Blocker, Yes for Psilocybin Therapy.)

Argument in Favor

Measure 109 can help address the mental health crisis in Oregon and save the lives of veterans like me.

As an Elder of the Chippewa people, I have had many years to watch the currently available options fail those suffering from mental illness. I believe that Measure 109 represents an opportunity to rise to the current challenges facing us and undo some of the devastation that the War on Drugs has done to society by demonizing and stigmatizing important plant medicines such as psilocybin. People deserve the right to choose for themselves their own path to healing, and that should include psilocybin therapy.

Psilocybin has been studied, and indeed consumed, as medicine predating human history. It was widely consumed in mesoamerica before Spanish chroniclers recorded its use in the 1600s. Fast forward four hundred years, and I had the opportunity to take psilocybin as a researcher at Eastern Washington University, where we were studying its use as a medicine for end-of-life anxiety. We found then what the research now is still validating: This ancient medicine is a remarkable beacon of hope for those who are suffering from depression, anxiety, and addiction.

I am no stranger to depression. Before graduate school, I served two tours in Vietnam, and came back to a nation which had rejected its veterans. To this day, we still underserve those returning from the horrors of war--22 veterans slip through the cracks and take their own lives every day.

It is time to set the stigma aside and listen to the wisdom of the scientific community and our ancestors before them. Psilocybin therapy stands to benefit so many--from those who are seeking peace with a terminal illness, to veterans seeking peace within.

We have the opportunity to provide healing in our community, and we should rise to the occasion. Vote Yes on Measure 109, and vote for the health and healing of Oregon.

Peaceably,

John Lawrence Weatherly

(This information furnished by John Weatherly.)

Argument in Favor

As a physician legislator, I have never been shy about my own challenges with mental health. Despite having worked hard to maintain good mental health, at times I didn't have the options I needed. Measure 109 will change the treatment landscape for countless Oregonians by creating a regulated, licensed psilocybin therapy program that will help those who struggle with depression and anxiety.

Pioneering research at reputable institutions like John Hopkins and UCLA over the last decade has discovered that psilocybin can be effective in treating depression, anxiety and addiction. **The early results are so promising that the Food and Drug Administration recently gave psilocybin "breakthrough therapy" status - meaning that psilocybin therapy could work well where other pharmaceuticals and treatments have failed.**

As an experienced legislator who understands the intricacies of healthcare policy, I am reassured by the regulatory structure Measure 109 provides by putting safeguards and regulations in place to ensure treatment is safe. A rigorous training and licensing program will only be available after a two-year development period.

Psilocybin therapy under Measure 109 will be supervised and monitored treatment; the law specifically disallows home use of psilocybin. Measure 109 requires that facilitators conduct a health safety screening prior to the psilocybin session and offer an integration appointment after it. Equally important, the law makes it clear that this is therapy, not recreational use:

no retail stores, advertising of psilocybin products, nor home growing would be allowed.

If we are going to tackle Oregon's shortcomings in mental illness treatment and behavioral health outcomes, we must create new opportunities for healing. Measure 109 does this in a regulated, responsible way that builds on a decade of research illustrating this treatment can help with no risk of addiction. **Join me in voting Yes on Measure 109, and together we'll take an important step forward, helping Oregonians access the care they deserve.**

Senator Elizabeth Steiner Hayward, MD

(This information furnished by Elizabeth Steiner Hayward.)

Argument in Favor

For Oregonians who are suffering with end-of-life anxiety, there is a wealth of treatments available to handle physical discomfort, but far fewer resources to address the emotional distress that often comes with the diagnosis of a life-threatening illness. As someone who has referred persons to hospice for 32 years— who has heard countless times about the pain and anguish caused by disturbing and unaddressed symptoms—I am convinced that psilocybin therapy should be a legal option.

Psilocybin therapy can offer immediate and substantial relief when used in a palliative care setting to address the deep suffering that a terminal prognosis can provoke. Death and dying in America seems to remain the eternal taboo, and because it is not spoken about enough, enough is not done to ease the distress of our most vulnerable. Psilocybin therapy has been proven time and again as a safe and effective treatment in mitigating the existential anxiety that can otherwise consume one's final days with their loved ones. Right now, we have an opportunity to do more for those who need this therapy the most.

There is no legitimate reason for anyone to suffer needlessly from anxiety, depression, or fear, regardless of whether death is near. Many highly respected hospice and palliative care professionals agree. I will be voting for Measure 109, and for the sake of those who hope to face their mortality with dignity and good mental health, I hope you will join me.

Submitted by

Ann Jackson, MBA

End of Life Issues and Options

Retired CEO, Oregon Hospice and Palliative Care Association (1988-2008)

(This information furnished by Ann Jackson.)

Argument in Favor

Fellow Oregonians,

As a queer person, mother, and a neurodivergent woman who lives with PTSD and navigated postpartum mental illness, I know how much our community, our healthcare system, and our society needs better tools to end the stigma of mental illness and promote healing. Especially in the wake of a global pandemic, the LGBTQIA+ community needs resources and therapeutic options that will meet us where we are at, using trauma informed care to heal individuals and families across the state. Measure 109 provides us a powerful tool to help some who are struggling.

As we all struggle to cope through difficult times for our state and our country, it's become even more important that we focus on the people at greatest risk in our community. Those on the front lines and in communities of color are at greater physical risk, and so many who already live with daily depression and anxiety are struggling as their challenges are accentuated by the isolation and fear that COVID-19 brings.

As many of us know, these mental health problems are more acute in Oregon than anywhere else in the country. For members of the LGBTQIA+ community, the rates are staggering when compared to the general population: twice as many of us suffer depression and we lose four times as many people to suicide.

That's why I support Measure 109. It provides a regulated and supervised structure for healing with an excellent safety record. For those of us who need different options for healing, Measure 109 provides new hope.

When we emerge from this pandemic, how we help the afflicted restore their lives will be the test for our community. For that reason, I urge you to join me in voting Yes on 109 and giving us options for the treatment we'll really need.

Anne Marie Hiestand
Portland, OR

(This information furnished by Anne Marie Hiestand.)

Argument in Opposition

Oregon Psychiatric Physicians Oppose Measure 109

The Oregon Psychiatric Physicians Association (OPPA) and the American Psychiatric Association (APA) oppose Measure 109, which allows the manufacture, delivery and administration of the hallucinogenic drug psilocybin (commonly known as "magic mushrooms") for the treatment of multiple mental health conditions by non-medical providers.

Measure 109 is unsafe and makes misleading promises to those Oregonians who are struggling with mental illness. The OPPA and the APA represent over 38,000 physicians. We believe that science does not yet indicate that psilocybin is a safe medical treatment for mental health conditions.

Measure 109 would allow the use of psilocybin to treat conditions "including but not limited to addiction, depression, anxiety disorders, and end of-life psychological distress." While the FDA has given "breakthrough therapy" status to psilocybin for a single condition, Major Depressive Disorder, this does not establish the safety and efficacy of this treatment, it merely establishes the process by which to further study the treatment. Thousands more patients would need to be studied in the phase 3 trials before we can determine if this treatment is safe or effective.

Psilocybin affects serotonin levels in the brain and induces hallucinations. It could interact adversely with prescribed medications, worsen a patient's mental health condition, or encourage a person to stop their current treatment. In essence, it will allow prescribing of a controlled substance with effects on the body and the brain to a practitioner with no medical training.

Furthermore, it must be considered that legalizing psilocybin for such a wide variety of medical conditions would increase availability to Oregon minors for illicit use.

Voters should consider the science and safety of psilocybin and vote no on Measure 109.

The OPPA is a district branch of the American Psychiatric Association. OPPA serves as the organization for medical doctors (psychiatrists) in Oregon working together to ensure humane care and effective treatment for persons with mental illness and compassion for their families.

(This information furnished by Patrick Sieng, Executive Director, Oregon Psychiatric Physicians Association.)

Proposed by initiative petition to be voted on at the General Election, November 3, 2020.

Measure No.

110

Provides statewide addiction/recovery services; marijuana taxes partially finance; reclassifies possession/penalties for specified drugs

Estimate of Financial Impact	121
Text of Measure	121
Explanatory Statement	129
Racial & Ethnic Impact Statement	130
Arguments in Favor	131
Arguments in Opposition	150

Result of “Yes” Vote

“Yes” vote provides addiction recovery centers/services; marijuana taxes partially finance (reduces revenues for other purposes); reclassifies possession of specified drugs, reduces penalties; requires audits.

Result of “No” Vote

“No” vote rejects requiring addiction recovery centers/services; retains current marijuana tax revenue uses; maintains current classifications/ penalties for possession of drugs.

Summary

Measure mandates establishment/ funding of “addiction recovery centers” (centers) within each existing coordinated care organization service area by October 1, 2021; centers provide drug users with triage, health assessments, treatment, recovery services. To fund centers, measure dedicates all marijuana tax revenue above \$11,250,000 quarterly, legislative appropriations, and any savings from reductions in arrests, incarceration, supervision resulting from the measure. Reduces marijuana tax revenue for other uses. Measure reclassifies personal non-commercial possession of certain drugs under specified amount from misdemeanor or felony (depending on person’s criminal history) to Class E violation subject to either \$100 fine or a completed health assessment by center. Oregon Health Authority establishes council to distribute funds/ oversee implementation of centers. Secretary of State audits biennially. Other provisions.

Estimate of Financial Impact

The initiative directs the Oregon Health Authority (OHA) to establish Addiction Recovery Centers and increase funding for other substance use disorder services offset by decreasing funding to other programs, changes the distribution of marijuana tax revenues and reduces drug penalties for possession of some drugs.

Marijuana Revenue Redistribution

The initiative creates the Drug Treatment and Recovery Services Fund (DTRSF). It redistributes marijuana revenue above \$11.25 million per quarter from existing recipients to the DTRSF, reducing revenue to the State School Fund, the State Police, mental health programs, and local governments. The revenue redistributions for state agency programs are summarized below:

<i>All dollars in millions</i>	2019-21	2021-23
Drug Treatment and Recovery Services Fund (ARCs)	\$ 61.1	\$ 182.4
State School Fund	\$ (17.1)	\$ (73.0)
Mental Health, Alcoholism and Drug Services	\$ (8.6)	\$ (36.5)
Alcohol and Drug Abuse Prevention and Intervention	\$ (2.1)	\$ (9.1)
Oregon State Police	\$ (6.5)	\$ (27.4)
Net Increase In State Revenue	\$ 26.8	\$ 36.4

OHA is directed to administer grants to fund the Addiction Recovery Centers (ARCs), which will offer 24 hour access to care every day of the year starting October 1, 2021. The grants will be awarded to ARCs for operational expenses as well as to organizations providing substance use disorder treatment, peer support and recovery services, permanent supportive housing, and harm reduction interventions to be provided free of charge to the recipient of the services.

The initiative requires the Legislature to provide \$57 million in annual funding (with increases for inflation) for the DTRSF. Marijuana revenue estimated at \$61.1 million in 2019-21 and \$182.4 million in 2021-23 should be sufficient to meet this requirement.

The initiative reduces the marijuana revenue distribution to cities and counties. The total reduction is \$8.6 million in 2019-21 and \$36.4 million in 2021-23.

Decriminalization of Certain Drug Offenses

The initiative decriminalizes certain drug offenses and transfers the savings due to lower spending on arrests, probation supervisions and incarcerations to the DTRSF to fund additional ARC expenditures. These savings are estimated at \$0.3 million in 2019-21 and \$24.5 million in 2021-23. This will reduce revenue transferred from the Department of Corrections for local government community corrections by \$0.3 million in 2019-21 and \$24.5 million in 2021-23. The savings are expected to increase beyond the 2021-23 biennium.

Committee Members:

Secretary of State Bev Clarno
State Treasurer Tobias Read
Katy Coba, Director, Department of Administrative Services
Betsy Imholt, Acting Director, Department of Revenue
Tim Collier, Local Government Representative

(The estimate of financial impact was provided by the above committee pursuant to ORS 250.127.)

Text of Measure

Whereas, Oregonians need adequate access to drug addiction treatment. Oregon ranks nearly last out of the 50 states in access to treatment, and the waiting lists to get treatment are too long. Every day, one or two Oregonians die because of drug overdoses. Drug treatment and recovery ought to be available to any Oregon resident who requests it.

Whereas, Oregonians suffering from substance use disorder also need adequate access to recovery services, peer support and stable housing. One in every 11 Oregonians is addicted to drugs. Drug addiction exacerbates many of our state's most pressing problems, such as homelessness and poverty.

Whereas, Oregon needs to shift its focus to addressing drugs through a humane, cost-effective, health approach. People suffering from addiction are more effectively treated with health care services than with criminal punishments. A health care approach includes a health assessment to figure out the needs of people who are suffering from addiction, and it includes connecting them to the services they need.

Whereas, Oregon still treats addiction as a criminal problem. Law enforcement should spend more time on community safety, but Oregon law enforcement officers in 2017 arrested more than 8,000 people in cases where simple drug possession was the most serious offense. In many instances, the same people were arrested for drug possession, again and again, because they are unable to get treatment.

Whereas, punishing people who are suffering from addiction ruins lives. Criminalizing drugs saddles people with criminal records. Those records prevent them from getting housing, going to school, getting loans, getting professional licenses, getting jobs and keeping jobs. Criminalizing drugs disproportionately harms poor people and people of color.

Whereas, punishing people who are suffering from addiction is expensive. It costs an average of \$15,000 per case where a misdemeanor drug conviction is the most serious offense. That is more than the typical cost to provide treatment.

Whereas, marijuana tax revenue has grown significantly. Oregon now receives more than \$100 million in marijuana tax revenue a year. The amount of marijuana revenue is expected to grow by more than \$20 million per year.

The People of Oregon therefore propose this Drug Addiction Treatment and Recovery Act of 2020 to expand access to drug treatment and recovery services and pay for it with marijuana tax revenue.

Be It Enacted by the People of the State of Oregon:

Findings and Policy

Section 1. (1)(a) The people of Oregon find that drug addiction and overdoses are a serious problem in Oregon and that Oregon needs to expand access to drug treatment.

(b) The people of Oregon further find that a health-based approach to addiction and overdose is more effective, humane and cost-effective than criminal punishments. Making people criminals because they suffer from addiction is expensive, ruins lives and can make access to treatment and recovery more difficult.

(2)(a) The purpose of this Drug Addiction Treatment and Recovery Act of 2020 is to make health assessment, treatment and recovery services for drug addiction available to all those who need and want access to those services and to adopt a health approach to drug addiction by removing criminal penalties for low-level drug possession.

(b) It is the policy of the State of Oregon that health assessment, treatment and recovery services for drug addiction are available to all those who need and want access to those services.

(3) The provisions of this Act shall be interpreted consistently with the findings, purposes and policy objectives stated in this section and shall not be limited by any policy set forth in Oregon law that could conflict with or be interpreted to conflict with the purposes and policy objectives stated in this section.

Expanding Treatment and Services

Section 2. Grants Program. (1) The Oversight and Accountability Council shall oversee and approve grants to implement Addiction Recovery Centers and increase access to community care, as set forth below.

(2) **Addiction Recovery Centers.** The Oversight and Accountability Council shall provide grants to existing agencies or organizations, whether government or community-based, to create Addiction Recovery Centers for the purposes of immediately triaging the acute needs of people who use drugs and assessing and addressing any on-going needs through intensive case management and linkage to care and services.

(a) Grants must be disbursed such that at least one Center shall be established within each existing coordinated care organization service area. Centers within each existing coordinated care organization service area shall be established and operational by October 1, 2021.

(b) Grantees must be able to provide or display an ability to provide the following services to any Oregon resident who requests it, in order to receive funding as an Addiction Recovery Center:

(i) 24/7 Triage: Centers shall assess a client's need for immediate medical or other treatment shortly upon the client's arrival to determine what acute care is needed and where it can be best provided. Centers shall provide this service twenty-four hours a day, seven days a week, 365 days a year.

(ii) Health Assessment: Centers shall conduct a comprehensive behavioral health needs assessment for each client, including a substance use disorder screening by a Certified Alcohol and Drug Counselor or other credentialed addiction treatment professional. The assessment shall prioritize the self-identified needs of the client.

(iii) Individual Intervention Plan, Intensive Case Management and Connection to Services: If, after the completion of the assessment, the client indicates a desire to address some or all of the identified needs, a case manager shall work with the client to design an Individual Intervention Plan. The plan must address the client's need for substance use disorder treatment, coexisting health problems, housing, employment and training, childcare and other services. Intensive Case Management requires, in the least, that case managers have a sufficiently low staff-to-client ratio to provide daily support as needed to connect clients to services and care needed to fulfill the Individual Intervention Plan and have the capacity to follow-up to ensure clients are accessing care and, if not, to reconnect clients to care as necessary and as desired by clients.

(iv) Peer Support: Each Center shall offer ongoing peer counseling and support from triage and assessment through implementation of Individual Intervention Plans as well as provide peer outreach workers to engage directly with marginalized community members who could potentially benefit from the Center's services.

(v) Outreach: Each Center shall assess the need for, and provide, mobile or virtual outreach services to reach clients who are unable to access the Center.

(A) Notwithstanding subsection (2)(a) of this section, only one Center within each coordinated care organization service area is required to provide the triage assessments set forth in subsection (2)(b)(i) of this section.

(c) All services provided at the Centers must be evidence-informed, trauma-informed, culturally responsive, patient-centered, non-judgmental, and centered on principles of harm reduction. The goal of the Individual Intervention Plan and Intensive Case Management shall be to address effectively the client's substance use disorder and any other factors driving problematic behaviors without employing coercion or shame or mandating abstinence.

(d) The Centers shall be adequately staffed to address the needs of people with substance use disorder within their regions as determined by the Oversight and Accountability Council, but must include, at a minimum, at least one person qualified in each of the following categories: Certified Alcohol and Drug Counselor or other credentialed addiction treatment professional; intensive case manager; and, peer support specialist.

(e) Each Center shall provide timely verification on behalf of any client who has completed a health assessment, as set forth in subsection (2)(b)(ii) of this section, if the client requests such verification to comply with section 22 or section 23(2) of this Act.

(3) **Increasing Community Access to Care.** The Oversight and Accountability Council shall provide grants to existing agencies or organizations, whether government or community based, to increase access to one or more of the following:

(a) Low barrier substance use disorder treatment that is evidence-informed, trauma-informed, culturally responsive, patient-centered, and non-judgmental;

(b) Peer support and recovery services;

(c) Transitional, supportive, and permanent housing for persons with substance use disorder;

(d) Harm reduction interventions including, but not limited to, overdose prevention education, access to naloxone hydrochloride and sterile syringes, and stimulant-specific drug education and outreach.

(4) The Council shall prioritize providing grants to community-based nonprofit organizations within each coordinated care organization service area. However, if within any such service area a community-based nonprofit organization does not apply for a grant or grants are not sought within that service area for which services are needed, then the Council may request and fund grants to any community care organization or county within that service area.

(5) Services provided by grantees, including services provided by Addiction Recovery Centers, shall be free of charge to the persons receiving the services. To the extent consistent with applicable law, grantees and service providers may seek and obtain reimbursement for services provided to any person from any insurer or entity providing insurance to that person.

Section 3. Oversight and Accountability Council. The Director of the Oregon Health Authority shall establish an Oversight and Accountability Council for the purpose of determining how funds will be distributed to grant applicants and to oversee the implementation of the Centers pursuant to section 2. The Council shall be formed on or before February 1, 2021.

(a) The Council shall be comprised of qualified individuals with experience in substance use disorder treatment and other addiction services. The Council shall consist of at least one member from each of the following categories only:

(i) A representative of the Oregon Health Authority, Health Systems Division Behavioral Health Services;

(ii) Three members of communities that have been disproportionately impacted by arrests, prosecution or sentencing for conduct that has been classified or reclassified as a Class E violation pursuant to section 11 to section 19.

(iii) A physician specializing in addiction medicine;

(iv) A licensed clinical social worker;

(v) An evidence-based substance use disorder provider;

- (vi) A harm reduction services provider;
- (vii) A person specializing in housing services for people with substance use disorder or a diagnosed mental health condition;
- (viii) An academic researcher specializing in drug use or drug policy;
- (ix) At least two people who suffered or suffer from substance use disorder;
- (x) At least two recovery peers;
- (xi) A mental or behavioral health provider;
- (xii) A representative of a coordinated care organization; and,
- (xiii) A person who works for a non-profit organization that advocates for persons who experience or have experienced substance use disorder.

(2) A quorum consists of nine members.

(3) The term of office for a member of the Council shall be four years. Vacancies shall be appointed for the unexpired term.

(4)(a) To the extent permissible by law, a member of the Council performing services for the Council may receive compensation from his or her employer for time spent performing services as a Council member.

(b) If a member of the Council is not compensated by their employer as set forth in subsection (4)(a) of this section, that member shall be entitled to compensation and expenses as provided in ORS 292.495.

(c) Nothing in this subsection (4) of this section excuses or exempts a member of the Council from complying with any applicable provision of Oregon's ethics laws and regulations, including the provisions of ORS Chapter 244.

Section 4. Administration. (1)(a) On or before June 30, 2021 the Oversight and Accountability Council shall adopt rules that establish general criteria and requirements for the Addiction Recovery Centers and the grants required by section 2.

(b) The Council shall from time to time adopt such rules, and amend and revise rules it has adopted, as it deems proper and necessary for the administration of this Act and the performance of its work.

(2) The Council shall have and retain the authority to implement and oversee the Addiction Recovery Centers created by section 2 and the grants program created and required by section 2.

(3) The Oregon Health Authority, Health Systems Division Behavioral Health Services shall administer and provide all necessary support to ensure the implementation of this Act.

(4)(a) The Oregon Health Authority, Health Systems Division Behavioral Health Services, in consultation with the Council, may enter into interagency agreements to ensure proper distribution of funds for the grants created and required by section 2.

(b) The Oregon Health Authority, Health Systems Division Behavioral Health Services shall encourage and take all reasonable measures to ensure that grant recipients cooperate, coordinate and act jointly with one another to offer the services described in section 2.

(5) The Oregon Health Authority, Health Systems Division Behavioral Health Services shall provide requested technical, logistical and other support to the Council to assist the Council with its duties and obligations.

Funding

Section 5. (1) The Drug Treatment and Recovery Services Fund is established in the State Treasury, separate and distinct from the General Fund. Interest earned by the Fund shall be credited to the Fund.

(2) The Drug Treatment and Recovery Services Fund shall

consist of:

(a) Moneys deposited into the Fund pursuant to section 6;

(b) Moneys appropriated or otherwise transferred to the fund by the Legislative Assembly;

(c) Moneys allocated from the Oregon Marijuana Account, pursuant to ORS 475B.759(7); and,

(d) All other moneys deposited in the fund from any source.

(3) Moneys in the Fund shall be continuously appropriated to the Oregon Health Authority for the purposes set forth in section 2.

(4) Unexpended moneys in the Fund may not lapse and shall be carried forward and may be used without regard to fiscal year or biennium.

(5)(a) Pursuant to subsection (2)(b) of this section, the Legislative Assembly shall appropriate or transfer to the Fund an amount sufficient to fully fund the grants program required by section 2.

(b) The total amount deposited and transferred into the Fund shall not be less than \$57 million for the first year this Act is in effect.

(c) In each subsequent year, that amount set forth in subsection (5)(b) of this section shall be increased by not less than:

(i) the percentage (if any) by which the monthly averaged U.S. City Average Consumer Price Index for the 12 consecutive months ending December 31 of the prior calendar year exceeds the monthly index for the fourth quarter of the calendar year 2020; and,

(ii) an amount not less than the increase in moneys distributed pursuant to ORS 475B.759(7).

Section 6. (1) The Department of Revenue shall credit and transfer or cause to be credited and transferred to the Drug Treatment and Recovery Services Fund the savings to the State of Oregon from the implementation of this Act as calculated in section 7.

(2) If the savings calculated for any subsequent biennium under section 7(1) is less than any prior biennium, the amount credited and transferred to the Drug Treatment and Recovery Services Fund shall be the highest amount calculated for any previous biennium.

(3) The savings as calculated in section 7 shall be transferred on or before the end of the fiscal year in which the calculation is completed.

Section 7. (1)(a) Within 180 days of the end of first biennium in which this Act becomes effective, and within 180 days of the end of each subsequent biennium, the Office of Economic Analysis shall calculate the savings to the State of Oregon resulting from the sentence reductions set forth in section 11 to section 20, including any savings resulting from reductions in arrests, incarceration and supervision.

(b) The savings shall be calculated based on a comparison of the most recent biennium concluded at the time the calculation is made and the biennium immediately preceding the biennium in which this Act became effective.

(2) In making the calculations set forth in this section, the Office of Economic Analysis shall use actual data. The Office of Economic Analysis may use best available estimates where actual data is unavailable.

Section 8. Moneys transferred to the Drug Treatment and Recovery Services Fund and distributed pursuant to section 2 shall, to the maximum extent consistent with law, be in addition to and not in replacement of any existing allocations or appropriations for the purposes of providing substance use disorder treatment, peer support and recovery services, transitional, supportive and permanent housing for persons with substance use disorders, harm reduction interventions, and for establishing Addiction Recovery Centers.

Section 9. Account Allocation. (1) The Oregon Health Authority shall cause the moneys in the Drug Treatment and Recovery Services Fund to be distributed as follows:

(a) An amount necessary for administration of section 2 to section 4 not to exceed 4% of the moneys deposited into the Fund in any biennium.

(b) After the distribution set forth in subsection (1)(a) of this section, the remaining moneys in the Fund shall be distributed to the grants program as set forth in section 2.

Section 10. ORS 475B.759 is amended as follows:

(1) There is established the Oregon Marijuana Account, separate and distinct from the General Fund.

(2) The account shall consist of moneys transferred to the account under ORS 475B.760.

(3)(a) The Department of Revenue shall certify quarterly the amount of moneys available in the Oregon Marijuana Account.

(b) Subject to subsection (4) of this section, **and after making the transfer of moneys required by subsection (7) of this section**, the department shall transfer quarterly 20 percent of the **remaining** moneys in the Oregon Marijuana Account as follows:

(A) Ten percent of the moneys in the account must be transferred to the cities of this state in the following shares:

(i) Seventy-five percent of the 10 percent must be transferred in shares that reflect the population of each city of this state that is not exempt from this paragraph pursuant to subsection (4)(a) of this section compared to the population of all cities of this state that are not exempt from this paragraph pursuant to subsection (4)(a) of this section, as determined by Portland State University under ORS 190.510 to 190.610, on the date immediately preceding the date of the transfer; and

(ii) Twenty-five percent of the 10 percent must be transferred in shares that reflect the number of licenses held pursuant to ORS 475B.070, 475B.090, 475B.100 and 475B.105 on the last business day of the calendar quarter preceding the date of the transfer for premises located in each city compared to the number of licenses held pursuant to ORS 475B.070, 475B.090, 475B.100 and 475B.105 on the last business day of that calendar quarter for all premises in this state located in cities; and

(B) Ten percent of the moneys in the account must be transferred to counties in the following shares:

(i) Fifty percent of the 10 percent must be transferred in shares that reflect the total commercially available area of all grow canopies associated with marijuana producer licenses held pursuant to ORS 475B.070 on the last business day of the calendar quarter preceding the date of the transfer for all premises located in each county compared to the total commercially available area of all grow canopies associated with marijuana producer licenses held pursuant to ORS 475B.070 on the last business day of that calendar quarter for all premises located in this state; and

(ii) Fifty percent of the 10 percent must be transferred in shares that reflect the number of licenses held pursuant to ORS 475B.090, 475B.100 and 475B.105 on the last business day of the calendar quarter preceding the date of the transfer for premises located in each county compared to the number of licenses held pursuant to ORS 475B.090, 475B.100 and 475B.105 on the last business day of that calendar quarter for all premises in this state.

(c) **After making the transfer of moneys required by subsection (7) of this section, [Eighty] eighty percent of the remaining** moneys in the Oregon Marijuana Account must be used as follows:

(A) Forty percent of the moneys in the account must be used solely for purposes for which moneys in the State School Fund established under ORS 327.008 may be used;

(B) Twenty percent of the moneys in the account must be used solely for purposes for which moneys in the Mental Health Alcoholism and Drug Services Account established under ORS 430.380 may be used;

(C) Fifteen percent of the moneys in the account must be used solely for purposes for which moneys in the State Police Account established under ORS 181A.020 may be used; and

(D) Five percent of the moneys in the account must be used solely for purposes related to alcohol and drug abuse prevention, early intervention and treatment services.

(4)(a) A city that has an ordinance prohibiting the establishment of a premises for which issuance of a license under ORS 475B.070, 475B.090, 475B.100 or 475B.105 is required is not eligible to receive transfers of moneys under subsection (3)(b) (A) of this section.

(b) A county that has an ordinance prohibiting the establishment of a premises for which issuance of a license under ORS 475B.070 is required is not eligible to receive transfers of moneys under subsection (3)(b)(B)(i) of this section.

(c) A county that has an ordinance prohibiting the establishment of a premises for which issuance of a license under ORS 475B.090, 475B.100 or 475B.105 is required is not eligible to receive transfers of moneys under subsection (3)(b)(B)(ii) of this section.

(5)(a) A city or county that is ineligible under subsection (4) of this section to receive a transfer of moneys from the Oregon Marijuana Account during a given quarter but has received a transfer of moneys for that quarter shall return the amount transferred to the Department of Revenue, with interest as described under paragraph (f) of this subsection. An ineligible city or county may voluntarily transfer the moneys to the Department of Revenue immediately upon receipt of the ineligible transfer.

(b) If the Director of the Oregon Department of Administrative Services determines that a city or county received a transfer of moneys under subsection (3)(b) of this section but was ineligible to receive that transfer under subsection (4) of this section, the director shall provide notice to the ineligible city or county and order the city or county to return the amount received to the Department of Revenue, with interest as described under paragraph (f) of this subsection. A city or county may appeal the order within 30 days of the date of the order under the procedures for a contested case under ORS chapter 183.

(c) As soon as the order under paragraph (b) of this subsection becomes final, the director shall notify the Department of Revenue and the ineligible city or county. Upon notification, the Department of Revenue immediately shall proceed to collect the amount stated in the notice.

(d) The Department of Revenue shall have the benefit of all laws of the state pertaining to the collection of income and excise taxes and may proceed to collect the amounts described in the notice under paragraph (c) of this subsection. An assessment of tax is not necessary and the collection described in this subsection is not precluded by any statute of limitations.

(e) If a city or county is subject to an order to return moneys from an ineligible transfer, the city or county shall be denied any further relief in connection with the ineligible transfer on or after the date that the order becomes final.

(f) Interest under this section shall accrue at the rate established in ORS 305.220 beginning on the date the ineligible transfer was made.

(g) Both the moneys and the interest collected from or returned by an ineligible city or county shall be redistributed to the cities or counties that were eligible to receive a transfer under subsection (3)(b) of this section on the date the ineligible transfer was made.

(6)(a) Not later than July 1 of each year, each city and county in this state shall certify with the Oregon Department of Administrative Services whether the city or county has an ordinance prohibiting the establishment of a premises for which issuance of a license under ORS 475B.070, 475B.090, 475B.100 or 475B.105 is required. The certification shall be made concurrently with the certifications under ORS 221.770, in a form and manner prescribed by the Oregon Department of Administrative Services.

(b) If a city fails to comply with this subsection, the city is not eligible to receive transfers of moneys under subsection (3)(b)(A) of this section. If a county fails to comply with this subsection, the county is not eligible to receive transfers of moneys under subsection (3)(b)(B) of this section.

(c) A city or county that repeals an ordinance as provided in ORS 475B.496 shall file an updated certification with the Oregon Department of Administrative Services in a form and manner prescribed by the department, noting the effective date of the change. A city or county that repeals an ordinance as provided in ORS 475B.496 is eligible to receive quarterly transfers of moneys under this section for quarters where the repeal is effective for the entire quarter and the updated certification was filed at least 30 days before the date of transfer

(7) Before making the transfer of moneys required by subsection (3) of this section, the department shall transfer quarterly to the Drug Treatment and Recovery Services Fund all moneys in the Oregon Marijuana Account in excess of \$11,250,000.

Removing Drug Penalties

Section 11. ORS 475.752 is amended to read:

(1) Except as authorized by ORS 475.005 to 475.285 and 475.752 to 475.980, it is unlawful for any person to manufacture or deliver a controlled substance. Any person who violates this subsection with respect to:

(a) A controlled substance in Schedule I, is guilty of a Class A felony, except as otherwise provided in ORS 475.886 and 475.890.

(b) A controlled substance in Schedule II, is guilty of a Class B felony, except as otherwise provided in ORS 475.878, 475.880, 475.882, 475.904 and 475.906.

(c) A controlled substance in Schedule III, is guilty of a Class C felony, except as otherwise provided in ORS 475.904 and 475.906.

(d) A controlled substance in Schedule IV, is guilty of a Class B misdemeanor.

(e) A controlled substance in Schedule V, is guilty of a Class C misdemeanor.

(2) Except as authorized in ORS 475.005 to 475.285 and 475.752 to 475.980, it is unlawful for any person to create or deliver a counterfeit substance. Any person who violates this subsection with respect to:

(a) A counterfeit substance in Schedule I, is guilty of a Class A felony.

(b) A counterfeit substance in Schedule II, is guilty of a Class B felony.

(c) A counterfeit substance in Schedule III, is guilty of a Class C felony.

(d) A counterfeit substance in Schedule IV, is guilty of a Class B misdemeanor.

(e) A counterfeit substance in Schedule V, is guilty of a Class C misdemeanor.

(3) It is unlawful for any person knowingly or intentionally to possess a controlled substance unless the substance was obtained directly from, or pursuant to a valid prescription or order of, a practitioner while acting in the course of professional practice, or except as otherwise authorized by ORS 475.005 to 475.285 and 475.752 to 475.980. Any person who violates this subsection with respect to:

(a) A controlled substance in Schedule I, is guilty of a Class [A misdemeanor] **E violation**, except as otherwise provided in ORS 475.854, 475.874 and 475.894 and subsection (7) of this section.

(b) A controlled substance in Schedule II, is guilty of a Class [A misdemeanor] **E violation**, except as otherwise provided in ORS 475.824, 475.834 or 475.884 or subsection (8) of this section.

(c) A controlled substance in Schedule III, is guilty of a Class [A misdemeanor] **E violation**.

(d) A controlled substance in Schedule IV, is guilty of a Class [C misdemeanor] **E violation**.

(e) A controlled substance in Schedule V, is guilty of a violation.

(4) In any prosecution under this section for manufacture, possession or delivery of that plant of the genus *Lophophora* commonly known as peyote, it is an affirmative defense that the peyote is being used or is intended for use:

(a) In connection with the good faith practice of a religious belief;

(b) As directly associated with a religious practice; and

(c) In a manner that is not dangerous to the health of the user or others who are in the proximity of the user.

(5) The affirmative defense created in subsection (4) of this section is not available to any person who has possessed or delivered the peyote while incarcerated in a correctional facility in this state.

(6)(a) Notwithstanding subsection (1) of this section, a person who unlawfully manufactures or delivers a controlled substance in Schedule IV and who thereby causes death to another person is guilty of a Class C felony.

(b) For purposes of this subsection, causation is established when the controlled substance plays a substantial role in the death of the other person.

(7) Notwithstanding subsection (3)(a) of this section, unlawful possession of a controlled substance in Schedule I is a Class B felony if[.] **the**

[(A) The person possesses a usable quantity of the controlled substance and:] [(A) At the time of the possession, the person has a prior felony conviction;]

[(B) At the time of the possession, the person has two or more prior convictions for unlawful possession of a usable quantity of a controlled substance; or]

[(C) The] possession is a commercial drug offense under ORS 475.900(1)(b).; or]

(b) Notwithstanding subsection (3)(a) of this section and except as provided in ORS 475.900(1)(b), unlawful possession of a controlled substance in Schedule I is a Class A misdemeanor if the [The] person possesses:

(A) Forty or more user units of a mixture or substance containing a detectable amount of lysergic acid diethylamide; or

(B) Twelve grams or more of a mixture or substance containing a detectable amount of psilocybin or psilocin.

(8) Notwithstanding subsection (3)(b) of this section, unlawful possession of a controlled substance in Schedule II is a Class C felony if *[the person possesses a usable quantity of the controlled substance and:] the*

[(a) [At the time of the possession, the person has a prior felony conviction;]

[(b) At the time of the possession, the person has two or more prior convictions for unlawful possession of a usable quantity of a controlled substance; or]

[(c) The] possession is a commercial drug offense under ORS 475.900(1)(b).

Section 12. ORS 475.824 is amended to read:

(1) It is unlawful for any person knowingly or intentionally to possess methadone unless the methadone was obtained directly from, or pursuant to, a valid prescription or order of a practitioner while acting in the course of professional practice, or except as otherwise authorized by ORS 475.005 to 475.285 and 475.752 to 475.980.

(2)(a) Unlawful possession of methadone is a Class [A *misdemeanor*] **E violation**.

(b) Notwithstanding paragraph (a) of this subsection, unlawful possession of methadone is a Class C felony if[:] **the**

[(A) *The person possesses a usable quantity of methadone and:*

[(i) *At the time of the possession, the person has a prior felony conviction;*]

[(ii) *At the time of the possession, the person has two or more prior convictions for unlawful possession of a usable quantity of a controlled substance; or*]

[(iii) *The*] possession is a commercial drug offense under ORS 475.900(1)(b)[; or].

(c) Notwithstanding paragraph (a) of this subsection, unlawful possession of methadone is a Class A misdemeanor if the

[(B) *The*] person possesses 40 or more user units of a mixture or substance containing a detectable amount of methadone.

Section 13. ORS 475.834 is amended to read:

(1) It is unlawful for any person knowingly or intentionally to possess oxycodone unless the oxycodone was obtained directly from, or pursuant to, a valid prescription or order of a practitioner while acting in the course of professional practice, or except as otherwise authorized by ORS 475.005 to 475.285 and 475.752 to 475.980.

(2)(a) Unlawful possession of oxycodone is a Class [A *misdemeanor*] **E violation**.

(b) Notwithstanding paragraph (a) of this subsection, unlawful possession of oxycodone is a Class C felony if[:] **the**

[(A) *The person possesses a usable quantity of oxycodone and:*

[(i) *At the time of the possession, the person has a prior felony conviction;*]

[(ii) *At the time of the possession, the person has two or more prior convictions for unlawful possession of a usable quantity of a controlled substance; or*]

[(iii) *The*] possession is a commercial drug offense under ORS 475.900(1)(b)[; or].

(c) Notwithstanding paragraph (a) of this subsection, unlawful possession of oxycodone is a Class A misdemeanor if the

[(B) *The*] person possesses 40 or more pills, tablets or capsules of a mixture or substance containing a detectable amount of oxycodone.

Section 14. ORS 475.854 is amended to read:

(1) It is unlawful for any person knowingly or intentionally to possess heroin. (2)(a) Unlawful possession of heroin is a Class [A *misdemeanor*] **E violation**.

(b) Notwithstanding paragraph (a) of this subsection, unlawful possession of heroin is a Class B felony if[:] **the**

[(A) *The person possesses a usable quantity of heroin and:*

[(i) *At the time of the possession, the person has a prior felony conviction;*]

[(ii) *At the time of the possession, the person has two or more prior convictions for unlawful possession of a usable quantity of a controlled substance; or*]

[(iii) *The*] possession is a commercial drug offense under ORS 475.900(1)(b)[; or].

(c) Notwithstanding paragraph (a) of this subsection and except as provided in ORS 475.900(1)(b), unlawful possession of heroin is a Class A misdemeanor if the

[(B) *The*] person possesses one gram or more of a mixture or substance containing a detectable amount of heroin.

Section 15. ORS 475.874 is amended to read:

(1) It is unlawful for any person knowingly or intentionally to possess 3,4- methylenedioxymethamphetamine.

(2)(a) Unlawful possession of 3,4-methylenedioxymethamphetamine is a Class [A *misdemeanor*] **E violation**.

(b) Notwithstanding paragraph (a) of this subsection, unlawful possession of 3,4- methylenedioxymethamphetamine is a Class B felony if[:] **the**

[(A) *The person possesses a usable quantity of 3,4-methylenedioxymethamphetamine and:*

[(i) *At the time of the possession, the person has a prior felony conviction;*]

[(ii) *At the time of the possession, the person has two or more prior convictions for unlawful possession of a usable quantity of a controlled substance; or*]

[(iii) *The*] possession is a commercial drug offense under ORS 475.900(1)(b)[; or].

(c) Notwithstanding paragraph (a) of this subsection and except as provided in ORS 475.900(1)(b), unlawful possession of methylenedioxymethamphetamine is a Class A misdemeanor if the

[(B) *The*] person possesses one gram or more or five or more pills, tablets or capsules of a mixture or substance containing a detectable amount of:

(i) 3,4-methylenedioxyamphetamine;

(ii) 3,4-methylenedioxymethamphetamine; or

(iii) 3,4-methylenedioxy-N-ethylamphetamine.

Section 16. ORS 475.884 is amended to read:

(1) It is unlawful for any person knowingly or intentionally to possess cocaine unless the substance was obtained directly from, or pursuant to, a valid prescription or order of a practitioner while acting in the course of professional practice, or except as otherwise authorized by ORS 475.005 to 475.285 and 475.752 to 475.980.

(2)(a) Unlawful possession of cocaine is a Class [A *misdemeanor*] **E violation**.

(b) Notwithstanding paragraph (a) of this subsection, unlawful possession of cocaine is a Class C felony if[:] **the**

[(A) *The person possesses a usable quantity of cocaine and:*

[(i) *At the time of the possession, the person has a prior felony conviction;*]

[(ii) *At the time of the possession, the person has two or more prior convictions for unlawful possession of a usable quantity of a controlled substance; or*]

[(iii) *The*] possession is a commercial drug offense under ORS 475.900(1)(b)[; or].

(c) Notwithstanding paragraph (a) of this subsection and except as provided in ORS 475.900(1)(b), unlawful possession of cocaine is a Class A misdemeanor if the

[(B) *The*] person possesses two grams or more of a mixture or substance containing a detectable amount of cocaine.

Section 17. ORS 475.894 is amended to read:

(1) It is unlawful for any person knowingly or intentionally to possess methamphetamine unless the substance was obtained directly from, or pursuant to, a valid prescription or order of a practitioner while acting in the course of professional practice, or except as otherwise authorized by ORS 475.005 to 475.285 and 475.752 to 475.980.

(2)(a) Unlawful possession of methamphetamine is a Class [A misdemeanor] **E violation**.

(b) Notwithstanding paragraph (a) of this subsection, unlawful possession of methamphetamine is a Class C felony if[.]

[(A) *The person possesses a usable quantity of methamphetamine and;*

[(i) *At the time of the possession, the person has a prior felony conviction;*

[(iii) *At the time of the possession, the person has two or more prior convictions for unlawful possession of a usable quantity of a controlled substance; or*

[(iii) The] **the** possession is a commercial drug offense under ORS 475.900(1)(b)[; or].

(c) Notwithstanding paragraph (a) of this subsection and except as provided in ORS 475.900(1)(b), unlawful possession of methamphetamine is a Class A misdemeanor if the

[(B) *The*] person possesses two grams or more of a mixture or substance containing a detectable amount of methamphetamine.

Section 18. ORS 153.012 is amended to read:

Violations are classified for the purpose of sentencing into the following categories:

(1) Class A violations;

(2) Class B violations;

(3) Class C violations;

(4) Class D violations;

(5) Class E violations;

[(5)] (6) Unclassified violations as described in ORS 153.015; and

(7) Specific fine violations as described in ORS 153.015.

Section 19. ORS 153.018 is amended to read:

(1) The penalty for committing a violation is a fine. The law creating a violation may impose other penalties in addition to a fine but may not impose a term of imprisonment.

(2) Except as otherwise provided by law, the maximum fine for a violation committed by an individual is:

(a) \$2,000 for a Class A violation.

(b) \$1,000 for a Class B violation.

(c) \$500 for a Class C violation.

(d) \$250 for a Class D violation.

(e) \$100, or, in lieu of the fine, a completed health assessment as specified in section 2(2)(b)(ii) or section 23(2), for a Class E violation.

[(e)](f) \$2,000 for a specific fine violation, or the maximum amount otherwise established by law for the specific fine violation.

(3) If a special corporate fine is specified in the law creating the violation, the sentence to pay a fine shall be governed by the law creating the violation. Except as otherwise provided by law, if a special corporate fine is not specified in the law creating the violation, the maximum fine for a violation committed by a corporation is:

(a) \$4,000 for a Class A violation.

(b) \$2,000 for a Class B violation.

(c) \$1,000 for a Class C violation.

(d) \$500 for a Class D violation.

Section 20. ORS 423.478 is amended to read:

(1) The Department of Corrections shall:

(a) Operate prisons for offenders sentenced to terms of incarceration for more than 12 months;

(b) Provide central information and data services sufficient to:

(A) Allow tracking of offenders; and

(B) Permit analysis of correlations between sanctions, supervision, services and programs, and future criminal conduct; and

(c) Provide interstate compact administration and jail inspections.

(2) Subject to ORS 423.483, the county, in partnership with the department, shall assume responsibility for community-based supervision, sanctions and services for offenders convicted of felonies or designated drug-related misdemeanors who are:

(a) On parole;

(b) On probation;

(c) On post-prison supervision;

(d) Sentenced, on or after January 1, 1997, to 12 months or less incarceration;

(e) Sanctioned, on or after January 1, 1997, by a court or the State Board of Parole and Post- Prison Supervision to 12 months or less incarceration for violation of a condition of parole, probation or post-prison supervision; or

(f) On conditional release under ORS 420A.206.

(3) Notwithstanding the fact that the court has sentenced a person to a term of incarceration, when an offender is committed to the custody of the supervisory authority of a county under ORS 137.124 (2) or (4), the supervisory authority may execute the sentence by imposing sanctions other than incarceration if deemed appropriate by the supervisory authority. If the supervisory authority releases a person from custody under this subsection and the person is required to report as a sex offender under ORS 163A.010, the supervisory authority, as a condition of release, shall order the person to report to the Department of State Police, a city police department or a county sheriff's office or to the supervising agency, if any:

(a) When the person is released;

(b) Within 10 days of a change of residence;

(c) Once each year within 10 days of the person's birth date;

(d) Within 10 days of the first day the person works at, carries on a vocation at or attends an institution of higher education; and

(e) Within 10 days of a change in work, vocation or attendance status at an institution of higher education.

(4) As used in this section:

(a) "Attends," "institution of higher education," "works" and "carries on a vocation" have the meanings given those terms in ORS 163A.005.

(b) "Designated drug-related misdemeanor" means:

[(A) *Unlawful possession of a Schedule I controlled substance under ORS 475.752 (3)(a);*

[(B) *Unlawful possession of a Schedule II controlled substance under ORS 475.752 (3)(b);*

(C) Unlawful possession of methadone under [ORS 475.824(2)(a)] **ORS 475.824(2)(c);**

(D) Unlawful possession of oxycodone under [ORS 475.834(2)(a)] **ORS 475.834(2)(c);**

(E) Unlawful possession of heroin under [ORS 475.854(2)(a)] **ORS 475.854(2)(c);**

(F) Unlawful possession of 3,4-methylenedioxymethamphetamine under [ORS 475.874(2)(a)] **ORS 475.874(2)(c);**

(G) Unlawful possession of cocaine under [ORS 475.884(2)(a)] **ORS 475.884(2)(c); or**

(H) Unlawful possession of methamphetamine under ORS [475.894(2)(a)] **ORS 475.894(2)(c).**

Section 21. ORS 670.280 is amended as follows:

(1) As used in this section:

- (a) "License" includes a registration, certification or permit.
- (b) "Licensee" includes a registrant or a holder of a certification or permit.

(2) Except as provided in ORS 342.143(3) or 342.175(3), a licensing board, commission or agency may not deny, suspend or revoke an occupational or professional license solely for the reason that the applicant or licensee has been convicted of a crime, but it may consider the relationship of the facts which support the conviction and all intervening circumstances to the specific occupational or professional standards in determining the fitness of the person to receive or hold the license. **There is a rebuttable presumption as to each individual applicant or licensee that an existing or prior conviction for conduct that has been classified or reclassified as a Class E violation pursuant to section 11 to section 19 does not make an applicant for an occupational or professional license or a licensee with an occupational or professional license unfit to receive or hold the license.**

(3) Except as provided in ORS 342.143(3) and 342.175(3), a licensing board, commission or agency may deny an occupational or professional license or impose discipline on a licensee based on conduct that is not undertaken directly in the course of the licensed activity, but that is substantially related to the fitness and ability of the applicant or licensee to engage in the activity for which the license is required. In determining whether the conduct is substantially related to the fitness and ability of the applicant or licensee to engage in the activity for which the license is required, the licensing board, commission or agency shall consider the relationship of the facts with respect to the conduct and all intervening circumstances to the specific occupational or professional standards. **There is a rebuttable presumption as to each individual applicant or licensee that an existing or prior conviction for conduct that has been classified or reclassified as a Class E violation pursuant to section 11 to section 19 is not related to the fitness and ability of the applicant or licensee to engage in the activity for which the license is required.**

Section 22. Any person subject to the penalty set forth in ORS 153.018(2)(e) for a violation that has been classified or reclassified as a Class E violation pursuant to section 11 to section 19, shall be fined up to \$100, but in lieu of the fine, may complete a health assessment, as set forth in section 2(2)(b)(ii), at an Addiction Recovery Center. Upon verification that the person has received a health assessment at an Addiction Recovery Center within 45 days of when the person receives a citation for a violation subject to the penalty set forth in ORS 153.018(2)(e), the fine shall be waived. Failure to pay the fine shall not be a basis for further penalties or for a term of incarceration.

Oversight and Administration

Section 23. Implementation. (1) Not later than February 1, 2021, the Oregon Health Authority, Health Systems Division Behavioral Health Services shall establish a statewide temporary telephone Addiction Recovery Center. The temporary telephone Addiction Recovery Center shall be staffed twenty-four hours a day, seven days a week, 365 days a year. The temporary telephone Addiction Recovery Center shall provide the services set forth in section 2(2)(b)(i)-(iii) and the verification set forth in section 2(2)(e).

(2) Until such time as an Addiction Recovery Center is established in the coordinated care organization service area where a person subject to the penalty set forth in ORS 153.018(2)(e) for a violation that has been classified or reclassified as a Class E violation pursuant to section 11 to section 19 resides, the person shall be fined up to \$100, but in lieu of the fine may complete a health assessment, as set forth in section 2(2)(b)(ii), through the temporary telephone Addiction Recovery Center. Upon verification that the person has received a health assessment through the temporary telephone Addiction Recovery Center within 45 days of when the person

receives a citation for a violation subject to the penalty set forth in ORS 153.018(2)(e), the fine shall be waived. Failure to pay the fine shall not be a basis for further penalties or for a term of incarceration.

(3) When an Addiction Recovery Center is established in each coordinated care organization service area, and not later than October 1, 2021, the temporary telephone Addiction Recovery Center shall be terminated.

Section 24. Audits. (1) No later than December 31, 2022, and at least once every two years thereafter, the Oregon Secretary of State, Audits Division shall conduct financial and performance audits regarding the uses of the Drug Treatment and Recovery Services Fund and the effectiveness of the Fund in achieving the purposes of the Fund and the policy objectives of this Act. The audit shall include:

(a) Data on grant programs, including:

- (i) A list of organizations and agencies receiving moneys from the Fund;
- (ii) The amount each organization and agency received from the Fund;
- (iii) The total number of organizations and agencies that applied for moneys from the Fund;
- (iv) The moneys that remained in the Fund after funds were disbursed;
- (v) The moneys used to administer the programs selected by the Fund;
- (vi) The effectiveness of the grants in increasing access to substance use disorder treatment, peer support and recovery services, harm reduction interventions as well as housing placement, and any other relevant outcome measures;

(b) Data on Addiction Recovery Centers, including:

- (i) The outcomes of each Center, including, but not limited to, the number of clients with substance use disorder served by each Center, the average duration of client participation, and client outcomes, including rates of recidivism, substance use disorder treatment completion, ability to obtain housing, employment, and legitimate income;
- (ii) The number of people seeking assistance from the Center who are denied or not connected to substance use disorder treatment and other services, and the reasons for such denials;
- (iii) The average wait time it takes for people at the Center to be able to fulfill their Individual Intervention Plan and the reason for any delays, such as waiting lists at referred services;
- (iv) The total amount of money disbursed to each Center.

(c) Data on implementation, including, the number of citations for Class E violations issued and the race of the person receiving a citation for a Class E violation;

(2) The audits set forth in subsection (a) of this section shall be conducted pursuant to the provisions of Oregon Revised Statutes Chapter 297 (and any subsequent modifications or amendments to those statutes), except to the extent any provision of Chapter 297 conflicts with any provision of this Act, in which case the provisions of this Act shall control.

(3) The Audits Division shall monitor and report annually on agency progress in implementing recommendations made in the audits. The Audits Division shall follow up on recommendations as part of recurring audit work or as an activity separate from other audit activity. When following up on recommendations, the Audits Division may request from the appropriate agency evidence of implementation.

Miscellaneous

Section 25. Effective and Operative Dates. (1) This Act shall become effective pursuant to Article IV, section 1(4)(d) of the Oregon Constitution.

(2) The amendments to statutes by section 11 to section 21, and section 22, become operative on February 1, 2021.

Section 26. Severability. If any provision of this Act or its application to any person or circumstance is held invalid, the invalidity does not affect any other provision or application of this Act that can be given effect without the invalid provision or application, and to this end the provisions of this Act are severable.

Note: **Boldfaced** type indicates new language; *[brackets and italic]* type indicates deletions or comments.

Explanatory Statement

Ballot Measure 110 mandates the establishment of at least one addiction recovery center in each existing coordinated care organization service area in the state. The centers triage the acute needs of persons who use drugs, provide connections to other services and offer peer support. The measure requires that services provided by the centers be free of charge and allows service providers to seek reimbursement from insurance providers. All services provided at the centers must be evidence-informed, trauma-informed, culturally responsive, patient-centered, non-judgmental, and centered on principles of harm reduction.

The measure establishes the Oversight and Accountability Council appointed by the Oregon Health Authority to provide grants to existing agencies or organizations to establish the centers. The measure directs the council to oversee the centers and requires that the centers be operational by October 1, 2021. The measure requires that the authority establish a temporary telephone addiction recovery center by February 1, 2021, and terminate the temporary center by October 1, 2021.

To fund the centers, the measure requires legislative appropriations to the authority, redirects marijuana tax account balances above \$11,250,000 quarterly to the authority and dedicates to the authority any savings to the state from reductions in arrests, incarceration and supervision resulting from the measure. Current law allocates marijuana tax revenue for other uses by state and local governments. The measure reduces the marijuana tax revenue for the other uses. The measure also requires that the Secretary of State biennially conduct a financial and performance audit of the fund established by the measure.

The measure eliminates criminal penalties for possession of specified quantities of controlled substances by adults and juveniles involving: heroin (1 gram or less), cocaine (2 grams or less), methamphetamine (2 grams or less), MDMA (less than 1 gram or 5 pills), LSD (less than 40 user units), psilocybin (less than 12 grams), methadone (less than 40 user units) and oxycodone (less than 40 pills, tablets, or capsules). Instead, possession of these specified quantities of controlled substances becomes a non-criminal Class E violation for which the maximum punishment is a \$100 fine or completion of a health assessment with an addiction treatment professional. The measure also reduces penalties for possession of controlled substances, other than possession constituting a commercial drug offense, in amounts greater than specified quantities, to a misdemeanor with less than a year imprisonment, a \$6,250 fine, or both.

The measure creates the rebuttable presumption that a person applying for an occupational or professional license or other authorization, and who was convicted of a controlled substance Class E violation, is not unfit to hold the license or other authorization.

Committee Members:

Anthony Johnson*
Kimberly McCullough*
Kevin Barton
Jim Ferraris
Richard Baldwin

Appointed by:

Chief Petitioners
Chief Petitioners
Secretary of State
Secretary of State
Members of the Committee

*Member dissents (does not concur with explanatory statement)

(The above committee was appointed to provide an impartial explanation of the ballot measure pursuant to ORS 251.215.)

Racial & Ethnic Impact Statement

The Oregon Criminal Justice Commission (CJC) received a written request from a member of the Legislative Assembly from each major political party requesting a racial and ethnic impact statement pursuant to ORS 137.685 for a state measure that is related to crime and likely to have an effect on the criminal justice system.

Criminal Justice System Changes Examined by Race/Ethnicity
The initiative changes several criminal sentencing laws regulating the possession of controlled substances (PCS). Relevant to the creation of the data estimates reported below, Measure 110 would change PCS convictions to criminal violations, except where an individual possesses a substantial quantity of drugs, which would be a misdemeanor, or is convicted of a commercial drug offense, which would be a felony.

A conviction for simple possession of controlled substances results in either probation or a short term sentence in a local jail in Oregon. The CJC examined the type of sentence individuals received for PCS in 2019 (probation versus jail) as well as sentence lengths by race/ethnicity and found few differences. The primary source of racial/ethnic disparities is in the rate at which individuals of different races/ethnicities were convicted of PCS. Currently, Black and Native American Oregonians are overrepresented compared to their Census populations.

The CJC also estimates that arrests for PCS would fall substantially. Using the estimated reduction in convictions as a guide, CJC estimates that PCS arrests would fall from 6,726 to 615. Currently, Black Oregonians are substantially overrepresented in PCS arrests compared to white Oregonians. Should Measure 110 pass, it is estimated that this disparity would fall by nearly 95% according to the RDR.

Other disparities can exist at different stages of the criminal justice process, including inequities in police stops, jail bookings, bail, pretrial detention, prosecutorial decisions, and others. The CJC lacks sufficient or appropriate data in each of these areas and therefore cannot provide estimates for these other stages. Similarly, while the CJC is required by statute to include an estimate of the racial/ethnic makeup of crime victims, data concerning victims of individuals convicted of drug possession are not available.

Convictions in 2019 for PCS				
Race/Ethnicity	Misd.	Felony	Total	Pct.
Asian	16	19	35	0.9%
Black	120	69	189	4.7%
Hispanic	238	198	436	10.7%
Native American	27	25	52	1.3%
Unknown	5	4	9	0.2%
White	1,733	1,603	3,336	82.2%
Total	2,139	1,918	4,057	100.0%

CJC estimates that if Measure 110 were to pass, a substantial reduction in the number of felony and misdemeanor convictions for PCS would follow. The total number of convictions for PCS would fall from 4,057 to 378, a nearly 91% reduction. This reduction would also be substantial for all racial groups, ranging from 82.9% for Asian Oregonians to approximately 94% for Native American and Black Oregonians. This means that approximately 1,800 fewer Oregonians per year are estimated to be convicted of felony PCS and nearly 1,900 fewer convicted of misdemeanor PCS. Prior academic research suggests this drop in convictions will result in fewer collateral consequences stemming from criminal justice system involvement, which include difficulties in finding employment, loss of access to student loans for education, difficulties in obtaining housing, restrictions on professional licensing, and others.

Estimated Convictions for PCS if Measure 110 were to Pass				
Race/Ethnicity	Misd.	Felony	Total	Pct.
Asian	5	1	6	-82.9%
Black	9	3	12	-93.7%
Hispanic	40	19	59	-86.5%
Native American	1	2	3	-94.2%
Unknown	25	0	2	-77.8%
White	219	77	296	-91.1%
Total	276	102	378	-90.7%

The changes proposed by Measure 110 would also lead to a reduction in racial disparities for PCS convictions at both the misdemeanor and felony levels. Using a disparity metric called the Raw Differential Representation (RDR), CJC estimates that racial disparities for misdemeanor and felony PCS convictions will be narrowed substantially if Measure 110 passes.

Argument in Favor

Drug arrests cost taxpayers too much. Measure 110 would save money.

As someone who has been involved in Oregon's business and civic leadership for over 30 years, I care about how the government spends money, so I looked into an independent economic study conducted on Measure 110 by ECONorthwest, a respected and independent Oregon economics firm.

Using the best analytical methods available, ECONorthwest studied exactly how much money it costs taxpayers each time a person in Oregon is arrested for simple drug possession. The economists added up all the costs—the arrest costs, the adjudication costs, the incarceration costs, the parole/supervision costs—and found the annualized cost per arrest for misdemeanor drug possession:

The cost per misdemeanor drug possession arrest and conviction is as much as \$35,217!

That's more than Oregon spends every year on a high school student.

This estimate of arrests is conservative. It doesn't account for opportunity costs (such as lost wages to individuals who are arrested), or for reduced wages (because people who have criminal records are often paid less).

Maybe those costs wouldn't be a big deal if Oregon police rarely arrested people for simple drug possession. **However, drugs are one of the most arrested offenses in Oregon.** Every year, Oregon law enforcement arrests about 8,900 people in cases where drug possession is the most serious offense.

That's the equivalent of arresting someone once every hour.

Furthermore, many people with drug addiction return to jail the moment they get out because they are unable to get treatment, often for more serious offenses that cost taxpayers even more. Felony drug possession arrests/convictions cost twice the amount of misdemeanors.

Our current approach is expensive, and providing treatment would cost less. And people who have received treatment and are no longer addicted to drugs will more likely stay out of jail.

Measure 110 would reduce Oregon's criminal justice costs and save taxpayers money.

Please vote YES on Measure 110.

Tom Imeson, former corporate executive

(This information furnished by Janie Gullickson.)

Argument in Favor

Drug Addiction is a health issue. We should treat it as one.

We are a broad coalition of Oregon clinicians and healthcare advocates working to improve the health of our patients and our communities.

We see firsthand just how damaging Oregon's current drug addiction crisis is. Did you know:

- Nearly two people die every day from overdose in Oregon.
- One in 11 Oregonians is addicted to drugs.
- Oregon ranks nearly last of all states in access to drug addiction treatment.
- There aren't enough treatment beds available in Oregon to send our patients who need it and want it.
- Many people don't come forward to seek help for fear of being arrested.

We urgently need a change to save families and save lives.

Yet, instead of treating addiction as a health issue, we're still treating it as a crime: arresting people and giving them long-term criminal records.

Criminalizing drug addiction ruins lives. People with a criminal record have a difficult, if not impossible, time getting housing, jobs, student loans, professional licenses and more. Jailing people for their addiction derails their access to health care, rips families apart, and leads to negative health outcomes.

Punishing people for drug use and addiction is costly and hasn't worked.

More drug treatment, not punishment, is a better approach.

Measure 110 will not legalize any drugs. Rather it will greatly expand access to drug treatment and recovery services for those who want and need them—without creating any new taxes. It'll be paid for with existing marijuana tax money.

Help us implement a more humane, effective, and cost-effective approach to drug addiction in Oregon.

Vote YES on Measure 110

Oregon Nurses Association
Oregon Chapter American College of Physicians
Oregon Academy of Family Physicians
Virginia Garcia Memorial Health Center
Healthcare for All Oregon
Cascade AIDS Project
Prism Health
NARAL Pro-Choice Oregon
Planned Parenthood Advocates of Oregon
Human Impact Partners

(This information furnished by Haven Wheelock, Harm Reductionist & Overdose Prevention Specialist.)

Argument in Favor

Addiction is a health issue, not a moral shortcoming. Not addressing Oregon's addiction crisis would be the real moral failure.

As faith leaders, we witness firsthand Oregon's addiction crisis. Our houses of worship often serve as primary supports to those struggling with addictions. We open our doors to recovery meetings and connect parishioners with social services. But, when it comes to addiction treatment, we are unmatched.

Addiction is a health issue. Oregon has a desperate lack of the resources required to address it. Wait lists for treatment are too long, and the high cost makes it inaccessible for many. The longer people are forced to wait for treatment, the more likely they are to overdose and die. Right now, one to two Oregonians die every day from drug overdose.

All too often, instead of getting help, they get a criminal record that drives them further from hope, recovery and a decent life.

Measure 110 will:

- Give more people access to treatment and recovery services, including access to housing.
- Eliminate unnecessary criminal convictions that prevent people from finding housing, jobs, professional licenses, and more.
- Keep families together. Addiction, and the arrests that often result, are leading reasons why children in Oregon are placed into foster care.

This measure does NOT legalize drugs.

Join us in voting YES on 110!

Ecumenical Ministries of Oregon
 Interfaith Peace & Action Collaborative
 Farm Worker Ministry Northwest
 Clergy For a New Drug Policy
 Jewish Federation of Greater Portland
 Lutheran Community Services Northwest
 Bridgeport United Church of Christ
 Rabbi Michael Z. Cahana, Congregation Beth Israel
 Rev. Erika Spaet, United Methodist Church and
 Evangelical Lutheran Church of America
 Rev. Eilidh Lowery, Trinity UMC
 Rev. Dr. W. J. Mark Knutson, Senior Pastor,
 Augustana Lutheran Church
 Rabbi Debra Kolodny, Portland's UnShul/
 As The Spirit Moves Us
 Nate Macy, Pastor, Yamhill County
 J.W. Matt Hennessee, Pastor,
 Vancouver First Avenue Baptist Church
 Reverend Taylor Gould, La Grande United Methodist Church
 Rev. Theresa "Rivka" Gevurtz, Shelter For The Spirit

(This information furnished by Devon Downeysmith.)

Argument in Favor

**5 Reasons Clackamas County Residents
 Urge You to Vote YES on Measure 110**

In Clackamas County, as in other parts of our state, we have a major problem with drug addiction. The current approach is failing.

According to the Oregon Health Authority, in Clackamas county:

- Nearly 1 in 5 residents ages 18 to 25 have a drug addiction issue.
- More than 3 in 10 residents ages 26 and older have a drug addiction issue.
- Someone gets charged for drugs nearly every day on average.
- Someone overdoses on drugs about once every three days.

We need a better approach. Measure 110 would establish a more humane, effective and cost effective approach to drugs, expanding access to low-cost, low-barrier treatment in our communities. Here's why we urge you to vote yes:

1. Oregon ranks nearly last of all states in people's access to drug treatment.
2. Our current drug laws can ruin lives based on a single mistake. Possession of a small amount of drugs can land someone in jail, saddling them with a lifelong criminal record that prevents them from getting a job, getting housing and more.
3. People suffering from addiction need help, not criminal punishments. Measure 110 will allow people to get the treatment they need instead of putting them in jail and giving them criminal records.
4. Professionals and community leaders support Measure 110, including Clackamas County resident Janie Gullickson, the director of the Mental Health and Addiction Association of Oregon.
5. Save money and lives. It costs over \$30,000 to arrest, adjudicate, incarcerate and supervise someone for drug possession. Treatment costs less and saves lives.

Join us in voting YES on Measure 110.

Bethany Taft, Oregon City
 Mark Gamba, Milwaukie
 Janie Gullickson, Clackamas
 Pete Tutmark, Clackamas
 Kathy Wai, Clackamas
 Valdez G. Bravo, Clackamas
 Arielle Bloom, Lake Oswego
 Kristina Naranjo-Rivera, Estacada
 Grace Lanaras, Clackamas
 Kyla Schmidtt, Lake Oswego

**This is one of seven regional statements
 representing areas across Oregon.**

Look for your area in this mix of pages.

(This information furnished by Janie Gullickson, Clackamas Resident.)

Argument in Favor

**Oregon's current approach to drug policing is failing Lesbian,
 Gay, Bisexual, Transgender, Queer Oregonians.**

Measure 110 will change that.

LGBTQ people face higher rates of drug and alcohol addiction, are more likely to experience over-policing, and have a harder time getting access to the help they need. According to the National Survey on Drug Use and Health, LGBTQ people are twice as likely to experience addiction, and only half as likely to have access to treatment.

That's why we need Measure 110.

Measure 110 will increase access to low-barrier, culturally-responsive treatment, recovery, housing and harm-reduction services to those who need and want them. It's an urgently-needed step to help our communities.

The trauma and marginalization that LGBTQ communities face because of homophobia and transphobia make our communities particularly vulnerable to addiction, homelessness, and mental health struggles. Criminalizing these health issues is cruel, ineffective, and can cause more trauma and isolation.

LGBTQ people are three times more likely to be stopped by police and be incarcerated. Trans youth are particularly over-represented. In addition, jail and prison can be particularly unsafe for LGBTQ individuals.

Jail is not the best place to send people who have drug addiction. Furthermore, the resulting criminal records from drug convictions create lifelong barriers to accessing basic needs like housing, education, and employment, exacerbating inequities, and making it harder to recover. **Treatment is more effective.**

**LGBTQ communities need access to treatment
 that meets our needs, not incarceration.**

That's why advocates for equality urge a YES vote on M110.

Basic Rights Oregon
 Cascade AIDS Project
 Prism Health
 Forward Together
 Black & Beyond the Binary
 Planned Parenthood Advocates of Oregon

(This information furnished by Peter Zuckerman, More Treatment for a Better Oregon. www.VoteYesOn110.org.)

Argument in Favor

Working Families Support Measure 110

Drug addiction impacts all kinds of people across Oregon, including workers. Even workers who aren't addicted to drugs are impacted by addiction, because we have friends, family, colleagues and co-workers who are. One in 11 Oregonians are addicted to drugs, and nearly two people in Oregon die every day from overdose, according to the federal government.

To truly build an economy that works for everyone, we need an adequate system to address drug addiction. Unfortunately, right now we don't have such a system.

- Our state ranks nearly last in the nation in access to addiction treatment for those who need it.
- Low-income households particularly struggle to find access to the treatment they need.
- Treatment is unavailable in many parts of the state, and unaffordable to many of the rest of us.

Meanwhile, our current drug laws are counterproductive. Instead of helping people who struggle with addiction by providing access to treatment, we rely too much on arresting people and giving them criminal records. Even a minor drug arrest can set up lifelong barriers that prevent people from getting jobs, professional licenses, college financial aid, housing, or being eligible for a promotion. Oregonians need access to treatment and recovery services, not jail.

Together, we can win a system that's more humane, equitable, effective and cost-effective. That's why we're urging you to vote yes on Measure 110.

Measure 110 does NOT legalize any drugs. All sales will remain a crime. Instead, Measure 110 removes criminal penalties for small amounts of personal possession of drugs and connects people with no cost and low cost drug treatment services.

Please join us and other workers in voting yes on Measure 110.

Oregon AFL-CIO

Oregon AFSCME 75

UFCW Local 555

Oregon Nurses Association

IBEW Local 48

Pineros y Campesinos Unidos del Noroeste (PCUN)

Oregon Machinists' Council

Oregon Working Families Party

Portland Jobs with Justice

(This information furnished by Janie Gullickson, The more humane, effective approach. Vote Yes on 110.)

Argument in Favor

Desperate for help and nowhere to go:

Southern Oregon Communities Need Access to Drug Treatment Vote YES on Measure 110.

Oregon has a destructive revolving door for people with drug addictions: detox (sometimes while in jail), back out and using, arrested and in trouble again -- the cycle continues, with no support, and very little drug treatment and support services available to help people find a way out.

And as bad as it is across the state, here in Southern Oregon it is even worse. Across the Rogue Valley, thousands are desperate for treatment, with nowhere to turn.

For us, this isn't a statistic. These are our loved ones, neighbors and friends. Our jails are nearly always full, often with people charged only for non-violent drug offenses. **Measure 110 will give our communities resources we desperately need, expanding access to low-cost, low-barrier treatment and recovery services in our region.**

Our people can't wait. They need immediate, compassionate, care. And these services are most effective when offered within their home communities.

But right now, providing our communities with the services and support we need, addiction treatment is an afterthought. The cost is counted in lives, with people dying every day, sometimes from overdose while waiting to get into treatment.

Vote YES on Measure 110.

Please give our communities and families access to effective drug treatment, and a way out of addiction.

Karen Meurer, Phoenix

Monserat Alegria, Central Point

Rich Rohde, Ashland

Scott Perry, Medford

Rita Sullivan, Medford

Bev DeLeonardis, Central Point

Erica Ledesma, Medford

Silvia T. Arroyo, Medford

Ana Gutierrez, Talent

Floran McGee, Bandon

Mariah Hollingshed, Medford

Elizabeth Silver, Ashland

Claudia Little, Ashland

Derek Nelson, Grants Pass

Eleanor Ponomareff, Talent

Marjorie Lininger, Medford

Crystal Reyes, Medford

This is one of seven regional statements representing areas across Oregon. Look for your area in the mix of pages.

(This information furnished by Anthony Johnson, Vote Yes on Measure 110, The More Humane, Effective Approach.)

Argument in Favor

Columbia Gorge Residents: Vote YES on Measure 110

Drug addiction isn't just a big city problem. It impacts people in every part of Oregon, including where we live -- the Columbia Gorge.

Most Oregonians know someone with addiction issues. In our community, young people are especially impacted. The numbers are devastating: 1 in 5 young adults (between ages 18 and 25) in Hood River County are addicted to drugs, according to the Oregon Health Authority.

Oregon has the fourth-highest addiction rate in all 50 states and also ranks nearly last in access to drug treatment, according to the federal Substance Abuse and Mental Health Services Administration.

Addiction treatment is especially hard to access when you live outside a major city. For many people in the Columbia Gorge, there are no options at all. To get treatment, you need a car and enough time to drive to a big city, several times a week. You need money to pay for treatment, or the "right" insurance plan to cover it.

We have jail on demand in the Columbia Gorge. But we don't have treatment on demand.

Measure 110 does not legalize drugs. Rather, it establishes a more humane, effective and cost-effective approach to drugs and addiction. Instead of arrests and punishments, Oregon would shift to a health-based approach that actually works.

Measure 110 will expand access to low-cost, low-barrier treatment in our communities, giving those struggling with addiction the tools they need to get well, and build a recovery support network after treatment in the communities where they work and live.

Join us in voting YES on Measure 110:

Matt Ellis
Eric Burnette, Hood River
Alisa Fowler, Hood River
Kourtney Nelson-Cocks, Hood River
Brendan Cocks, Hood River
Amber Orion, The Dalles
Douglas Nelson, The Dalles
Connie Yost
Jill Burnette, Hood River
Gene Hallman
Mary Hallman

This is one of seven regional statements representing areas across Oregon. Look for your area in the mix of pages.

(This information furnished by Haven Wheelock, Chief Petitioner, Yes on Measure 110.)

Argument in Favor

Over 100 organizations across Oregon endorse Measure 110. (Too many to fit!)

We are organizations, large and small, from around Oregon. We represent healthcare providers, law enforcement, communities of color, immigrants and more. We have vetted Measure 110 and believe it's the right approach.

Join us in voting YES on Measure 110!

ACLU of Oregon; Ainsworth United Church of Christ; Alano Club of Portland; Oregon Chapter - American College of Physicians; Asian Pacific American Network of Oregon (APANO); Basic Rights Oregon; Brown Hope
Cascade AIDS Project Prism Health; Causa; Central City Concern; Centro Latino Americano; Changing Patterns; Clergy for a New Drug Policy; Coalition of Communities of Color; Community Alliance of Tenants; Confederated Tribes of Grand Ronde
Ecumenical Ministries of Oregon; Elevate Oregon; Escudo Latino; Family Forward Oregon; Farm Worker Ministry Northwest; Forward Together; Freedom to Thrive; Gang Impacted Family Team
Hacienda CDC; Health Care for All Oregon; Human Rights Watch; IBEW Local 48; Impact NW; Interfaith Peace and Action Collaborative; Jewish Federation of Greater Portland; Jobs with Justice Portland; JOIN; Justice Advocates
Latino Network; Law Enforcement Action Partnership; Lutheran Community Services Northwest; Men Building Men; Mental Health and Addiction Association of Oregon; Moms United
NAACP - Eugene Springfield Chapter; NAACP - Portland Chapter; National Alliance on Mental Illness - Southern Oregon; NARAL Pro-Choice Oregon; National Association of Social Workers Oregon Chapter; NAYA Family Center; Next Up Oregon; Northwest Down Syndrome Association

Oregon Academy of Family Physicians; Oregon AFL-CIO; Oregon AFSCME 75; Oregon Latino Health Coalition; Oregon Machinists' Council; Oregon Nurses Association; Oregon Physicians for Social Responsibility; Oregon School Social Worker Association; Oregon School Psychologists' Association; Oregon State Council For Retired Citizens; Oregon Working Families Party; Outside In

Pineros y Campesinos Unidos del Noroeste (PCUN); Planned Parenthood Advocates of Oregon; Remnant Initiatives; Rosewood Initiative

Transition Projects; UFCW 555; Unite Oregon; United Seniors of Oregon; Virginia Garcia Memorial Health Center; White Bird Clinic; YWCA of Portland

(This information furnished by Anthony Johnson, Chief Petitioner, Yes on Measure 110.)

Argument in Favor

Children shouldn't get prosecuted for drug addiction

Youth Advocates Urge a YES Vote on Measure 110

Often, when a student is found to have drugs or alcohol on school property, the first call goes to the police, and that child receives a "minor in possession" charge. A criminal record can follow a young person for life. It can hurt their ability to stay in school, go to college, rent an apartment, or get a job.

When a minor struggles with drugs, we have a choice: we can punish them and push them aside, or we can see it as a call for help. All too often, Oregon makes the wrong choice. Addiction is a health problem that can be solved with evidence-based drug treatment and recovery services.

Access to drug treatment is severely limited in Oregon.

Oregon ranks nearly last out of the 50 states in access to drug treatment services for those who want them.

The longer students are out of school without drug treatment and support, the more they fall behind.

Measure 110 offers a more effective approach, expanding access to drug treatment for youth across Oregon, and intervening early to help them recover. It does NOT legalize drugs.

As professionals who have dedicated our careers to advocating for children, we support Measure 110. It's the best way to help youth who struggle with drug addiction.

Kids with Addictions Need Treatment, Not Punishment Vote YES on 110.

Moms United to End the War on Drugs
Parents for Addiction Treatment & Health
Portland Opportunities Industrialization Center
The Mother PAC
Men Building Men
Lily Lines, Peer Crisis Intervention Specialist
Joe McFerrin, Executive Director, Portland OIC
Hannah Reynolds,
High School Teacher & Debate Coach, Tillamook
Margaret Whiting, High School Counselor, Wheeler
Dennis Morrow, Executive Director, Janus Youth Programs
Donell Morgan, Executive Director, Elevate Oregon
Hannah Nebeker, Early Childhood Educator, Bend
Antoinette Edwards
Tony Hobson, Sr.
Roy Pittman
Kali Thorne Ladd

Jay Bloom
YWCA of Portland

(This information furnished by Haven Wheelock, Chief Petitioner, Yes on Measure 110.)

Argument in Favor

**Addiction is a housing issue.
Homeless and Affordable Housing Providers
and Advocates Agree:
YES on Measure 110**

Housing plays an important role in helping people recover from drug addiction.

If you can't pay rent or find a job, live in an unsafe situation, or don't know where you're going to sleep at night, the resulting stress can contribute to drug use and relapse.

It's hard to recover from drug addiction when you do not have a safe, stable place to live.

At the same time, the criminalization of addiction can make it much more difficult to access the things people need to recover. For example, criminal records for drug possession can make it nearly impossible for people to get a job, rent an apartment, or go to school. Criminal records can trap people in poverty, homelessness and addiction.

Unfortunately, Oregon's current approach to drug addiction often makes these housing and addiction problems worse. **We need a better approach.**

That's why we support Measure 110. **This measure expands access to drug addiction treatment and recovery support, and removes unfairly harsh punishments for minor, nonviolent drug offenses, so people with addiction can more easily get the help they need.**

People will no longer be arrested and put in jail simply for possession of small amounts of drugs. **Instead, they will receive a health assessment and be connected to the right treatment or recovery services, including housing assistance, to help them get their lives back on track.** This initiative does NOT create any new taxes to pay for all this. Instead, it relies on existing marijuana tax revenue.

Vote YES on 110

Cascade AIDS Project
Prism Health

Central City Concern

Hacienda CDC

Community Alliance of Tenants

JOIN

Transition Projects, Inc.

Outside In

Steve Rudman, Executive Director (retired), Home Forward

Lawashia Smith, Shelter Manager, Portland

James Cook, Homeless Advocate, Redmond

Sam Bouman, Housing Case Manager, Portland

Colleen Thomas, Homeless Advocate, Bend

(This information furnished by Haven Wheelock, Chief Petitioner, Yes on Measure 110.)

Argument in Favor

**Willamette Valley Communities Agree:
Oregonians need more access to drug treatment services.**

Vote YES on Measure 110.

When a person struggling with drug addiction reaches out for help, the first thing their loved ones may do is to try to connect them with drug treatment services in their area.

Along the 150 mile length of the Willamette Valley, we're lucky to have more options than some parts of Oregon. But it's nowhere near enough.

Compared to the need, the number of drug treatment spots in the valley are dangerously limited. Families are desperate, coming up empty-handed when trying to find help for their loved one.

Treatment centers are almost always full, with anywhere weeks to months-long waiting periods. When people with drug addictions are made to wait many revert back to problematic drug use. And the longer the wait, the higher the risk of overdose.

Measure 110 will increase access to low-cost, low-barrier, local treatment and recovery services, including:

- Treatment that is evidence-based, trauma-informed, culturally responsive and patient-centered;
- Peer support and recovery services to help individuals rely upon a support network after treatment;
- Housing (stabilizing and transitional) for persons with substance use disorder.

For someone struggling with addiction, access to treatment can be the difference between life or death.

For the people who love them, treatment offers hope and progress. For once, they can answer their phone or their door without dreading it's news that something bad has happened.

**Treatment saves lives,
but only when those who need it can access it.
Join us in voting YES on Measure 110.**

Linda Hamilton, Eugene

Debbie O'Dea, Corvallis

Nate Macy, Newberg

Joshua Purvis, Eugene

Sergio Guitierrez, Independence

Sam Sappington, Corvallis

Lee Mercer, Silverton

Laurel Lisovskis, Eugene

Sean Nikas, Salem

Rico Perez, Eugene

Miriam Cummins, Albany

Lisa Gettig, Salem

Mike Ellison, Salem

Heather Bishop, Albany

Christy Crisman, Newberg

**This is one of seven regional statements
representing areas across Oregon.
Look for your area in the mix of pages.**

(This information furnished by Devon Downeysmith, More Treatment for a Better Oregon, Vote Yes on 110.)

Argument in Favor

**As Treatment Providers,
We See Oregon's Addiction Crisis Firsthand**

**Oregon needs to address drug addiction
with treatment, recovery and housing.
Now.**

We are medical doctors and treatment providers who specialize in addiction. We work across Oregon, and among us have seen thousands of cases. Drug addiction affects all kinds of families and people, from all communities and backgrounds.

Oregon ranks nearly last of all states in access to drug treatment services. **It is unacceptable how often we have to tell someone in crisis that we simply don't have a place for them or their loved one.**

When we call weeks or months later to let them know a space has finally opened up, we often cannot reach them. Sometimes people fall back into the throes of active drug addiction. Sometimes they have overdosed and died.

We are losing one to two Oregonians to drug overdoses every day — in cities, suburbs, and rural areas.

Measure 110 offers a better path forward, making addiction treatment and long-term recovery and support services available on-demand.

Measure 110 will implement a more compassionate, effective approach to addiction — one that recognizes it as a health issue that demands an immediate health-based response

Vote YES for Measure 110

Dr. Andy Seaman, Healthcare for the Homeless Clinician

Aubrey Henshaw, Case Manager,
Eastern Oregon CCO Baker County CAC

Dr. David Lawrence, Central City Concern

Monta Knudson, Executive Director, Bridges to Change

Theodor Miller, Diversion Counselor,
Union County Juvenile Department

Dennis Morrow, Executive Director, Janus Youth Programs

Dr. Rebecca Cantone, Founding Medical Director,
Oregon Outpatient Treatment Program

Dr. Jessica Gregg,
Hospital-Based Addiction Treatment Provider

Cami Bean, NP, Treatment Provider, La Grande

Dr. Alisha Moreland, MD, Former Executive Director,
Avel Gordly Center for Healing

Ed Blackburn, retired Executive Director, Central City Concern

Richard Harris, retired Director of Mental Health and
Addiction Services for the State of Oregon

Cami Miller, Community Health Worker, LaGrande

Heidi Hug, CADC II, CRM, QMHA, Baker City

(This information furnished by Anthony Johnson, More Treatment for a Better Oregon, Vote Yes on Measure 110.)

Argument in Favor

My dad died of an accidental drug overdose while waiting to get into treatment.

I'm voting yes on 110 so that other families don't have to experience what I did.

My dad struggled with addiction for much of his life, but he wanted to get better.

A fatal drug overdose took his life just days before he was to begin medically assisted treatment for his drug addiction.

There is not a doubt in my mind that his overdose was an accident, and that if he had been able to access treatment earlier, he would be alive today.

My dad was my biggest cheerleader, always behind me 100 percent. He was at every cross country meet, basketball and lacrosse game. He worked two jobs to make sure my brother and I could stay in the school district we grew up in. My dad wrote to me every week while I was in bootcamp and was with me as I boarded a plane to Afghanistan. When I graduated from college, the first person in my family to do so, my dad flew across the country to be there. My dad never let me forget how much he loved me. I could not have accomplished what I have without him.

It is hard to watch someone that you love struggle with addiction. It was incredibly hard for us to find him affordable treatment. Once we did, he had to wait weeks to access it. Weeks may not seem long, but **when it comes to addiction, an extra day can mean life or death.**

Measure 110 will expand access to affordable treatment so no one will have to spend months searching for it, or waiting to access it.

We do not have months -- or weeks, or days -- to wait when someone is ready for treatment.

I will vote yes on Measure 110 so that no other family has to lose a loved one to overdose.

Amelia Fowler

(This information furnished by Janie Gullickson.)

Argument in Favor

I'm the former US Attorney for Oregon and have prosecuted drug cases. Our current approach to drug addiction doesn't work.

Vote YES on Measure 110

I've prosecuted many drug crime cases firsthand—and seen how the way we take on drug addiction is dysfunctional.

The system we have right now often creates a revolving door in and out of jail. Thousands of people are arrested every year because they are addicted to drugs. They never get the treatment they need. They are put behind bars. Black, indigenous and people of color are disproportionately harmed.

When people leave jail for drug possession, they receive little or no support. They struggle to find employment and housing because now they have criminal records. With no support, they often return to drugs. And the cycle continues...

As an experienced law enforcement official, I think this is wrong. We shouldn't be filling our jails with people suffering from addiction. What we should do is provide drug treatment services and recovery support so that people can get and stay clean.

But there isn't enough drug treatment available; Oregon ranks nearly last in the country in access to drug treatment for those who want it.

Measure 110 offers a better approach, expanding drug treatment services and halting the ineffective practice of jailing people caught with a small amount of drugs.

Measure 110 does NOT legalize drugs. Instead, Measure 110 reduces criminal penalties for low-level drug possession; it incentivizes people to get drug treatment, and expands access to treatment and recovery services. Independent research from the Oregon Criminal Justice Commission shows it will reduce racial disparities in arrests by 95%.

From my point of view as a longtime officer of the court, it's time for a more humane and effective approach to drug addiction in Oregon.

Vote YES on Measure 110.

Kris Olson, former US Attorney for the District of Oregon

(This information furnished by Janie Gullickson.)

Argument in Favor

Central Oregonians Need Better Access to Drug Treatment and Recovery Services.

Vote YES on Measure 110.

"I am 16 months sober, and forever grateful for the drug treatment I received, and the new shot I got at life. Not all people have the opportunity to get this chance like I did. People CAN change for the better, and measures like this could be the blessing that helps many people find a way out of the horrible grips of addiction."

- Anonymous; Bend Resident

In Central Oregon, we're used to driving long distances for appointments, groceries and basic needs, especially those of us living outside of cities. But even when someone is willing to drive the distance for drug addiction treatment, there is simply nowhere to go for what they need.

More people in Central Oregon are dying from drug overdoses now than ever before.

Deschutes, Jefferson, and Crook counties are growing faster than Oregon as a whole. Yet addiction treatment services are less accessible here than ever. Oregon is in an addiction crisis, and our communities are falling through the cracks.

Measure 110 will expand access to low-cost, low-barrier drug treatment services in Central Oregon. This measure does not legalize drugs, but shifts our approach to addiction away from criminalizing people, to one providing health services.

Join us in voting YES on Measure 110 so that anyone in Central Oregon who wants treatment can get it.

Kim Reynolds, Bend
Frank Patka, Bend
Gonzalo Mendez, Bend
Matthew Rock, Redmond
Sydney Dedrick, Bend
GG Johnson, Bend
Erika Spaet, Bend
Hannah Nebekker, Redmond
Zavi Borja, Bend
John Hummel, Bend
Anna Rhodes, Redmond
James Cook, Redmond
Gavin MacFarland, Bend

This is one of seven regional statements representing areas across Oregon. Look for your area in the mix of pages.

(This information furnished by Devon Downeysmith, Yes on Measure 110. It's time for a more humane, effective approach.)

Argument in Favor

Physicians: Our current system excludes vulnerable populations. Oregon needs adequate and equitable access to drug addiction treatment

YES on 110

At Oregon Physicians for Social Responsibility, we represent medical and health professionals and public health advocates, with approximately 2,500 members and supporters. We work to protect human life from the gravest threats to health and survival.

Drug overdoses kill nearly two Oregonians every day. These deaths are preventable. But we need a system that treats people more fairly.

You're probably aware of the disparities in drug arrests and how Black, Indigenous and people of color are disproportionately harmed. Measure 110 would reduce disparities in drug arrests by 95%.

But systemic racism isn't just found with policing. It's also found in healthcare, including drug addiction treatment.

Oregon already ranks nearly last in access to drug treatment for those who want it. People unable to access treatment tend to be those who can't afford it, lack the ability to travel long distances to get treatment, don't have the "right" insurance plan, or are stigmatized to the point of being afraid to get treatment, in many cases because they are worried about police arresting them for seeking help.

These are among the many reasons our current system disproportionately excludes poor people, people living in rural communities, LGBTQ communities, people with disabilities, and Black, Indigenous, Latinx, and people of color.

Measure 110 is a measure for everyone—a more humane, equitable and effective approach.

Measure 110 does NOT legalize any drugs. Drug testing will remain in place. DUIs will still be a crime. All illegal drug sales, of any kind, will remain a crime.

Measure 110:

- Expands access to drug addiction treatment all around Oregon.
- Reduces the cost and long wait time to get treatment.
- Pays for treatment using an existing tax on marijuana.
- Treats addiction as a health issue, not as a criminal punishment issue.

This approach will save lives and be more equitable.

Oregon Physicians for Social Responsibility

(This information furnished by Peter Zuckerman, Yes on Measure 110, www.VoteYESon110.org.)

Argument in Favor

Every Day in Oregon, We Lose Nearly Two People to Drug Overdose Help Fix this Broken System

The Centers for Disease Control reports that Oregon's rate of deaths by drug overdose went up by 10% over the last year. These deaths occur in rural and urban parts of Oregon, in every Oregon county, among people old and young, Black and white, Republican and Democratic. We got here because Oregon has failed to adequately provide low-cost, no barrier drug treatment and recovery services to people when they need it.

According to the federal government, Oregon ranks nearly last in availability of drug treatment for those who want it.

In many parts of the state, there is no drug treatment available at all. In other places, the waitlist to get treatment at all can be long, and the wait to get affordable treatment can be months long.

People in Oregon regularly die of overdoses while they are still waiting to get treatment. Another reason for the overdose death rate Oregon largely treats addiction as a criminal matter instead of a healthcare issue, arresting nearly 9,000 people a year for simple drug possession. Many suffering from addiction don't come forward for help for fear of arrest. Instead they hide and continue to use.

Punishing people for drugs and addiction has failed.

Research shows that it's counterproductive: People leaving jail from arrests for drugs are actually much more likely to die of overdose because they return to what's familiar. They resume using drugs at the same rate as before, but their body isn't used to it.

It doesn't have to be this way.

Measure 110 will establish a more humane, effective and less expensive approach to drug addiction.

Measure 110 will greatly expand access to low-cost, no barrier drug addiction treatment and recovery services for those who need them, paying for it with a portion of existing taxes on marijuana.

Reduce Deaths by Overdose

Vote YES on 110

(This information furnished by Anthony Johnson, Chief Petitioner, More Treatment for a Better Oregon, www.voteeye-son110.org.)

Argument in Favor

We're from Eastern Oregon.

We have practically no access to drug addiction treatment

Vote YES on Measure 110.

It's hard to overstate how bad Oregon's drug addiction and overdose crisis is in eastern Oregon.

The opioid epidemic has hit us hard. A lot of people want to quit. But there is practically no access to drug addiction treatment at all.

Even if you have the money to pay for treatment and the "right" insurance plan—which all too often is NOT the case—you have to drive hours to the nearest place for help. That's very hard for someone to do if they're addicted to drugs, have a family, or do not have a lot of money.

For those fortunate enough to get treatment, there is inadequate support afterwards. So people relapse, often shifting from prescription drugs to illegal drugs, and eventually end up with criminal records that stop them from getting jobs, housing and more.

Criminalizing drug addiction is expensive. It costs about \$30,000 per person, per year, to arrest, adjudicate, incarcerate and supervise them in a simple drug possession case. A treatment-based approach would save money. In addition, criminalizing drug addiction takes a lot of law enforcement's time, when there are more important things to focus on, like unsolved murder and rape cases.

Measure 110 does NOT raise taxes. It does NOT legalize any drugs. Drug testing will remain in place. All sales, of any size, will remain a crime. Rather, it uses existing taxes on marijuana to expand access to low-cost, low-barrier treatment all around the state—including eastern Oregon.

Vote YES on 110.

Wallowa Valley Center for Wellness

Cami Miller, La Grande

Aubrey Henshaw, Baker City

Micah Engum, Pendleton

Zaira Sanchez, Hermiston

Eugene Hallman, Pendleton

Mary Hallman, Pendleton

Reverend Taylor Gould, La Grande

Cami Bean, La Grande

Chantay Jett, Enterprise

This is one of seven regional statements representing areas across Oregon.

Look for your area in this mix of pages.

(This information furnished by Haven Wheelock, More Treatment for a Better Oregon: Yes on 110.)

Argument in Favor

Drug treatment and recovery services save lives.

They saved mine.

Vote YES on Measure 110

I battled addiction for 20 years. In 2013 I was arrested, charged with a felony for personal possession and sentenced to jail.

I was never offered treatment in jail, or upon release.

In jail, I detoxed from drugs without medical supervision. Everyone detoxing was placed in a group cell together. There was one toilet, and we were given a floor mat and blanket. We were so cold we huddled together for warmth, even though we were strangers. Every time someone got sick—which happens often while detoxing—we were forced to take cold showers. Jail was traumatizing and dehumanizing.

Once released, I went back to using. **Using drugs was the only way I knew how to cope, and my time in jail only created more trauma I needed to escape from.**

In 2015, I was finally able to get into treatment. I graduated, and found transitional housing through Central City Concern. The wrap-around support I received saved my life.

Measure 110 makes these types of supports more accessible, available when someone wants it, rather than through sheer luck like me.

Even though my nightmare with addiction has ended, my criminal record continues to haunt me. I have been denied housing. I have received job offers only to have them rescinded when my background check came back. I used to work as a Certified Nursing Assistant, but my record prevents me from being able to do that ever again.

Today I'm a mother and grandmother. I work as a Mentor and Peer Development Supervisor. In my work, I am constantly confronted with stories from others seeking the same road-blocks I faced when trying to get access drug treatment.

It doesn't have to be this way. **Measure 110 can change this. Please Vote YES on 110.**

Serina Woods

(This information furnished by Haven Wheelock.)

Argument in Favor

Our organizations represent more than 3,000 medical doctors and health professionals in Oregon.

We Urge a Yes Vote on Measure 110
Oregon Academy of Family Physicians
Oregon Chapter of the American College of Physicians

Our members include addiction medicine doctors and researchers who study drug addiction. We see what works and what doesn't.

As medical doctors throughout Oregon, we are first hand witnesses to the failure of our current approach to drugs and addiction.

People are dying, families are breaking apart, and lives are being ruined—because instead of addressing Oregon's lack of treatment and recovery services, we treat people with addiction as criminals.

Oregon needs a humane, equitable and effective approach to drug treatment.

- Oregon ranks nearly last in access to treatment.
- The wait time to obtain treatment is so long in Oregon that **people sometimes die while waiting to get treatment.**
- Punishing people for addiction is ineffective, expensive and inhumane.
- **Drug addiction is a health issue that deserves a health-based response.** Arresting people and giving them a criminal record makes recovery from addiction even harder.

Measure 110:

- Does NOT legalize drugs.
- Does NOT create any new taxes.
- NO CHANGE is made to other crimes associated with drug use, such as manufacturing or driving while impaired.
- Workplace drug testing isn't changed.
- All sales, of any amount, remain a crime.

Measure 110 will establish a health-based approach to addiction. Instead of arresting people for possession of small amounts of drugs, Measure 110 will greatly expand access to drug treatment and recovery services. This includes:

1. **Establishing Addiction Recovery Centers throughout the state** to immediately assess the needs of people who use drugs, and link them to treatment, care and services.
2. **Increasing the availability of services, including:**
 - Drug Treatment
 - Peer support and recovery services so people are able to remain clean and sober
 - Supportive Housing
 - Harm reduction interventions

Please Vote Yes on Measure 110
www.VoteYESon110.org

(This information furnished by Peter Zuckerman, The Campaign for More Treatment, A Better Oregon. Vote Yes on Measure 110.)

Argument in Favor

Las leyes de las drogas de Oregon se dirigen de manera desproporcionada a la comunidad latina.
Necesitamos un mejor enfoque.

Vote Sí a la Medida 110.

Los latinos enfrentan consecuencias desproporcionadamente duras en muchas etapas del sistema de justicia penal, a pesar de que la evidencia muestra que los latinos consumen drogas en niveles similares o más bajos.

La policía perfila injustamente a muchos latinos. Los latinos condenados por delitos relacionados con las drogas pueden afrontar sentencias severas que resultan en más tiempo en la cárcel y la separación de familias.

Una acusación de un delito menor de drogas puede tener consecuencias de por vida, creando antecedentes penales que dificultan la obtención de vivienda, empleo, y más.

La Medida 110:

- Eliminará casi por completo las disparidades raciales en los arrestos y condenas por drogas. Esto es según un nuevo informe de la Comisión de Justicia Criminal de Oregon.
- Ampliará el acceso al tratamiento culturalmente sensible ofrecido en diferentes idiomas.
- Mantendrá unidas a las familias.

Lo instamos a votar Sí en la Medida 110.

Oregon's drug laws disproportionately target the Latino Community.
Time for a better approach.

Vote YES on Measure 110.

Latinos face disproportionately harsh consequences at many stages of the criminal justice system, despite evidence showing Latinos use drugs at similar or lower rates than others.

Many Latinos are unfairly profiled by police. Latinos convicted of drug offenses can face harsh sentences that separate families and lead to more jail time.

A misdemeanor drug charge can create a lifelong criminal record, making it harder to obtain housing, employment, and more.

Measure 110 will:

- Nearly eliminate racial disparities in drug arrests and convictions. This is according to a new report by the Oregon Criminal Justice Commission.
- Expand access to culturally-responsive treatment offered in different languages.
- Keep families together.

Vote YES on Measure 110.

Latino Network
 Latino Health Coalition
 Mi Voz Cuenta
 Escudo Latino
 Centro Latino Americano
 CAUSA
 Hacienda CDC
 Virginia Garcia Memorial Health Center

(This information furnished by Haven Wheelock, Vote Sí a la Medida 110/Vote YES on Measure 110.)

Argument in Favor

It happened to me:

Vote YES to end the cruel practice of criminalizing drug addiction
Drug laws in Oregon are unfair. I should know.

Oregonians use drugs at about the same rate, regardless of race, but **Black and Brown people like me are three times more likely to be arrested, charged and convicted of drug crimes.** People of color are also sentenced more harshly and forced to pay higher fines.

When I was arrested in North Portland over two decades ago, police officers on the scene told the white people involved to leave—and only arrested me. Throughout the entire process of being charged, prosecuted, jailed and released, **I was never offered treatment or recovery support.**

I had to find help on my own, and it was very difficult. I was treated like a criminal, not like someone with a health issue needing help.

In the 26 years since, the criminal record I received has been a barrier I deal with constantly. It has made it nearly impossible to qualify for a home loan, kept me from getting permanent jobs, held me back from promotions and prevented me from getting professional licenses.

Our current approach does not help people with addictions. It makes things worse. Unnecessary arrests and criminal records ruin lives.

Nonetheless, right now one Oregonian is arrested for simple drug possession about once every hour. Drugs are the most arrested offense in America.

Voting YES on Measure 110 will end the cruel practice of criminalizing addiction in Oregon, and reduce racial disparities in our criminal justice system.

Measure 110 can't erase the inequities I have encountered, but it will help stop them in the future.

We need to fix our broken system that criminalizes addiction and unfairly targets Black and Brown Oregonians. It's time to stop ruining lives—and start saving them.

Vote YES on Measure 110.

Bobby Byrd, Rock Creek Resident

(This information furnished by Anthony Johnson, Vote Yes on Measure 110 for a more humane, effective approach.)

Argument in Favor

The View from Inside the Courtroom:

**Measure 110 Can Help Stop Ruining Lives—
and Start Saving Them**

As courtroom attorneys, we have represented people struggling to recover from addiction. Based on our experience, we believe treating addiction as a crime is counter-productive.

Measure 110 doesn't legalize any drugs. All sales, of any amount, will remain a crime, and drug testing will remain in place.

Measure 110 changes the approach to drug addiction from punishment-based to health-based.

When a person with addiction is arrested and criminally convicted for possessing a small amount of drugs, their work to build a safe, healthy life in recovery becomes harder:

- A criminal conviction creates a barrier to finding a job and housing.
- A person in jail or fulfilling arduous probation requirements for minor possession can lose their job. As a result, they can lose their apartment, health insurance, access to medication, and ability to buy food.

Our current drug laws stigmatize substance use disorder.

This prevents people from accessing help when they need it. We have known clients, colleagues, friends, and family members who had such shame and fear of arrest around their addiction that they didn't seek the help they needed. For some, this has led to serious harm and even death.

We believe that people struggling with addiction need help, not arrests and criminal convictions. They need access to treatment and recovery support to help achieve sobriety, find supportive housing, and get back to work.

**Please join us in voting Yes on Measure 110.
It's a better, more effective,
and more humane response to addiction.**

Jessica Kampfe, Salem

Phil Studenberg, Klamath Falls

David McDonald, Portland

Kara Davis, Pendleton

Bob Moon, Baker City

Brook Renhard, Eugene

Bruce Tarbox, Oregon City

Carl Macpherson, Portland

Holly Preslar, Grants Pass

Justin Rosas, Medford

Diana Bettles, Klamath Falls

Amanda Theibeault, Hillsboro

Jeni Feinberg, Medford

Joel A. Wirtz, Bend

John B. Lamborn, Burns

Eric Dietrick, Salem

(This information furnished by Peter Zuckerman, Treatment not Punishment: The More Effective Approach.)

Argument in Favor

"We Must Pass Measure 110."

Former Multnomah County Chief Criminal Judge Edward Jones

I was a trial court judge in Multnomah County for 18 years, serving as Chief Criminal Judge during my final years on the court. I've spent more than 40 years in criminal law and participated in the resolution of thousands of drug cases. Based on that experience, I have come to a firm conclusion:

We must pass Measure 110.

As a trial court judge, I sentenced drug offenders. I ordered them into treatment. But there wasn't really enough treatment, and there was little support for people in treatment, and there were many who didn't get what they needed and ended up back in custody, still addicted. We failed those people. They needed treatment, but all we gave them was a criminal conviction.

A drug crime conviction, or even a drug crime arrest, can have a dramatic effect on a life. It can limit where you live, who you live with, and what you can do for a living.

And the burden of that conviction doesn't fall only on the defendant. As each case passes through the system, everyone who touches it, from the arresting officer at the beginning to the supervising probation officer at the other end, has better things to do.

My job as a judge was to apply the law, and I did. But based on that experience, I can tell you that the law must change. **Our current drugs laws make our problems worse.** Measure 110 will not legalize any drug. It will not remove criminal penalties for selling or manufacturing drugs, or any crimes that may go along with drugs. It just stops criminalizing addiction.

The criminal justice system is the wrong tool to address a healthcare issue: it is expensive, it is cruel, and it doesn't work.

Please join me in voting Yes on Measure 110.

Edward Jones, Former Multnomah County Chief Criminal Judge

(This information furnished by Peter Zuckerman, More Treatment for a Better Oregon: The more humane and effective approach.)

Argument in Favor

Help eliminate racial disparities in our criminal justice system.

Vote YES on Measure 110

Disparities in drug possession arrests and convictions will nearly be eliminated if Measure 110 passes.

That's according to a research released by the Oregon Secretary of State and conducted by the Oregon Criminal Justice Commission, **the most reliable and authoritative independent government researchers on this issue.**

Read more: <https://voteyeson110.org/cjc/>

What the report found:

- **Racial disparities in drug possession arrests will drop by 95%.**
- **Convictions of Black and Indigenous Oregonians, including Native American Oregonians, would drop by 94%.**

What the report says:

"This drop in convictions will result in fewer collateral consequences stemming from criminal justice system involvement, which include difficulties in finding employment, loss of access to student loans for education, difficulties in obtaining housing, restrictions on professional licensing, and others."

The actual reduction of racial disparities could be even more dramatic: "Other disparities can exist at different stages of the criminal justice process, including inequities in police stops, jail bookings, bail, pretrial detention, prosecutorial decisions, and others." However, the Criminal Justice Commission could not obtain local data on such disparities.

More context:

- **About 8,900 Oregonians are arrested every year in cases where simple drug possession is the most serious offense,** according to the latest numbers from the Oregon Criminal Justice Commission. That's the equivalent of about one arrest an hour. Black and Indigenous Oregonians are disproportionately targeted.
- **About one in 10 adults in Oregon need treatment for addiction but have not received it,** according to the national statistics, and Oregon ranks nearly last in people's access to drug treatment.

Vote YES on Measure 110:

Reduce racial disparities within our criminal justice system while expanding access to drug addiction treatment.

ACLU of Oregon
Human Rights Watch
Partnership for Safety and Justice
Next Up Oregon
Law Enforcement Action Partnership
Remnant Initiatives
The Insight Alliance
Central City Concern
Ceasefire Oregon
Justice Advocates
YWCA

(This information furnished by Anthony Johnson, Let's stop ruining lives, and start saving them. Vote yes on Measure 110.)

Argument in Favor

**Treatment providers and advocates say:
Vote YES on Measure 110**

Oregon was in an addiction crisis before the pandemic hit:

- Oregon ranks nearly last in the nation in access to drug addiction treatment.
- Our waitlists to get treatment are weeks long.
- In some parts of the state there is no treatment at all.
- One in 11 Oregonians is addicted to drugs.
- One to two people die every day from overdose.

Then Covid-19 happened, and it got even worse. Financial stress, social isolation and uncertainty all contribute to addiction, which is probably why the pandemic has led to an increase in drug addiction and overdose.

We see the consequences: More people are using drugs to try and cope. People in recovery are relapsing. Overdosing. Dying. **The situation is even more desperate than before.**

We're doing what we can, but often, we have to turn people away. There aren't enough slots to help everyone, and not enough funding to add more.

Most Oregonians know someone who has struggled with addiction, but even if you don't, it still impacts you. Drug addiction contributes to homelessness, mental health issues, our foster care system, domestic violence, our high school dropout rate, and more. These problems will continue to get worse without a better approach to drug addiction.

We need Measure 110 right now more than ever. It will establish a humane, effective approach to drug addiction in Oregon -- without raising taxes, using existing taxes on marijuana. Marijuana tax revenue has come in at a much higher rate than expected; it makes sense that this unexpected tax windfall should go to people who struggle with drug addiction.

Vote yes on Measure 110.

Oregon Nurses Association
Wallowa Valley Center for Wellness
Planned Parenthood Advocates of Oregon
Healthcare for All Oregon
Oregon Latino Health Coalition
Virginia Garcia Memorial Health Center
White Bird Clinic
Outside In
Bridges to Change
National Alliance on Mental Illness (NAMI)
of Southern Oregon

(This information furnished by Janie Gullickson, Chief Petitioner, Yes on Measure 110.)

Argument in Favor

"As a doctor and researcher who has studied addiction, I've seen firsthand how treatment helps people recover and how criminal punishments can make recovery more difficult. Instead of punishing people for having substance use disorder, we should provide them with the help that they need."
- Dr. Jessica Gregg, Portland Hospital

**Scientists who study drug addiction agree
It's time for Measure 110**

We are doctors and researchers who have studied drug use and addiction for years. In most cases, people with addiction problems want to seek treatment and recover from their problematic drug use. Measure 110 does NOT legalize any drugs, but it will move Oregon towards an effective policy based on science.

Scientific studies show that putting people in jail for their addictions isn't working. Providing people with treatment, instead of a criminal record, will save lives. But in Oregon, finding treatment is a big problem: There aren't enough treatment slots available for those who need it, when they need it.

"When they need it" is an important phrase. People who cannot find treatment regularly give up and go back to addictive behaviors and drug use. Here's what science tells us DOESN'T work: punishing people for their addiction.

Not only is it ineffective in relieving substance use disorder, giving people a criminal record creates a different set of problems, keeping them from jobs, educational opportunities, and even a place to live.

We have carefully studied the results of decriminalization in Scandinavia and Portugal. The evidence is compelling: replacing punishment with treatment and recovery helps more people.

"Punishment is not a humane approach for addiction treatment. People with addictions should instead have access to 21st century treatment and recovery interventions. Oregon ranks 50th in the nation in addiction treatment access; we can and must do better!"
- Dr. Kelsey Priest, Opioid Treatment & Policy Researcher

Dr. Alexia DeLeon, Ph.D.

Dr. Adie Rae, Ph.D.

Dr. Jessica Gregg, MD, Ph.D.

Dr. Kelsey Priest, Ph.D.

Dr. Andy Seaman, MD

(This information furnished by Anthony Johnson, More Treatment for a Better Oregon, www.voteyeson110.org.)

Argument in Favor

**K-12 Public School Teachers Urge
a YES VOTE on Measure 110.**

**Students who come from homes
with addiction struggle with school.**

We see firsthand that when a family member struggles with addiction, children struggle in school, impacting how they learn and succeed.

Addiction issues often create unstable home environments. As teachers, we see what that means for kids:

- They often miss school.
- They can't focus or keep up; they are tired and distracted.
- Sometimes kids enter the foster care system because their home life is so unstable, or because their parents get arrested instead of offered treatment and recovery services. Addiction, and the arrests that often result, are leading reasons children in Oregon are placed into foster care.

As teachers, we agree that drug addiction should be treated as a health issue. Measure 110 will provide many more people access to essential treatment and recovery services.

Treatment and recovery services support the well-being of whole families and communities. Currently, these services are difficult to access. Measure 110 does NOT legalize any drugs. It will make drug treatment and recovery services available to all who need it, providing a path away from addiction.

Measure 110 expands services that can keep families together and help students succeed. It's just that simple. **Join us in voting YES on Measure 110.**

Sarah Lawson, Teacher, Forest Grove

Amélie Rousseau, High School Teacher, St. Helens

Jo Strom Lane, High School Teacher, Portland

Don Cruise, Retired Elementary Teacher, Philomath

Mia Burch, Elementary Educator, Nehalem

Randy Heath, High School Teacher, Portland

Kristin Ventura-Stein,

Elementary School Teacher, Oregon City

Monica Zeigler, Elementary Special Educator, Portland

Lisa Gettig, Retired Elementary School Teacher, Salem

Sandy Cruise, Retired Elementary Teacher, Philomath

Trisha Todd, High School Teacher, Portland

Bethany Taft, Teacher, Oregon City

Steve Naganuma, High School Teacher, Portland

Anna Rhodes, Elementary School Teacher, Redmond

Gaye Chapman, High School Health Teacher, Portland

Irynne Padua, High School Health Teacher, Portland

Greg Burrill, K-12 Educator, Portland

(This information furnished by Anthony Johnson, Chief Petitioner, Yes on Measure 110.)

Argument in Favor

**We are school counselors, social workers, and psychologists who advocate for Oregon's children every day.
We support Measure 110.**

"I've been a school social worker for over 20 years, and I've seen firsthand the devastating impact that addiction has on students and families. Measure 110 will give Oregon a real, sustainable way to support adolescents and adults struggling with addiction. **Currently, our state ranks at the bottom in terms of funding treatment.** By passing Measure 110, we have an opportunity to change this." - Mary Krogh, K-12 Drug & Alcohol Support Services Coordinator

Many families receive support with housing, healthcare, and food insecurity. These services are essential to support kids through high school graduation. **Access to addiction treatment and recovery services is also critical for students in families struggling with those issues.**

But in Oregon, the general fund allocation for drug addiction services has declined by nearly 90% in the past four years.

We need to make drug treatment a priority. As funding has decreased for addiction treatment, we've seen the trauma, worry and anxiety our kids bring to school increase.

Drug treatment provided to a parent/guardian or other family member with drug addiction supports the entire family—including their school-aged kids.

These children need your support.

**As school counselors, social workers and psychologists,
we urge a yes vote on Measure 110.**

National Association of Social Workers

Oregon School Social Worker Association

Oregon School Psychologists' Association

Cristy Crisman, School Counselor, Newberg

Ellen Baltus, North Clackamas Social Worker, Retired

Kate Allen, High School Social Worker

Michael Ralls, Director of Social Services,
North Clackamas School District

Amelia Fowler, MSW

Neha Mahajan Hertzog, LSSW, Ph.D., School Social Worker

Margaret Whiting, High School Counselor, Wheeler

Amy Henry, High School Counselor, Portland

Sara Doig, School Social Worker, Beaverton

Caroline Bleckmann, K-12 High School Wellness Coordinator
and Social Worker

Gavin MacFarland, School Counselor, Bend

Solen Chu, Social Worker, Gresham

Mary Krogh, District Coordinator, Substance Use Support

(This information furnished by Devon Downeysmith, More Treatment for a Better Oregon. Vote Yes on Measure 110.)

Argument in Favor

We served our country.

Now we can't get basic drug addiction treatment.

Veterans Support Measure 110.

After serving our country, we now find ourselves on the front lines of Oregon's addiction crisis.

Many who have served in the US military come home and struggle with drug addiction.

It doesn't matter how long it has been since we were exposed to the circumstances that lead us into addiction. Whether serving in Vietnam, Iraq or Afghanistan, Post Traumatic Stress Disorder (PTSD) remains a challenge to veterans. Coping with that trauma is a significant cause of Substance Use Disorder.

The rate of drug addiction among Oregon veterans is far higher than that of the general population.

Every day a veteran is denied access to drug treatment and recovery services is another day of hell-on-earth, as they relive their traumas and turn to substances in a desperate attempt to self-medicate their pain. It's another day we risk losing a brother or sister in arms to suicide or overdose.

Veterans with addictions are entitled, after their service to our country, to receive professional, compassionate treatment. Measure 110 will make sure they get it.

As soldiers, we are trained to never show weakness, to "buck up" in tough situations. It takes courage to finally be able to reach out for help, and it's devastating for that plea to be met with long wait lists or outright denials because we don't have the funds or right insurance plan. Or worse, to be met with arrest for drug use.

**Measure 110 offers veterans with addiction a way back to a stable life.
We urge you to vote YES.**

David Michael Smith, Vietnam Veteran

Amelia Fowler, Marine Corps,
Operation Enduring Freedom (OEF) Veteran

Jeremy Lankenau, Army Combat Veteran, Afghanistan

Debbie O'Dea, Veteran, Oregon Army National Guard

David Barton, Marine Veteran, Desert Storm

Valdez G. Bravo, US Army,
Operation Enduring Freedom (OEF) Veteran

Roy Pittman, Veteran

James Ward, Marine Corps,
Operation Enduring Freedom (OEF) Veteran

(This information furnished by Devon Downeysmith, Vote Yes for More Treatment. Vote Yes on Measure 110.)

Argument in Favor

Recovery organizations urge a YES Vote on Measure 110.

Recovery is a personal experience; there's no "one size fits all" model. For people with addictions, there is nothing as powerful as being able to relate your experience with someone who has shared similar struggles, and to be able to work together toward living a healthy, productive life -- one day at a time. This 'peer support' is something all successful recovery models share.

Drug treatment gives people a way out of their addictions, while recovery services create the foundation for long term recovery. A person can go through treatment, but if they don't have access to recovery services when they complete treatment, they often relapse. And relapse can mean the difference between life and death.

For families of loved ones with addictions, relapse can mean losing them -- either literally, to an overdose, or because their loved one is lost in the throws of their addiction.

Measure 110 will fund more treatment and recovery services throughout Oregon, providing the dual support that health-care providers and recovery leaders agree are essential to long term recovery.

Recovery houses provide a safe place for those with addictions to meet and find recovery. Measure 110 makes recovery more accessible by providing funding to:

- Appoint Addiction Recovery Centers throughout the state to immediately assess people's individual needs, and link them to treatment, care and services.
- Increase peer support and recovery services to help people stay on track;
- Offer housing (stabilizing and transitional) for persons in recovery.

Measure 110 is the most innovative and hopeful solution we've seen in our decades of working in the recovery field in Oregon.

Join us in voting YES on Measure 110

Alano Club of Portland

Bridges to Change

Mental Health & Addiction Association of Oregon

Outside In

Changing Patterns

Central City Concern

(This information furnished by Janie Gullickson, Executive Director, Mental Health & Addiction Association of Oregon.)

Argument in Favor

Oregon Doctors Agree:

Addiction is a health issue.

It's time to treat it that way.

As medical doctors, we are on the front lines of Oregon's drug addiction crisis. Whether we serve patients in clinics, ERs or through non-profits, we see many Oregonians struggling with addiction. And we have one thing to say about treating this health crisis through the criminal justice system:

Stop it. Now.

The practice of arresting people for their addiction is cruel and ineffective. People with drug addictions do not benefit from being arrested and going to jail. All they get from that is a harmful criminal record. A more effective, humane approach is to provide treatment and recovery, housing and supportive services so people can get their lives back on track and return to their families and jobs.

But right now, when a patient needs help with addiction, we have a very difficult time finding a spot for them in a drug treatment program. That's because Oregon is 50th of 50 states in the availability of drug treatment to those who want it. The wait times can be days, weeks and sometimes months.

Measure 110 will do the two most important things we need to fight addiction: provide funding for treatment and recovery services people need to get their lives back on track. And stop ruining lives by giving people a criminal record because of their addiction.

As doctors we can tell you without a doubt: Measure 110 is the right prescription for Oregon.

Join us in voting YES!

Dr. Don Girard, General Internist

Dr. Rebecca Cantone, Family Medicine Doctor

Dr. David Grube, Primary Care Physician

Dr. Jessica Gregg, Internal Medicine Specialist

Dr. David Cutsforth, Primary Care Physician

Dr. Sharon Meieran, Emergency Physician

Dr. David Lawrence, Primary Care Physician

Dr. Andy Seaman, Addiction Medicine Doctor

Dr. Ray Stangeland, Emergency Specialist

Dr. David Grunkemeier, Physician & Surgeon

Dr. Lauren McNaughton, MD, Salem

Dr. John French, MD, Keizer

(This information furnished by Anthony Johnson, The more humane approach. The more effective approach. Vote Yes on Measure 110.)

Argument in Favor

Take it from us: Arresting people for simple drug possession has failed.

Law enforcement leaders urge a YES vote on Measure 110.

We work in law enforcement. From that experience, we've seen that making services available like treatment and recovery—not arrests—is a more humane, equitable, effective, and cost-effective approach to addressing drug addiction.

Arresting people for simple drug possession hasn't worked.

- In Oregon, we arrest nearly 9,000 people each year for low levels of drug possession. That's about one every hour.
- Drugs are the most arrested offense in America and yet...
- **Punishing people for small amounts of drugs has NOT made our communities safer from addiction or overdose.**

The sentences people receive for drug possession in Oregon rarely fit the crime. And the criminal record they receive from this offense is tethered to them for the rest of their lives. Black and Indigenous people of color are disproportionately harmed.

Measure 110 will replace these needless arrests with access to drug treatment, recovery and housing services, and it will reduce disparities in drug arrests.

Oregon has unsolved murders, rape cases, plus a huge backlog of cold cases. **Measure 110 will allow law enforcement to focus on more important issues.**

Treatment needs to be more available.

Oregon ranks nearly last out of the 50 states in access to treatment, and nearly two people die every day from overdose. **Drug addiction is a health issue; it deserves a health-based response.**

Vote YES on Measure 110

Carla Piluso, Retired Police Chief, City of Gresham

John Hummel, Deschutes County District Attorney

Pete Tutmark, Retired Patrol Sergeant,
Clackamas County Sheriff's Office

Kris Olson, Former US Attorney for the District of Oregon

Inge Fryklund, Former Prosecuting Attorney

Matt Ellis, Wasco County District Attorney Elect

Paul Steigleder, Retired Deputy Sheriff,
Clackamas County Sheriff's Office

Kevin Modica, Retired Former Assistant Chief, Portland

George Weatheroy, Retired Portland Police Sergeant

Don Clark, Former Multnomah County Sheriff

Mike Schmidt, Multnomah County District Attorney

(This information furnished by Anthony Johnson, Measure 110: The More Cost-Effective Approach.)

Argument in Favor

**Frontline Emergency Health Providers
Urge a Yes Vote on Measure 110**

**We are in the middle of an addiction crisis.
And our current lack of treatment is making it worse.**

As frontline emergency workers, we are first responders to the devastation of our addiction crisis.

One of the most common problems we respond to related to drug addiction is people at or near a drug overdose. These are emergent situations because family and friends don't know what to do, so they drive their loved one to the emergency room or call 911.

Our best response is to help the patient immediately and then direct them to treatment services that can help further. But all too often in that critical moment we have nowhere to send them. Treatment slots are almost always full, with long waiting lists.

So we must send patients on their way. Many return in a few weeks or months with the same issue. Sometimes it's too late, and the patient has died of an overdose. It's happening all across Oregon, way too often.

According to data compiled by the Substance Abuse and Mental Health Services Administration, Oregon is 50th of 50 states in availability of drug treatment to those who need it.

What's the answer? More access to drug treatment and recovery services. That's what Measure 110 will create.

Measure 110 will greatly expand funding for treatment across Oregon, using existing marijuana taxes. Recovery services are also funded so that after treatment, patients have support to continue on the road back to their lives.

Responding to medical emergencies caused by addiction is important. But a better outcome is not to have that emergency to begin with,

Be an emergency responder. Vote Yes on 110.

Ray Stangeland, MD, Board Certified Emergency Physician

Sharon Meieran, MD, Board Certified Emergency Physician

Derek Nelson, Firefighter, Grants Pass

Lily Lines, Youthline Peer Crisis Intervention Specialist

Lex Albrandt, Emergency Paramedic

Laurel Lisovskis, MSW, CSWA, Cahoots Crisis Worker

(This information furnished by Haven Wheelock, Let's Save Lives, Not Ruin Them. Vote Yes for Measure 110.)

Argument in Favor

**Do you need to get arrested to stop using drugs? NO!
Treatment works better than criminal punishments.**

As a wife, a daughter and a mother, the last thing I would want for one of my loved ones is for them to be arrested, especially for simple drug possession. If a member of my family were caught with drugs, or suspected to be using drugs problematically, I would do almost anything to get them real help. **The last place I would want to send them to is jail.**

But in Oregon, that's where we send a lot of our family members who struggle with drug addiction. In Oregon, according to Oregon Criminal Justice Commission statistics, we arrest about 9,000 people a year for simple drug possession. That's about 24 a day, or one per hour.

Here's what arresting people for drugs in Oregon does:

- **Turns people into criminals.** In jail, people who are addicted to drugs meet more people who can get them drugs.

- **Ruins lives.** People leave jail from a drug arrest with a permanent criminal record. That record makes it hard to rent an apartment and get a job.
- **Stigmatizes people.** This drives drug users underground, where they are reluctant to get help and more likely to use drugs alone and die of overdose.

Jail doesn't provide people with treatment. Jail results in people spending up to 364 days behind bars—just for simple drug possession.

After serving their time, or as a result of a plea agreement, a person may be required to enter treatment. But forced treatment is rarely effective. **People recover from addiction because they are open to getting help, not because they are forced to.**

What's more effective is to make treatment easily available, on demand, the moment someone wants it, to everyone who wants it, without huge costs, long commuted and long wait times.

Treatment, not punishment, is a better approach.
www.VoteYESon110.org

Devon Downeysmith, in long term recovery, Forest Grove

(This information furnished by Devon Downeysmith.)

Argument in Favor

**Three Top County Prosecutors.
 One Message:
 Yes on Measure 110**

These prosecutors come from very different parts of Oregon. All are dedicated to keeping their communities safe. All support Measure 110.

"Continuing to criminalize addiction is wrong and ineffective. In order to create safe communities, people need to feel comfortable asking for help when they need it. But when we make addiction a crime, people often feel too afraid to seek the help they need, which in turn makes our communities less safe. Measure 110 creates the change needed to empower those struggling with addictions to reach out for help, and ensures that when they do, help will be available."

—John Hummel, District Attorney, Deschutes County

"Misguided drug laws have created deep racial disparities in our justice system. We know that Black and Indigenous people of color are much more likely to be arrested and face longer sentences - even though the data shows that drug use is similar across racial groups. That's just not fair. **Arresting people suffering from addiction is a cruel punishment, because having a criminal record can make it even harder for someone to get their life back on track.** We need to change our approach and focus on treating addiction. The two pillars of Measure 110 are lowering criminal penalties for simple drug possession and providing much-needed treatment and recovery services. Please join me in voting yes."

—Mike Schmidt, District Attorney, Multnomah County

"Addiction can't be solved by throwing people in jail. Punishing people for drug use is ineffective and cruel. Measure 110 removes unfairly harsh criminal punishments for minor, nonviolent drug offenses, and provides people with addictions the services they need to recover and get their lives back on track. **By connecting people with treatment and recovery services, we're offering them hope and giving them the tools to correct their course in life.** I urge all Oregonians to vote yes on Measure 110."

—Matt Ellis, District Attorney Elect, Wasco County

(This information furnished by Anthony Johnson, Chief Petitioner, Yes on Measure 110.)

Argument in Favor

School Board Members:

Measure 110 directly supports our students.

Elected school board members represent public school districts across Oregon, advocating for our students and all school staff, grades K-12. Along with the safety of our students, we champion school funding to ensure our kids get a well-rounded education, and we champion equity to ensure kids who are struggling get the differentiated support they need to be successful.

Many students come to school from challenging environments, where they've witnessed broken homes, addiction and lack of permanent housing. We work to provide in-school counselors, social workers and other supports, but we can't fully meet their needs without enough wrap-around supports from the community.

Measure 110 will provide access to vital drug addiction treatment and recovery supports for our kids and their families.

We know that if a parent, guardian or older sibling can access treatment for an addiction, that treatment benefits the entire family, including school-age kids. More stability, less trauma.

Let's give our students the best chance for success.

**Please join elected school board members
 in voting yes on Measure 110!**

**These members of the Oregon School Boards Association
 Board Members of Color Caucus:**

Bill Graupp, North Marion

Donna Tyner, Beaverton

Helen Ying, MESD

Anthony Medina, Woodburn

Sami Al-AbdRabbuh, Corvallis

Sonja McKenzie, Parkrose

Lori Theros, Klamath City

Kathy Wai, North Clackamas

Linda Hamilton, Lane

Miriam Cummins, Linn Benton Lincoln ESD

Ricki Ruiz, Reynolds

Amanda Orozco-Beach, Gresham-Barlow

And

Carla Piluso, Gresham-Barlow

Kristin Cornuelle, MESD

Eilidh Lowery, Portland Public Schools

Joshua Singleton, Parkrose

Steve Lowell, Klamath Falls

Douglas Nelson, High Desert ESD (former)

Don Cruise, Philomath School Board (former)

Bobbie Regan, Portland Public Schools Board (former)

(This information furnished by Anthony Johnson, More Treatment, A Better Oregon.)

Argument in Favor

Addiction is a health issue. The solution is – and always has been – effective and available health care and supportive services.

But instead our nation criminalized drug users with a century-long failed experiment with state and federal policies that led to biased policing, mass incarceration, racial injustice, and unaddressed overdose deaths.

The criminalization of addiction also has created a fundamentally destructive dual system in addressing drug use. One system is reserved for privileged individuals and communities, providing treatment, services, and uninterrupted access to the benefits of American society.

The second, parallel system funnels Black, Latinx, and indigenous people into the criminal justice system, escalating the racial and economic disparities that damage Oregon's communities. This response to drug use also penalizes people who are lower income and lack healthcare, contributing to a deepening underclass in American society.

It did not have to be this way.

Today we know so much more about addiction, effective treatment, and the need for harm reduction services. We know that a public health crisis is only made worse by policies that punish rather than help our fellow Oregonians.

We also know that a dramatic increase in treatment and other services is needed to effectively address drug dependence and to prevent the tragedy often experienced by drug users and their loved ones.

Measure 110 is an essential step in finally ending the failed and destructive drug war and prioritizing drug use as a public health crisis.

Partnership for Safety and Justice fully supports Measure 110 and its promise for Oregon and our nation.

Oregon is ready. We can do this.

Vote Yes on Measure 110!

Andy Ko
Executive Director

Partnership for Safety and Justice is Oregon's leading public safety and criminal justice policy reform organization, transforming society's response to crime with innovative solutions that ensure accountability, equity, and healing.

(This information furnished by Talia Gad, Partnership for Safety and Justice.)

Argument in Favor

**Oregon's drug laws are deeply inequitable.
Measure 110 will nearly ELIMINATE racial disparities
for drug arrests and convictions.**

Nationally, the War on Drugs has been a failure -- unsuccessfully reducing the harm of drugs, and resulting in systematic over-criminalization, racial profiling, and mass incarceration of people of color, particularly Black and Indigenous people.

In Oregon, people use drugs at similar rates, but Black and Indigenous people of color are three times more likely to be arrested. People of color face unfair racial disparities at every stage of the criminal justice system that can be traumatic and ruin lives.

Drug arrests can set up lifelong barriers to access housing, employment, student loans, and professional licenses, making it nearly impossible for people to get their lives back on track. For immigrants and refugees, the criminalization of addiction can lead to families being torn apart.

An independent government research report released by the Secretary of State on behalf of the Oregon Criminal Justice Commission found:

Measure 110 will nearly *eliminate* racial disparities for drug arrests and convictions:

- **Racial disparities in drug arrests will drop by 95%**
- **Convictions of Black & Indigenous Oregonians, including Native American Oregonian, would drop by 94%**

Instead of criminalizing people struggling with addiction, Measure 110 will expand access to low-barrier, culturally-responsive treatment and recovery services that will better serve our communities.

It's time to stop the unfair criminalization of Black, Indigenous, and people of color communities and shift to a health care based approach.

Join us in voting YES on Measure 110!

Asian Pacific American Network Oregon
Black & Beyond the Binary
Brown Hope
CAUSA

Centro Latino Americano
Coalition of Communities of Color
Community Alliance of Lane County
Confederated Tribes of the Grand Ronde

Forward Together
Hacienda CDC
Latino Network
NAACP Portland and Springfield Eugene Branches
Native American Youth and Family Center
Oregon Latino Health Coalition
Unite Oregon

(This information furnished by Haven Wheelock, Chief Petitioner, Yes on Measure 110.)

Argument in Favor

Addiction Harms Senior Citizens, Too

**Oregon State Council for Retired Citizens and
United Seniors of Oregon:**

Please Vote YES on Measure 110

If you suspected your grandparents seemed too dependent on that little bottle of pills, what would you do? If you saw their behavior turn more and more inward, or change, would you suspect drug addiction?

Research tells us that nearly 20% of people over age 60 struggle with alcohol and drug dependency. In fact, the rate might be higher than statistics show.

There can be many reasons:

- Many older people are isolated and turn to substance use.
- Others feel intense loss after losing a spouse, from declining health, or from no longer working.
- Medical conditions can make long-term use of strong drugs necessary, and some older people don't recognize dependency.
- And, there is the shame and fear created by our current broken system of dealing with addiction as a crime, instead of a medical crisis.

This problem is especially serious in Oregon, which is 50th in the availability of drug treatment to those who want and need it. For seniors who are struggling alone, it's even worse.

As organizations representing the interests of retired Oregonians, we support Measure 110 because of the urgent need to greatly increase the availability of drug treatment, including specialized treatment for older citizens.

Also important is Measure 110's reduction in criminal penalties for small amounts of simple drug possession, which stops some senior citizens from seeking help for fear of being arrested. It does not legalize any drugs.

If you are an older Oregonian, or care about one, please consider our request to vote YES on Measure 110. **Oregon desperately needs improved access to drug treatment and to stop making criminals of people who seek help with addiction.** Even if you don't expect it, someday that person could be someone you love.

Vote Yes on Measure 110

United Seniors of Oregon

Oregon State Council for Retired Citizens

*(This information furnished by Janie Gullickson, Yes on Measure 110, www.voteyeson110.org.)***Argument in Favor****Who Supports Measure 110?****From Every Part of Oregon
From Every Walk of Life****People Are Coming Together to Say:****“Vote YES for a More Humane and Effective Approach to
Oregon’s Addiction Crisis!”**Measure 110 has been endorsed by
more than 100 organizations:

Doctors Nurses, and other Medical Professionals

Treatment and Recovery Experts and Service Providers

Scientists Who Study Drug Addiction

Law Enforcement

Educators

Social Workers

Housing and Homeless Advocates

Black, Indigenous, Latinx, Immigrants and People of Color

LGBTQIA+

Working Families

Faith Leaders

Senior Citizens

Crime Victims

Economic Justice Advocates

**...and more than 170,000 Oregon voters signed the petition
to place Measure 110 on the November ballot.****See the list of organizational endorsers at:****www.VoteYesOn110.org/organizations***(This information furnished by Peter Zuckerman, Vote yes on Measure 110! More Treatment and a Better Oregon: The more humane, equitable, and effective approach.)***Argument in Favor****K-12 Education Leaders Say:****Voting Yes on Measure 110 is a Vote for Our Kids**

As Oregon education leaders, we work hard to implement practices and procedures that foster a healthy school environment where students can learn and succeed.

But it's hard to succeed if your family is impacted by drug addiction.

When students enter the classroom, they bring with them every bit of weight that their families carry. They simply cannot learn effectively when their minds are consumed with worry over a family member's problematic drug use.

Statewide funds for addiction services in Oregon have been slashed in recent years, and we see that decision's devastating impact in our classrooms.

Measure 110 provides funding for services that will help our students and their families:

- Expanded access to treatment that is evidence-based, trauma-informed, culturally responsive and patient-centered;

- Peer support and recovery services so people are able to remain clean and sober;
- Housing (transitional and long-term) for persons with drug addiction who need it;
- Overdose prevention education.

Measure 110 funds services throughout the state, so that those working toward recovery can find support in their own communities. This measure will not legalize drugs and does not create any new taxes. It will help students and their families throughout Oregon.

**For our kids and their futures,
join us in voting YES on Measure 110.**

Michael Ralls, Director, Social Services, North Clackamas

Lorna Fast Buffalo Horse,

Multiple Pathways to Graduation Director, Portland

Douglas Nelson, Retired Superintendent,
Bend-La Pine SchoolsScott Perry, Retired Superintendent,
Southern Oregon Education Service District

Dawn Joella-Jackson, High School Principal, Portland

Carla Gay, Executive Director, Gresham-Barlow

Korinna Wolfe, Senior Area Director, Portland

James Hui, District Administrator, Gresham-Barlow

John Wilhelmi, Retired High School Director, Portland

Mike Verbout, Retired School Principal, Portland

Marjorie Lininger, Retired School Principal, Medford

David Nielslanik, High School Principal, Beaverton

Kathy McCollum, Alternative Education, Redmond

Katy Wagner, High School Principal, Columbia County

Read the full list of K-12 Leaders Who Support 110:**<https://voteyeson110.org/voices/>***(This information furnished by Devon Downeysmith.)***Argument in Favor****Oregon Coastal Communities Agree:
Vote YES on Measure 110.**We all know someone who struggles with addiction, often a family member or friend. You pray for the moment that they may be ready to find recovery. You know when that moment comes you must seize it, or it will be too late. Then comes the next, heartbreaking moment: you make calls to find treatment in your community only to find **there are no local options**. You call treatment centers across Oregon, willing to drive them anywhere there's room because you know treatment could be the difference between life or death.**No one has room. No one can help. This is what it's like
across coastal communities in Oregon.****Measure 110 will increase access to low-cost, low-barrier treatment services in our communities and yours**, making them more accessible- closer to home. Instead of long wait lists and full facilities far away, our communities can find support near their families and jobs. They will be able to build a local support network after treatment to help them maintain their recovery.**Oregon ranks nearly last of all states
in access to basic drug treatment.****YES on Measure 110.**

Debra Greenlee, Manzanita

Joel Bernhard, Cannon Beach

Pamela Wev, Astoria

Debra Smith-Stephens, Nehalem

Lynda Chick, Nehalem
 Teresa Eastin, Nehalem
 Beverly Stein, Cape Mears
 Natasha Stevens, Manzanita
 Sarah Conyers, Seaside
 Terri Steenberg, Astoria
 Rebecca Parker, Seaside
 Ann-Marie Radich, Cannon Beach
 Hannah Reynolds, Manzanita
 Clark Miller, Manzanita
 Olga Oleynikova, Manzanita
 Laura Walsh, Nehalem
 Rachel Ann Conyers, Cannon Beach
 Watt Childress, Cannon Beach
 Jan Boal, Newport
 Tiffany Mitchell, Astoria
 Ryan Dewey, Cannon Beach
 Dixie Lee Anderson, Manzanita
 Mia Burch, Nehalem
 Margaret Whiting, Wheeler
 Jennifer Visser-Harper, Seaside
 Emily Fanjoy, Nehalem
 Claire Hall, Newport
 Sarah Nebeker, Astoria
 David McCall, Bay City

This is one of seven regional statements representing areas across Oregon.

Look for your area in the mix of pages.

(This information furnished by Devon Downeysmith, More Treatment for a Better Oregon, Vote Yes on 110.)

Argument in Favor

WHAT MEASURE 110 DOESN'T DO And What It DOES

Measure 110 DOES NOT legalize any drug. All sales, of any amount, will remain a crime.

Measure 110 DOES remove criminal penalties for the possession of small amounts of drugs, when that is the most serious violation. Possession of large amounts, selling, manufacturing drugs will all continue to be criminal offenses.

Measure 110 DOES NOT increase taxes.

Measure 110 DOES significantly increase resources for treatment and recovery services throughout Oregon by using existing marijuana tax revenue.

Measure 110 DOES NOT increase bureaucracy.

Measure 110 DOES add and use resources efficiently. Addiction Recovery Centers can be operated by existing qualified service providers. It will not put current providers out of business; instead, it will provide substantial additional resources to existing providers to ensure that more people can be served.

NO change is made in the criminal code for delivery, manufacture, and other commercial drug offenses.

These offenses will remain a crime. All sales, of any amount, will remain a crime.

NO CHANGE is made to the criminal code for crimes that may be associated with drug use, such as driving under the influence and theft.

These offenses will also remain crimes. **Drug testing will remain in place.**

HERE ARE SOME THINGS THAT MEASURE 110 DOES:

It provides an Oregon solution. Measure 110 was carefully written with input from Oregon addiction, treatment and recovery, equity, medical and community leaders, and is supported by over 80 Oregon organizations.

It will help people in every corner of Oregon. Right now, many parts of Oregon have little or no access to treatment and recovery services. Measure 110 changes that.

It will make Oregon more just. Right now, people of color are 3 times more likely to be arrested for drugs, even though they use drugs at the same rate as white people. According to a report by Oregon's Criminal Justice Commission, Measure 110 will nearly eliminate that disparity.

(This information furnished by Peter Zuckerman, Let's save lives, not ruin them. Vote Yes on Measure 110. www.voteYE-Son110.org.)

Argument in Favor

My best friend was desperate to get help for her drug addiction, but she couldn't get into treatment.

If Measure 110 had been in effect then, I believe she would be alive today.

I lost my best friend last year. Meredith was that friend you always call first in rough times. No matter how busy she was, she always made time to be there for me. I laughed harder with Meredith than anyone else. We had a brother and sister type of friendship, and I miss her every day.

A drug overdose took Meredith away from me, and from all those who loved her.

Meredith struggled with drug addiction for years, and she wanted to get help. She was so ready for treatment that she moved back home where her family could get her help. They didn't realize how impossible that would be. They called treatment services daily for three weeks straight, but she couldn't get in. There was always a barrier -- no beds available, she didn't have the right kind of insurance, the funds, or something else.

In the end, she died alone from a drug overdose.

Too many of us know the heartbreak of losing someone we love to drug addiction. Oregon ranks nearly last of all states in access to basic drug treatment, and one to two Oregonians die of drug overdoses every day.

Measure 110 will change the current broken system that allows people like my best friend to fall through the cracks. Measure 110 will:

- Expand access to treatment throughout Oregon, so that no one else has to wait weeks for help.
- Fund treatment that is evidence-based, trauma-informed, culturally responsive and patient-centered.
- Fund peer support and recovery services so people are able to remain clean and sober;
- Fund housing (stabilizing and transitional) for persons with substance use disorder.

Join me in voting YES for Measure 110.

I'll be voting yes in memory of Meredith.

Derek Nelson, Grants Pass

(This information furnished by Haven Wheelock.)

Argument in Favor

Drug Counselors say vote YES on Measure 110 We see it everyday, and we know that access to treatment works best.

People used to think the best way to address addiction was to punish people for it. But if that approach worked, Oregon would not be facing such an addiction crisis.

We are licensed drug counselors. We keep up with the latest research on how to best help people end their drug addictions. We follow protocols that are informed by the most current scientific research and our experience. We help clients to deal with their problematic drug use, and support them in their journey to recovery.

We have tried different approaches and seen what works—and doesn't.

Oregon has arrested people for drug addiction for decades. This is out of line with best practices. **Punishing people for being addicted to drugs is not only ineffective, but usually counterproductive.** Punishments make people afraid to get help because they are worried they will get in trouble. Punishments impede recovery because they give people criminal records that can prevent them from getting housing, jobs and more.

There are better approaches. Research and experience shows that many people who are addicted to drugs want to quit one moment, and then go back to their addiction a moment later. The key to helping them is to make treatment easily available at that critical moment, in a non-judgmental, culturally-responsive way.

That is what Measure 110 requires. It would end harmful drug arrests, reduce long wait times to get treatment, and make treatment more available all over the state, to anyone who wants and needs it. It would put our current law and practices more in line with what research and experience shows works. And it doesn't legalize any drugs.

Join us in voting YES on Measure 110.

Matt McCullough, MA, CADC-I

Jacob Hunt, MSW, CADC-I

Sergio Gutierrez, CADC I, CGAC I, QMHA

Rita Sullivan, PSY, PhD

Heidi Hug, CADC II, CRM, QMHA

(This information furnished by Haven Wheelock, More Treatment for a Better Oregon.)

Argument in Favor

Oregon Nurses See the Devastation of Drug Addiction Firsthand

We are nurses and healthcare providers in hospitals, ER's, and clinics. One of the most urgent issues we see is people struggling with drug addiction.

Sometimes it's too late.

Nearly two Oregonians die of drug overdoses every day, and one in 11 Oregonians is addicted to drugs. Once they reach us, people with drug addiction are way down the road. We often lose them to overdose because they could not access treatment soon enough.

The problem: Oregon's lack of treatment and recovery services.

Oregon ranks nearly last in access to drug addiction treatment. Even if you seek help for drug use, it can take weeks or even months to find an open, affordable treatment program. People in crisis can't wait that long.

Addiction is treated as a crime.

Oregon police arrest nearly 9,000 annually for possession of small amounts of drugs. Many won't seek help for fear of being arrested. They remain addicted -- sometimes dying alone, never making it to an ER or clinic.

Measure 110 offers a better approach.

Measure 110 would greatly increase funding for treatment, recovery and stable housing so that people get the tools they need to maintain their recovery.

For those with addiction and their families, passing measure 110 is a matter of life or death.

Vote YES on Measure 110.

Oregon Nurses Association
Lynda Chick, RN, Nehalem
Cami Bean, FNPC, MN, La Grande
Claudia Little, Retired NP, Ashland
Katie Baumont, RN, Portland
Malori Butler, RN, Portland
Lillian Nickerson, RN, Scappoose
Janette Boal, Newport
Bridget Bassett, RN, Gresham
Rachel Seidelman, RN, Portland
Jason Phillips, RN, Portland
Virginia Connell, RN, Milwaukie
Liz Banks, FNP-BC, Salem
Rusty Bonham, RN, Portland
Grace Lanaras, RN, Lake Oswego
Bella Almario, RN, Portland
Skye Frome, FNP, Portland

(This information furnished by Janie Gullickson, Chief Petitioner, Yes on Measure 110, www.VoteYESon110.org.)

Argument in Favor

Drug addiction treatment saves lives— but only if you can get it

I used to be addicted to drugs. I lived on the streets, unable to care for myself. I sought treatment multiple times but couldn't get it.

Instead, I got arrested, again and again. Sometimes my drug use landed me in the emergency room. But when I got out of jail or the ER, I didn't get much help, and I often didn't have anywhere to go.

So the cycle continued—for 22 years.

Eventually I got lucky because some people went out of their way to help me. I got the treatment and recovery support I needed. But it took far too long. I've been rebuilding my life ever since and now work as the executive director of the Mental Health and Addiction Association of Oregon.

Through this experience, I learned a lot about how Oregon currently addresses drugs and addiction. This is what I am sure of: **What we're doing right now doesn't work.**

Instead of saving lives by providing treatment and recovery services, our current approach to drug addiction relies on arresting people, and giving them criminal records that make it harder for them to recover and secure jobs, housing, professional licenses, student loans and more.

We need a more humane, equitable and effective approach. People with addiction need treatment, not punishment.

Measure 110 doesn't legalize any drugs. It shifts us to a health-based approach to addiction. Using money from Oregon's existing marijuana tax, Measure 110 greatly expands access to drug treatment and recovery support services, so more people can get them—not just those who live in the right city, or have the money or right insurance plan. Measure 110 provides an opportunity to help those struggling with addiction find a new chance at life. It's an opportunity we must not miss.

Please join me in voting YES on Measure Measure 110.

Janie Gullickson
Executive Director
Mental Health and Addiction Association of Oregon

(This information furnished by Janie Gullickson.)

Argument in Opposition

PHYSICIANS TAKE AN OATH TO DO NO HARM... MEASURE 110 CREATES HARM.

I'm a physician with a hospital-based practice focused on treating patients with chronic pain and addiction.

During my 25-year career, I've observed firsthand the adverse health and societal effects of illicit drug use in our community including: overdoses, HIV and Hepatitis C infections, heart valve infections, epidural abscesses, skin-grafts due to injection drug use, homelessness, domestic violence, suicide, psychiatric holds, work-loss, divorce, loss of child custody, and social isolation.

An unfortunate fact of treating patients with addictions:

Despite clear harms of continued use, most addicted individuals will refuse treatment when it's offered. In fact, recent epidemiological data reveals treatment refusal rates for both opioid and methamphetamine addictions exceed 80%. Consequently, those experiencing addiction often require external incentives/disincentives such like threat of loss of family and friends; drug courts; and collaboration between law enforcement, courts, probation, DHS, and the treatment community to collaboratively nudge addicted individuals into long-term recovery.

Measure 110 framers portray individuals with active addictions as rational actors who will naturally seek out and accept treatment for their condition.

I can assure you as a front-line provider it's simply not true. Nor will levying a token \$100.00 fine be financial disincentive of sufficient magnitude to coax ambivalent or pre-contemplative people into a life of abstinence or long-term recovery.

Unfortunately, removing the threat of incarceration and abandoning collaboration between law enforcement, probation, and the drug court system will result in a revolving door of drug abuse, treatment refusal, crime, homelessness, and ongoing costly health-related expenditures for hospitalizations due to overdoses, infections, and drug-induced psychosis.

We need look no further than recent problems surrounding the Portland sobering center or staggering financial losses at the Unity Center to appreciate the magnitude of the illicit drug crisis we face in Oregon.

As a healthcare provider **I urge you to join me and vote no on Ballot Measure 110.**

Oregon can do better.

Paul Coelho, MD

(This information furnished by James O'Rourke, No On Measure 110 - Volunteer Coordinator.)

Argument in Opposition

Portland-area Certified Intervention Specialist urges you to VOTE NO on Measure 110

Measure 110 DOES NOTHING to address
Oregon's biggest treatment problem.

Oregon lacks residential treatment beds for people without private insurance. Medicaid doesn't cover residential treatment. **The young and the poor have to wait for weeks to get into residential treatment** where they can receive the appropriate level of care to treat heroin, cocaine, meth and oxycodone.

Measure 110 doesn't fund any more residential treatment beds for those without private insurance.

Instead it creates more assessment and referral centers.

Oregon has enough assessment and referral centers already. What we need is more funding for treatment beds!

Measure 110 actually takes money away from treatment services funded by Marijuana Tax money.

MEASURE 110:

- **Decreases existing treatment access.**
- **Creates unnecessary assessment and referral centers.**
- **Fails to fund more residential treatment beds.**

The out-of-state backers of Measure 110 have not studied Oregon's needs. They have presented evidence that shows Oregon is ready for a drastic change in the way addicts get into treatment.

Potential legal consequences accelerate motivation to enter treatment. Fear of jail often gets people to go to treatment before they lose everything.

The court system provides the two things addicts need to get into recovery: motivation and being held accountable for entering and completing treatment.

For the homeless, the judicial system is a path to treatment which they otherwise cannot afford. Most homeless people are addicted to the drugs Measure 110 wants to decriminalize.

Oregon needs more judicial intervention programs which show the stick of authority but do not use it when people get into recovery. **Remember:** people who are not in recovery risk death every day.

Oregon needs to develop a comprehensive substance abuse plan that involves the treatment community, courts, law enforcement, and patient stakeholders, not out-of-state interests.

In my opinion, Measure 110 will cause great harm and no good.

Please VOTE NO on Measure 110!

Sincerely,

Billy Anderson

(This information furnished by James O'Rourke, No On Measure 110 - Volunteer Coordinator.)

Argument in Opposition

Sheriffs of Oregon urge you to VOTE NO on Measure 110

Measure 110 decriminalizes drug possession for dangerous substances. Minors and adults could possess these amounts:

1 gram of **Heroin**, 2 grams of **Methamphetamine**, 12 grams of **Psilocybin (mushrooms)**, 5 user units of **MDMA (Ecstasy)**, and 40 user units **LSD (Acid)**, **Oxycodone**, and **Methadone**.

Individuals found with possession of these drugs would simply be issued a citation with a fine not to exceed \$100.00. The fine could be reduced to zero by taking a "health assessment."

Measure 110 reduces criminal penalties for possessing drugs in amounts greater than the above-specified quantities to a Misdemeanor with less than 1-year imprisonment, a \$6,250 fine or both. Larger quantities of drugs that would constitute a commercial drug offense would still be treated as a felony.

While we support alternatives for individuals who possess user-amounts of drugs, **Measure 110 goes too far.** It puts our community's quality of life at risk through **increased street-level drug dealing**, elevates property crime users often commit to support their habits, and the number of individuals using these substances will increase, especially amongst youth.

Measure 110 will reduce or eliminate access to evidence-based and emerging best-practice drug intervention programs including Drug Courts, drug diversion programs, Law Enforcement Assisted Diversion (LEAD) program for adults, and similar programs for minors.

Measure 110 doesn't increase capacity of drug treatment services within our communities. Access to treatment services in Oregon is currently at one of the lowest levels nationwide.

Measure 110 **will cause the need for additional drug treatment services**, while at the same time decreasing the available funding for that treatment.

Measure 110 **will divert millions of dollars** in marijuana tax revenue from schools, mental health and addiction services, state police, cities, counties, and drug prevention programs. Instead, these funds will be redirected into the Measure 110 fund.

For a safer, stronger, and healthier community

Sheriffs of Oregon urge you to VOTE NO on Measure 110.

(This information furnished by James O'Rourke, No On Measure 110 - Volunteer Coordinator.)

Argument in Opposition

RECOVERING ADDICT SAYS MEASURE 110 DOESN'T FIX THE DECRIMINALIZATION PROBLEMS...

...AND WILL MAKE ADDICTION AND CRIME WORSE.

Dear Oregon Neighbors,

If you've never suffered from or been touched by drug addiction, **PLEASE PLEASE PLEASE** listen to the voices of those of us who have. Hear us: **Measure 110 is the wrong track for Oregon.**

For many who've suffered addiction, the legal system is the one avenue that can break the addiction cycle; because it's the only place we can truly be held accountable for our actions.

Addiction took me to a dark place that not once, not twice, but three times, I was placed under arrest.

Court ordered treatment was a God-send. Had I not intersected with the justice system, I'm not sure where I would be. Certainly, I wouldn't be where I am today.

Since the court ordered me into treatment:

- I've been free from crime for 15 years.
- I successfully completed treatment and paid off court fines.
- I enrolled at Portland Community College and became a Certified Alcohol and Drug Counselor.
- I achieved a bachelor's degree in Social and Behavioral Studies from George Fox.
- I'm successfully employed in the drug treatment community.
- I sponsor other recovering addicts.

Most importantly, I got the life I knew I wouldn't have if I was still chasing my addiction.

Measure 110 removes the path for other addicts to have court-mandated supervision. For many of us, it's the only way we get off the rollercoaster.

Measure 110 doesn't fund new treatment beds we desperately need.

Measure 110 doesn't create new treatment beds for addicted youth.

Measure 110 doesn't restore DMV privileges or expunge old crimes.

Measure 110 is fool's gold for addicts, and it will increase societal costs associated with addiction.

Please listen to someone who has "been there and done that"...addiction isn't the life any of us want for our family, friends, and children.

Sincerely,

Lisa Bingham

(This information furnished by James O'Rourke, No On Measure 110 - Volunteer Coordinator.)

Argument in Opposition

DEMOCRATIC STATE REPRESENTATIVE SAYS:

"MEASURE 110 IS THE WRONG PATH FOR OREGON"

Dear Oregon Voters,

Please **VOTE NO** and let the Legislature keep working towards decriminalization and treatment funding for those suffering from addiction.

For 18 years in the Oregon Legislature, and nearly a decade as Chair of the House Judiciary Committee, I've used my 31-year law enforcement experience to balance Oregon's criminal justice laws in a way that keeps communities safe, but also works towards rehabilitating people who commit crime.

In no area of criminal law have we been more productive than Oregon's efforts to stop treating drug addicts like criminals, instead, recognizing addiction for what it is: a disease which needs intervention.

If you had cancer, you'd make an appointment to see a doctor.

But addiction traps people's cognitive ability to make rational, informed decisions about their health. Addiction also leads to secondary crimes like identity theft, property crimes, and sometimes, violent crimes, if left unchecked.

In 2017, with collaboration and bi-partisanship, lawmakers removed personal drug possession from felony sentencing guidelines, but kept a door open for addicts to get court-sponsored treatment. We've made great progress.

Measure 110 backers would have you believe Oregon is locking people up for drug possession (we aren't) and simply giving a referral to treatment means addicts go by themselves (they don't).

In my police career, it was heartbreaking to see the same faces (and new ones) over and over who couldn't get themselves into treatment alone. **You never get over to responding to a call where someone, particularly a young person, has tragically died due to an overdose.**

My work in the Legislature was informed by those experiences, and by local experts in law enforcement, judges, and medical professionals, **not political consultants and special interest groups with radical ideas for Oregon's justice system.**

There's still work to do; let the Legislature determine how to fund needed rehabilitation.

Measure 110 isn't the solution!

Representative Jeff Barker
Washington County

(This information furnished by James O'Rourke, No On Measure 110 - Volunteer Coordinator.)

Argument in Opposition

AS A RECOVERED TREATMENT PROVIDER FOR ALMOST 40 YEARS,

I URGE YOU TO VOTE NO ON MEASURE 110.

For 18 years, I've worked in Oregon helping alcoholics and drug addicts find hope and recovery.

I've helped hundreds of people find hope and recover from heroin, methamphetamine, oxycodone and cocaine addiction.

The reality of heroin, meth and cocaine addiction is:

Seeking and using drugs becomes the highest priority for people with active substance abuse disorder.

Drugs cost \$50 to \$100 PER DAY cash for many addicts.

Most addicts lose employment due to health issues and functional impairment.

Active addicts without means must commit crime to support their habit. Therefore it's not truly a victimless crime, it affects others.

Most addicts won't stop abusing drugs until they have an event or crisis preventing them from using, such as an arrest or an overdose. **Most addicts don't voluntarily stop their habit.**

Oregon has already reduced normal daily possession of these substances from a felony to a misdemeanor. The volume of criminal cases has dropped drastically.

Measure 110 will NOT remove drugs from the Federal Schedule II list of illegal drugs, creating complicated, inconsistent practices for agencies receiving federal funding and subjecting Oregonians to federal criminal arrest for possession of these substances.

I oppose Measure 110 because the effective legalization of heroin, meth, oxycodone and cocaine removes a necessary crisis event that helps numerous addicts break their ongoing addiction.

While federal criminal law for cannabis possession isn't being enforced, the same cannot be expected for these deadly and crime-generating drugs. Those drugs are going to come mainly from cartels.

I believe fully decriminalizing these drugs will lead to an increase in crime, increased chronic medical problems for those with substance abuse disorder, and increased overdose deaths. Better options for reform include increasing funding for court-mandated or correction drug treatment programs and expanded alternative sentencing options.

Please Join Me in Voting NO on Measure 110.

Milt Parham
Recovered treatment provider.

(This information furnished by James O'Rourke, No On Measure 110 - Volunteer Coordinator.)

Argument in Opposition

As a candidate for the Oregon legislature, **homelessness** is one of the major concerns that voters in my House District have expressed to me. On their behalf—and on behalf of the homeless themselves—I submit this statement in opposition to Measure 110.

Many people are homeless because of their drug addictions. I believe Measure 110 will likely increase hard drug use and, therefore, addictions.

"If it's legal, it must be OK!"

When an illegal activity (such as the possession and use of hard drugs) is decriminalized, many people think that means it's OK now to engage in that once-illegal activity. And they do so in greater numbers. Eventually, this will likely increase the homeless numbers.

"If I don't have to worry about going to prison (or juvie), I'm free to use drugs!"

Today most persons charged with misdemeanor possession are given the choice of getting treatment or a conviction. But with Measure 110, the choice for both juveniles and adults is gone because there would no longer be any conviction. Eventually, this will likely increase the homeless numbers, as Measure 110 removes a helpful, extrinsic motivation to avoid drug use and experimentation.

"Hey, Mom and Dad. I don't have to listen to you. It's legal."

Measure 110 will allow both juveniles and adults to possess up to 1 gram of heroin and MDMA, 2 grams of cocaine, 12 grams of psilocybin, and 40 user units of LSD, methadone, and oxycodone. Parents lose legal leverage in their ability to control their children's use. Eventually, this will likely increase the homeless numbers.

Homelessness and addiction can be successfully addressed through a combination of evidence-based, tough love and rewards programs. But making it easier for children and adults to use highly dangerous hard drugs and become addicted is not part of a reasonable solution.

For the sake of the homeless, the addicted, children and their parents, neighborhoods, businesses, and schools, **please vote NO on Measure 110.**

Sandra Nelson

(This information furnished by Sandra K Nelson, Candidate for State Representative, House District 27.)

Argument in Opposition

PARENTS BEWARE

MEASURE 110 SENDS A TERRIBLE MESSAGE TO KIDS AND REMOVES THE ONE TOOL PARENTS CAN COUNT ON IN THE FIGHT AGAINST JUVENILE DRUG ADDICTION

Vote NO on Measure 110

My child was like many kids, growing up in a drug-free, loving home.

After marijuana legalization, some in my child's friends started experimenting with pot. At age 14, my child's response was, "It's legal." It wasn't, but legalizing pot suddenly normalized using for kids. Social media apps made it worse.

My child began sneaking out at night, driving with no license in search of drugs.

Like many kids who use, experimentation quickly turned into dependency: pills, acid, and more. Drugs trip-wired an addictive personality.

We tried rehab. We paid over \$50,000 for various treatments. We love our child, who was 100% supported through recovery. It failed because, as parents, our consequences couldn't get past the addiction.

I finally called the police and begged them to arrest my child. In Oregon, parents can't make teenagers go to treatment without a court-order. You can't get a court-order without the justice system. If Measure 110 passes, that option is gone.

Parents shouldn't have to beg law enforcement and courts for help. Our justice system needs to be reformed. We need more treatment beds for kids and help for families to afford treatment. Measure 110 removes access families currently have to court-mandated juvenile treatment. It's shortsighted.

Measure 110 removes any semblance of deterrence from a child's mind if the only consequence for using dangerous drugs is a fine less than a speeding ticket.

We cannot allow our kids to grow up believing that using drugs is somehow normal, and we cannot live in a society that takes away a parent's options to help their child get drug treatment.

If you're a parent, I hope you'll listen to those of us whose children have suffered and join us in saying **NO to Measure 110**.

Marnae Powell
Mom
Bend, Oregon

(This information furnished by James O'Rourke, No On Measure 110 - Volunteer Coordinator.)

Argument in Opposition

As a family who lost our son/brother/grandson to addiction, we passionately oppose this measure. This measure will likely lead to more death and addiction.

Don't let it be your loved one.

Measure 110 is a drug legalization measure designed to mislead Oregon citizens into supporting the **legalization** of large "user amounts" of deadly, illegal drugs including: heroin, methamphetamine, cocaine, oxycodone, and LSD.

Decriminalization is legalization. The "gas lighting" strategy used to sell this measure will lead to increased risk in our vulnerable citizens, including both adults and children, from drug dealers who will profit off of their addiction, leading to potential death.

Measure 110 implies, "court ordered sanctions are not a deterrent or motivator to people with addiction disorders." **This simply is not true, and seems to ignore the obvious.** The majority of society does not commit crimes, because of the consequences.

Recovery communities acknowledge that people with addictions often need to "hit bottom" before choosing recovery. For many, "hitting bottom" comes with being arrested and the associated consequences of justice system interventions.

In my 35 years of working directly with people with addictions I have heard many times the sobering reality **"if I hadn't been arrested I would be dead"**.

The addicted mind, left with a choice, will continue to abuse drugs. Measure 110 assumes that people with addiction, given a ticket, will pay or voluntarily participate in addiction assessment. This is not based on facts. Violators in other states with similar laws, do not pay fines or seek treatment.

Measure 110 provides no structure or incentive for participation in treatment as court ordered treatment programs do. Measure 110 siphons money derived from marijuana tax away from worthwhile programs and only provides voluntary assessments, which is not the same as treatment.

Measure 110 legalizes heroin, methamphetamine, cocaine, oxycodone, and LSD for children as well as adults. Children will get the message that "drugs are really not that bad."

Brian, Brenda Martinek and family

(This information furnished by James O'Rourke, No On Measure 110 - Volunteer Coordinator.)

Argument in Opposition

**DON'T LET OUT-OF-STATE SPECIAL INTERESTS
WRITE LAWS FOR OREGON**

Measure 110 halts Justice Reinvestment efforts being worked on by the Oregon Legislature.

Dear Oregon Voters,

You might be surprised to learn in 2017, a bipartisan effort in Oregon's Legislature reduced drug sentencing from **FELONY** to **MISDEMEANOR** status in criminal sentencing guidelines.

As a Republican Senator representing Rural Oregon, I joined with liberal Democratic senators in supporting this effort. I believed, and still do, that Oregonians suffering from addiction need treatment, not incarceration. Everybody deserves a second chance at sobriety and the life that comes when you are free from addiction.

In just a few years since passing that law, District Attorneys across Oregon were freed to work with people arrested for drug possession like Heroin, Methamphetamines, and Cocaine, and can court-order addicts into state-sponsored or county-sponsored treatment.

THE LEGISLATURE'S EFFORTS ARE WORKING!

As a lawmaker, I appreciate Oregonians' right to use the initiative process to make laws when they see the Legislature failing to act on important issues. That's not the case with Measure 110.

Measure 110 was drafted by and funded with millions of special-interest dollars by an out-of-state group who clearly wants full-on decriminalization of drugs.

Oregon isn't a petri-dish for an extreme policy agendas.

Measure 110:

- Determines JUVENILES will only be cited for hard-drug possession while being cut off them off from juvenile court treatment programs.
- Takes MILLIONS OF DOLLARS from Marijuana taxes that would have gone to public schools.
- Disconnects drug treatment from Courts.
- Identifies no new funding source to pay for treatment.

I support evaluating proposals to help people get their addictions in check and lives back on track. But Measure 110 is no solution, and it's not the Oregon Way that we've relied on for robust policy-making processes.

Please say NO to out-of-state agendas for Oregon. Please let Oregon's Legislature keep doing its job.

Join me in **Voting NO** on Measure 110.

Senator Bill Hansell

(This information furnished by James O'Rourke, No On Measure 110 - Volunteer Coordinator.)

Argument in Opposition

**MEASURE 110 Takes Money from Our Classrooms
and Opens the Door to Drug Use in Schools**

As a school superintendent, I'm urging you to **VOTE NO on Measure 110**. Please take the time to really read up on this measure before you vote.

You'll see that Measure 110 is bad for our schools, and bad for students.

First, the official financial impact statement for Measure 110 makes it clear that if passed, **Measure 110 would sweep upwards of \$73 MILLION DOLLARS away from money already earmarked for the K-12 education budget.**

At a time when schools are already facing serious budget cuts due to the Covid-19 pandemic, **taking \$73 MILLION from our classrooms is the same as cutting 760 teachers across Oregon.** Our public schools can't afford to lose funds, especially during the worst education crisis in our lifetimes with schools shut down due to Covid-19. Every dollar is needed to make sure students don't lose ground.

Second, **Measure 110 sends the wrong message to our students** that drugs like methamphetamines, cocaine, heroin, and other illicit substances, are ok to use. As written, **it allows juvenile users to possess the same amount of hard drugs as adults would be allowed.** That's totally unacceptable!

As educators, we're constantly working to teach students about the dangers of drug use. Measure 110 provides conflicting messages and sets us back in our work. It will make it almost impossible to prevent student drug use. **If Measure 110 passes, it could tie a school district's hands** with regard to campus drug enforcement and **open school districts up to costly litigation.**

Lastly, as a parent, I've seen the heartbreak of families who've had to say goodbye to a child due to drug overdose. **Measure 110 works against families** trying to protect their kids from substance abuse.

Please join me in voting NO to protect our kids and our schools from the dangers of drug abuse!

Superintendent Mark Thielman
Alsea School District

(This information furnished by James O'Rourke, No On Measure 110 - Volunteer Coordinator.)

Argument in Opposition

**DECRIMINALIZATION HAS FAILED PEOPLE OF COLOR
IN SAN FRANCISCO...**

SO WHY BRING IT TO OREGON?

People of color need systemic changes to the justice system...

...not more drugs flooded in our communities for our kids.

In an attempt to right some disparities in our judicial system, an out-of-state organization has put an out-of-state "solution" on our Oregon ballots. **As an African-American Oregonian** and someone who spent 45 years working to better the lives of families in Portland, **I applaud efforts to fix the problem of unequal justice** for people of color, **but Measure 110 has serious flaws.**

Decriminalizing the drugs on listed in Measure 110 – **heroin, cocaine, methamphetamines, oxycodone** - will open Pandora's Box in a way that we do not want to see happen.

Our current system of drug treatment and recovery is lacking. We need more treatment beds to meet the needs we have today. Measure 110 doesn't create new funding for treatment. It doesn't help poor people pay for treatment. Decriminalizing drugs in this measure will not only overwhelm our current system it would severely set us back attempts to help those who need help.

Measure 110 will affect children and **will substantially increase - not reduce-our drug crisis.**

This approach has been tried in San Francisco and failed miserably. Since its inception, San Francisco has seen a **rise in drug usage, homelessness, crime and mental illness.** There are **street gangs openly selling heroine, fentanyl, and meth** in an area covering 50 city blocks. This situation began as an honest attempt to fix a problem by decriminalizing these drugs; it backfired, thus leaving San Francisco with a huge problem, **one that disproportionately impacted people of color.**

I believe we can fix our current inequities in justice and service our homeless, mentally ill and addicted citizens in a much more effective way. Not by opening the drug floodgate and creating more problems.

Fred W. Douglas Jr.
Retired Youth Minister

(This information furnished by James O'Rourke, No On Measure 110 - Volunteer Coordinator.)

Argument in Opposition

There is No Justice or Peace for Black Lives

**if voters support a Measure 110
that will flood our communities with Drugs.**

Measure 110 supporters say this measure reduces instances of Black people intersecting with police because drug penalties will be dropped to a violation.

They're wrong...Dead wrong!

Flooding drugs into communities creates more opportunities for young people (often people of color) to be arrested because the secondary crimes committed while on drugs are typically the cause of the altercation with police.

And that's when tragedies occur.

How many times will we watch these tragedies play out in Oregon's communities? If more of our kids get hooked on drugs because there are no consequences, no programs, no treatment, and they end up committing crimes to score drugs – children lose.

As a retired Black sheriff's deputy working 25 years at Multnomah County Sheriff's Office and two years in Oregon's Juvenile Justice Department, I believe our children's futures are at stake. I've always focused on supporting, in particular, youth and families. I sit on a community board helping youth in recovery and let me tell you by giving young people this kind of access to drugs and lowering the perception of harm, we're setting them up to fail.

Measure 110 will affect our youth by:

- INCREASING drug ADDICTION by lowering the perception of harm.
- INCREASING the homeless population.
- Negatively affect young people's mental and physical health as the brain is in its development stage.
- Allowing youth to possess nearly 2 grams of meth and cocaine; 1 gram of heroin; and 40 user units of LSD, to name a few.
- Increasing the chance of drug-related crimes to support an addiction habit perhaps.
- Increasing medical problems and increased risk of death.
- Increasing the chances of health issues and impairments that affect school, family, and overall quality of life.

If you believe ALL YOUTH LIVES MATTER, Vote NO on Measure 110.

Rob Ward,
West Linn

(This information furnished by James O'Rourke, No On Measure 110 - Volunteer Coordinator.)

Argument in Opposition

**Oregon's District Attorneys Urge
Your NO Vote on Measure 110**

District Attorneys across Oregon urge your NO vote on Measure 110, a dangerous approach to our drug addiction crisis. This measure recklessly **decriminalizes** possession of the most **dangerous** types of drugs, including methamphetamine, cocaine, heroin and ecstasy.

This measure is the wrong answer to our drug addiction crisis.

Oregon leads the country in pain reliever misuse (1st), methamphetamine use (2nd), prevalence of mental illness (3rd) and cocaine use (4th) and yet we are nearly last (48th) in access to treatment.

Decriminalization will lead to an *increase* in *acceptability* of dangerous drugs, normalizing hazardous experimentation for our youth and *increasing accessibility*, surging supply and lowering costs of dangerous street drugs.

Law Enforcement is an important partner in this public health crisis but Measure 110 will all but remove them from this conversation.

Today, possession of most drugs are only misdemeanor offenses – which means people do not go to prison for simple possession, rather, they are connected with treatment options including Drug Courts and innovative diversion programs that are life-saving bridges to resources, lending support and *motivation* for success and early intervention, making all our communities safer.

District Attorneys Across Oregon Urge Your NO Vote on Measure 110:

John Haroldson	Benton County
John Foote	Clackamas County
Ron Brown	Clatsop County
Jeff Auxier	Columbia County
Wade Whiting	Crook County
Josh Spansail	Curry County
Rick Wesenberg	Douglas County
Marion Weatherford	Gilliam County
Joseph Lucas	Harney County
John Sewell	Hood River County
Beth Heckert	Jackson County
Josh Eastman	Josephine County
Patty Perlow	Lane County
Doug Marteeney	Linn County
Dave Goldthorpe	Malheur County
Paige Clarkson	Marion County
Justin Nelson	Morrow County
Aaron Felton	Polk County
William Porter	Tillamook County
Dan Primus	Umatilla County
Kelsie McDaniel	Union County
Rebecca Frolander	Wallowa County
Kevin Barton	Washington County
Gretchen Ladd	Wheeler County
Brad Berry	Yamhill County

(This information furnished by James O'Rourke, No On Measure 110 - Volunteer Coordinator.)

Argument in Opposition

MEASURE 110 PUTS PUBLIC HEALTH AND SAFETY PRESSURE ON CASH-STRAPPED COMMUNITIES

VOTE NO ON MEASURE 110

As a Wilsonville City Councilor, and former Oregon Corrections Department nurse, I have significant concerns about Measure 110 and its impacts on our local resources at a time when cities are already faced with rising homelessness and lack of public health funding.

When I provided healthcare in Oregon's prison system, for many inmates, the first time they ever had the opportunity to get drug treatment was when they intersected with the justice system. They recognized their addiction led them to commit crimes. It was keeping them away from their families and their shot at a better life.

Measure 110 disconnects drug violations from the court system in a way where offenders won't be compelled into drug treatment. That's taking us in the wrong direction! As written, Measure 110 doesn't make it clear that people cited for drug violations will be required to get treatment at all, only a referral.

As a City Councilor, I look at the community challenges we face through the lens of my nursing experience. **The recent uptick in homelessness across the METRO area is in large part due to rising, unchecked drug addiction.** I see this firsthand when people who are devastated by addiction show up in our emergency rooms during an overdose. And if they survive, they have no home to recover in – they go back out into the streets.

Measure 110 won't provide cities and counties any new resources to combat the increase in addiction that is sure to follow if we disconnect treatment from our justice system. To implement a significant change in fully decriminalizing drugs like methamphetamines, cocaine, and opioids, cities and counties need time and funds to support the social service crisis this change will create in our local communities.

Measure 110 will negatively impact public health and safety.

PLEASE VOTE NO!

Ben West,
Registered Nurse
Wilsonville City Councilor

(This information furnished by James O'Rourke, No On Measure 110 - Volunteer Coordinator.)

Argument in Opposition

GET THE FACTS – THEN VOTE NO ON MEASURE 110!

Measure 110 does not help people with addictions.

It does not create new funding for treatment.

FACT: Measure 110 decriminalizes drug possession of less than 1g of heroin; 2g of cocaine; 2g of methamphetamine; 12g of psilocybin; 5 user-units MDMA (ecstasy); 40 user-units LSD, Oxycodone and/or Methadone.

FACT: It decriminalizes those drugs for children and teenagers.

FACT: The penalty for possessing these drugs will be less than the average speeding ticket.

FACT: Measure 110 removes the court's authority to order youth, teens, and adults into drug treatment.

FACT: Measure 110 will reduce and/or eliminate funding otherwise being spent on PROVEN drug treatment programs utilized by Oregon drug courts and district attorneys in all 36 counties.

FACT: Measure 110 fails to contemplate that no new tax revenues are being collected for treatment, and that the Legislature isn't constitutionally bound to redirect any purported "savings" from reduced incarcerations to drug treatment programs.

FACT: For the biennial 2021-2023 state budget, **Measure 110 reduces funding** to addiction treatment, mental health, Oregon State Police, prevention, city and county budgets and school districts, by an estimated \$182.4 MILLION **including an estimated \$73 MILLION in K-12 funding** voters approved for schools when they legalized Marijuana. **That's like cutting 730 teachers out of classrooms.**

FACT: Health care professionals, including surgeons, would be presumed fit to practice regardless of multiple violations for possessing two grams of heroin, cocaine, methamphetamine, and oxycodone.

FACT: Without court-sponsored treatment, more people suffering addiction will lose jobs, experience homelessness, and fuel their addiction by committing crime. **Many will die.**

FACT: Measure 110 isn't a local grassroots effort. This is a radical agenda funded by an out-of-state special interest group which has poured millions into a campaign to change Oregon law.

READ the FACTS.

REJECT out-of-state special interests.

REMEMBER to **VOTE NO** on Measure 110.

Learn More: www.VoteNoOn110.com

(This information furnished by James O'Rourke, No On Measure 110 - Volunteer Coordinator.)

Argument in Opposition

Join a School Nurse in saying NO to Measure 110

On the surface, Measure 110 looks absolutely brilliant: creating recovery programs, funding treatment services using evidence-based, trauma-informed, culturally-responsive, patient-centered, non-judgmental care with oversight and accountability.

Addiction is both a personal and societal issue. **Incarceration is not the answer - effective treatment is.** We must have parity in addiction/mental health and physical health services. People with addiction must be able to receive timely, and when needed, state-funded services.

What would be even more effective is to provide mental health and wellness services so people do not resort to substance abuse to try to cope with issues.

The problem with Measure 110???????

When you take time to read the extensive ballot measure, there is a huge fatal flaw.

This measure decriminalizes drugs- LSD, heroin, methamphetamine, cocaine, heroin and more for ALL PEOPLE.

The problem? CHILDREN ARE PEOPLE!!!!!!

This means that your adolescent could use heroin with no mandatory treatment required.

Nothing.

As a school nurse, I advocate for children and this measure runs counter to what I do to keep students healthy, safe and ready to learn.

We KNOW that adolescent brains are not fully developed, causing some children to make risky decisions and that drugs negatively affect the adolescent brain. Now, more than ever, our kids are dealing with significant increases in mental health issues. We want them to deal with these issues head on and not choosing to use addictive substances.

Measure 110 doesn't identify any kind of new funding source for treatment.

Measure 110 will take money from other sources including about \$73 million a biennium out of our schools (marijuana tax money) which will impact valuable student services, perhaps our counselors, social workers, psychologists, nurses, other mental health interventionists, and school-based health access.

Many people, including myself, voted to legalize recreational cannabis for adults in Oregon. This law is nothing like recreational cannabis and is DANGEROUS for our kids.

Kim Bartholomew
School Nurse

(This information furnished by James O'Rourke, No On Measure 110 - Volunteer Coordinator.)

Argument in Opposition

RECOVERING YOUTH ADDICTS HOPE YOU'LL HELP SAVE LIVES BY VOTING "NO" ON MEASURE 110

We are young people between the ages of 19 and 36. We reflect the diversity of sex, gender, races, color, religious and political beliefs. We were young people trapped in active addiction. With the help of the justice system, we've found recovery. **PLEASE DON'T VOTE TO TAKE THAT PATH AWAY.**

During our active addiction many of us overdosed, almost died, were sick, abused, homeless, hospitalized, and jailed before we got into recovery.

Our parents and friends didn't have the tools to help us, and addiction was so debilitating, we couldn't help ourselves stop using drugs.

We're all now in recovery thanks to interventions from courts. Many of us did not have insurance and couldn't afford treatment except through court programs. It was life-changing!

Without those programs most of us would still be using, in jail or prison for serious crimes, or dead. Many of us know others who've experienced those dire consequences.

We have jobs and many of us work in the alcohol and drug treatment field. We help those who still suffer in active addiction. And the justice system is a good partner, not a hindrance, to helping those we support.

Measure 110 will not help those who still suffer in active addiction.

Please do not cut off children and young people like us from judicial interventions and treatment by voting for Measure 110.

It's better to get a "nudge from the judge" than to go through all the horrible things that happen to young addicts.

Please Vote No on Measure 110.

Thomas Hooks	Ryan Opsahl
Madisen Taylor	Taralynn Rayburn
Ivana Jungic	Tanis Hayden
Nathanial Wade Thomas	Chelsea Hawes
Cody Lane	Daniel Mata
Austin Phillips	Robert Sanders
Chelsea Champaigne	William Fletcher
Lane Kerans	Amber Hatkoff
Melanie Labrie	Garth Swanson
Glenn Brinson	Kyle Rochez
Tyler Kern	Hugh Patrick Porter Leonard

(This information furnished by James O'Rourke, No On Measure 110 - Volunteer Coordinator.)

Argument in Opposition

Measure 110 will cost lives...PERIOD.

As a lawyer with 42 years-experience defending people charged with drug crimes, who has spent 35 years in recovery, and is the parent of children with addictions, I was asked to look at Measure 110.

Like many voters, I was busy with work and distracted by Covid-19. When I finally read it, **I WAS HORRIFIED.** I realized voters were being misled about Measure 110. Voters deserve to know the truth. Here it is.

My life's work is helping people, particularly young people, get into recovery.

I know what kids go through when active in addiction.

I know what their parents go through.

No one should suffer what we went through.

Measure 110 will hurt far more people than it will ever help.

Most addicts resist treatment. They cannot help themselves; they resist others' efforts to help.

I know outside pressure creates motivation which helps addicts choose treatment and recovery. It worked for me.

Measure 110 breaks down the systems that allow the Juvenile Courts to help children get treatment services many families can't afford.

I know that when you decriminalize **DEADLY** drugs for adults, you decriminalize **DEADLY** drugs for children under 18.

I know that working people, the poor and people of color...and their children...will be disproportionately affected by Measure 110. They need access to state-funded treatment programs.

Measure 110 assessments are not drug treatment.

Measure 110 does absolutely nothing to help people of color or anyone else overcome barriers they face because of their present drug convictions.

The Legislature can remove those barriers by passing laws which let people get early expungement of their criminal records and early reinstatement of driving privileges when they've finished treatment and/or have remained drug-free for a certain period of time. We must encourage the Legislature to remove these barriers and to provide real treatment for all Oregonians.

**Please join this grassroots effort –
START BY VOTING NO on Measure 110.**

James O'Rourke

(This information furnished by James O'Rourke, No On Measure 110 - Volunteer Coordinator.)

Argument in Opposition

ADDICTION TREATMENT PROFESSIONAL SAYS "NO" ON MEASURE 110

Measure 110 proposes decriminalizing possession of dangerous drugs, including heroin and methamphetamine, making drug possession essentially legal for children as well as adults. Measure 110 would also divert marijuana taxes to fund unproven "Addiction Recovery Centers".

As the director of a substance abuse treatment program, I believe the unintended consequences of decriminalizing drugs outweigh any benefits of extra funding—especially for the most vulnerable Oregonians suffering addiction.

People suffering addiction cannot stop using drugs on their own. Being charged with possession of drugs has motivated thousands of people to make life changes and quit drugs. Courts leverage existing laws to get people into treatment. There's a saying in the recovery community: ***"You have to feel the heat before you can see the light."***

Across Oregon, drug courts and other diversion programs help people quit drugs. Drug court provides structure and support for people suffering from addiction. They receive evidence-based treatment in group and individual counseling. They're supported with GED classes and employment services. They remain sober-monitored by random urine drug tests. These things are necessary for them to abstain from drugs and change their lives.

In contrast, Measure 110 wants "Addiction Recovery Centers" to provide assessment and treatment referrals. **These centers don't provide treatment, especially much-needed residential treatment beds.** Oregon has a similar setup for DUIs called Alcohol and Other Drug Screening Specialists (ADSS). ADSS are expensive to patients, and their assessments cannot be used by treatment providers. **Addiction Recovery Centers don't provide evidence-based treatment.** They are a risky gamble!

Passing Measure 110 will cause vulnerable people to lose access to drug treatment and needed accountability through our courts. Because they cannot quit using drugs on their own, the result will be more drug use, ruined lives, and damaged families. We should reevaluate spending marijuana tax money to fund needed treatment, but Measure 110 isn't the way.

Please vote NO on Measure 110.

Chris Wig
Springfield, Oregon

(This information furnished by James O'Rourke, No On Measure 110 - Volunteer Coordinator.)

Argument in Opposition

We are Oregon Association Chiefs of Police, sworn to protect and serve all Oregonians, and we urge you to vote "No" on Measure 110.

We know that decriminalizing drug possession will significantly increase the number of child neglect and abuse cases in Oregon. It will also dramatically increase the number of drug-addicted young people and lead to more overdose deaths. By definition, addicts will not seek help unless they have no other choice. Oregon's drug laws are rehabilitative, not punitive in nature, and we must not take away our courts' ability to order drug treatment.

HERE'S WHAT MEASURE 110 DOES:

DECRIMINALIZES user amounts of:

Heroin

Methamphetamine

Ecstasy

LSD

Psilocybin

REMOVES the judicial system's legal authority to Court order children, teens and adults into addiction treatment & recovery support services.

REDUCES OR ELIMINATES access to drug intervention programs in Oregon, including the successful "Drug Courts, Diversion programs, LEAD program for adults, STAR program for juveniles and other treatment services directed by the Court for both juveniles and adults.

WILL NOT help break the cycle of drug addiction nor reduce associated crime rates.

INCREASES street level drug dealing.

INCREASES drug related crime resulting in more crime victims.

WILL NOT hold people accountable to enter & complete in-patient or out-patient addiction treatment.

DOES NOT require more in-patient treatment beds or higher quality treatment than is already available.

ALLOWS violators choose between a \$100 violation ticket and completing a "health assessment".

ALLOWS professionals like doctors, lawyers, teachers and other professionally or occupationally licensed workers to keep practicing regardless of the number of "Class E Violation" convictions for drug possession.

ROBS tens of millions of dollars in marijuana tax revenue from schools, mental health and addiction services, state police, cities, counties, and drug prevention programs and redirecting funds into the Measure 110 fund.

The Oregon Association Chiefs of Police urge you to VOTE "NO" ON MEASURE 110

(This information furnished by James O'Rourke, No On Measure 110 - Volunteer Coordinator.)

Who can register to vote?

To register you must be:

- A US Citizen
- A resident of Oregon
- At least 16 years old

If you are not yet 18 years of age, you will not receive a ballot until an election occurs on or after your 18th birthday.

How do I register to vote or update my registration information?

You can register to vote

- Online at oregonvotes.gov/register
- By Mail
Complete the registration card and mail it to your county elections office.
- In person
Registration cards are also available at any county elections office, the Secretary of State's Office, and some state agencies such as the DMV.

Large Print Registration Card are also available from the Secretary of State's office.

When do I need to update my voter registration?

You should update your registration if you move, change your name, signature or mailing address, or want to change or select a political party.

You can provide the new information online at oregonvotes.gov/myvote or by completing and returning a voter registration card to your county elections official.

What identification do I provide when I register to vote?

You must provide your valid Oregon Driver's License, Permit or ID number.

A suspended Driver's License is valid, a revoked Driver's License is not valid.

If you do not have valid Oregon ID, provide the last four digits of your Social Security number.

If you do not have a valid Oregon ID or Social Security number you can find a list of acceptable alternative identification online at oregonvotes.gov.

What is the deadline to register to vote for this election?

To vote in the **November 3, 2020**, General Election, your completed voter registration card must be:

- postmarked by Tuesday, **October 13**; or
- delivered to a county elections office or voter registration agency (e.g., DMV) by Tuesday, **October 13**.

If you register to vote online, your registration must be submitted by 11:59 pm on Tuesday, **October 13**.

Do I have to register with a political party to vote?

No you do not. However, by joining a political party you are able to select the party's candidates either by voting in a party's primary election or by participating in other nomination processes.

If you do not select a political party you will still receive a ballot for every election you are entitled to vote at. However, the ballot you receive for a primary election will only include nonpartisan offices and ballot measures.

Address Confidentiality Program

Individuals whose personal or family safety may be in danger if their home address is available as a public record may register to vote with confidentiality protections by applying for the Address Confidentiality Program (ACP).

The ACP is a free mail forwarding service. It helps survivors of domestic violence, sexual assault, stalking or human trafficking shield their physical address. Program participants are provided with a substitute address to use instead of their real address. To be eligible for the ACP you must live in Oregon, **and**

- be over 18 years old, **and**
- be a victim of domestic violence, sexual assault, stalking, or human trafficking, **and**
- have recently relocated (or are about to relocate) to an address unknown to the perpetrator(s) or any government agencies.

Parents or guardians may apply on behalf of incapacitated adults and minor children who are otherwise eligible for the ACP.

Participation in the ACP by itself does not guarantee anyone's safety. ACP staff do not provide threat-assessment or safety-planning and are not allowed to offer legal advice.

To apply to the Address Confidentiality Program, you must work with a victim advocate who has been designated as an Application Assistant by the Attorney General. For more information or to find an Application Assistant near you visit <https://www.doj.state.or.us/crime-victims/victims-services/address-confidentiality-program-acp/> or call **888-559-9090**.



To register to vote or update your registration status, return this form by mail or use online voter resources at:
oregonvotes.gov/register

qualifications

Are you a citizen of the United States of America? ☐ yes ☐ no

Are you at least 16 years of age? ☐ yes ☐ no

! If you mark no in response to either of these questions, do not complete this form.

personal information *required information

last name* first* middle

Oregon residence address, city and zip code (include apt. or space number)*

date of birth (month/day/year)* county of residence

phone email

mailing address, including city, state and zip code (required if different than residence)

Oregon Driver's License/ID number

Provide a valid **Oregon Driver's License, Permit or ID:**

☐ I do not have a valid **Oregon Driver's License/Permit/ID**.
The last 4 digits of my Social Security Number (SSN) are:

x x x - x x -

☐ I do not have a valid Oregon Driver's License/Permit/ID or a SSN. I have attached a copy of **acceptable identification**.

political party

☐ Not a member of a party

☐ Constitution

☐ Democratic

☐ Independent

☐ Libertarian

☐ Pacific Green

☐ Progressive

☐ Republican

☐ Working Families

☐ Other _____

signature I swear or affirm that I am qualified to be an elector and I have told the truth on this registration.

sign here _____ date today _____

! If you sign this card and know it to be false, you can be fined up to \$125,000 and/or imprisoned for up to 5 years.

registration updates Complete this section if you are updating your information.

previous registration name previous county and state

home address on previous registration date of birth (month/day/year)

NONPROFIT
CAR-RT SORT
U.S. Postage
PAID
Portland, OR
Permit No. 815



Residential Customer

17

Deschutes

Deschutes

541-388-6547

TTY 1-800-735-2900

fax 541-383-4424

www.deschutes.org

vote!



➤ oregonvotes.gov



1 866 673 8683

se habla español