

BALLOT MEASURES GENERAL ELECTION NOVEMBER 2022

Lane County Ballot Issues

Ballot Measure 20-327

City of Springfield, Oregon Renew 5-Year Local Option Levy for Jail and Police Services

Question: Shall Springfield levy \$1.40 per \$1000 assessed valuation for five years beginning 2023/24 for Springfield jail operations and police services?

Summary: This measure renews the current levy of local option taxes for public safety services, which expires June 30, 2023. The Springfield Municipal jail, opened in 2010, provides space for pre-sentenced and sentenced defendants of misdemeanor crimes. Since 2009, the number of property crimes has decreased 52%. During the last five years of operation, the jail has maintained an average population of 41 inmates per day. This levy would continue to provide all required funding for jail operations, including required medical and mental health services.

Police services provided by the current levy include uniformed officers, community service officers, dispatchers, and record clerks. The current levy has resulted in improved response times for both emergency and nonemergency police calls.

In the levy's first year, a typical Springfield homeowner with an assessed value of \$170,000 (not market value) would pay \$238.00. Total estimated cost for a typical homeowner over five-years of the levy is \$1,263.57.

Background: (*Register Guard*) The first police and jail property tax was passed in 2002 at a rate of 66 cents per \$1,000 in assessed value. It has been renewed three times, each time at a higher rate. The primary cost of the levy in the past was due to escalating employee wage and benefit costs.

Currently, the levy funds services in four areas:

- Police services: Eight police officers, five dispatchers, five community service officers and two records and communications specialists
- Jail: 100% of the funding for the jail and its 19 employees
- Municipal Court: Two full-time employees and additional judge hours
- City prosecutor: Additional funding to help with increased service demands

The new levy continues to provide funding for uniformed officers, community service officers, the municipal court and prosecutor's office among other items as well as fully funding the municipal jail.

Ballot Measure 20-331

Rainbow Water District, Lane County, Oregon Five-Year Fire Protection Local Option Levy Renewal

Question: Shall Rainbow levy \$1.71 per \$1000 assessed value outside its permanent rate for five (5) years, beginning 2024/25? This measure renews current local option taxes.

Summary: Rainbow contracts with Eugene-Springfield Fire for fire protection services. This measure renews a measure passed in November 2017 which expires in 2024. This levy is required to continue providing fire and emergency services.

The rate remains the same as the previous levy renewal. The levy is based on assessed value, not market value, and will cost \$367 per year for an average District home valued at \$214, 642. The funds generated from this levy will maintain the current level of services and can be used only for fire protection or capital projects which maintain fire protection capabilities. The estimated tax cost for this measure is an estimate only, based on the best information available from the county assessor at the time of estimate and may reflect the impact of early payment discounts, compression and the collection rate.

Ballot Measure 20-333

City of Eugene, Oregon Bonds to Fund Street Repair and Walking, Biking, Safety, Tree Projects

Question: Shall Eugene repair streets and fund walking, biking, safety, and street tree projects using \$61.2 million in general obligation bonds? If the bonds are approved, they will be payable from taxes on property or property ownership that are not subject to the limits of section 11 and 11b, Article XI of the Oregon Constitution.

Summary: If approved, the City will use bond proceeds to repair approximately 44.6 miles of roads and fund walking, biking, safety, and street tree projects. The measure will generate approximately \$ 11.3 million annually plus inflation for 5 years. Of that, an annual average of \$3 million will support walking, biking, safety, and street tree projects. The remainder will fund repairing streets and paying bond issuance costs, with no bond money used to expand the motor vehicle capacity of the street system.

Council Resolution 5364 lists eligible street repair projects. Until listed street projects are completed, bond proceeds could not be used to repair other streets. Resolution 5364 establishes criteria and a process for developing the walking, biking, safety, and street tree project lists.

An outside auditor would review City's use of bond proceeds, determine whether proceeds were used as required by this measure, and prepare a publicly available report. Bonds would be repaid from property taxes beginning 2024. Estimated rate is \$0.63 per \$1000 of assessed value; cost to the average Eugene homeowner would be about \$169 per year.

The League of Women Voters of Lane County (LWVLC) Endorses This Measure: (September 2022 *Argus*, page 2) The LWVLC Board of Directors has acted to endorse Measure 20-333, asking voters in the city of Eugene to authorize \$61.2 million in general obligation bonds for street repairs and to fund walking, biking, safety and street tree projects. This 2022 measure is the fourth bond measure seeking funding for street repairs. At the time of the first vote in 2008, the estimated backlog to repair city streets was \$280 million over 10 years. The passage of bond measures in 2008, 2012 and 2017 has cut that backlog by

more than half, with the current estimated cost to be about \$86 million. According to a recent Pavement Management Report, about \$15.4 million is needed per year over the next decade to return all streets to good condition and keep any additional streets from needing to be reconstructed. Once this is achieved, it is currently estimated that the annual street repair budget would be about \$11 million.

The local nonprofit organization Better Eugene Springfield Transportation (BEST) has on its website, [Best-Oregon.org/bonds](https://best-oregon.org/bonds), a good description of the background for this measure plus links to city reports and actions, op eds, and news articles.

Ballot Measure 20-334

Upper McKenzie Rural Fire Protection District, Lane County, Oregon Local Option Levy for Fire and EMS Operations

Question: Should Upper McKenzie RFPD levy \$0.50 per \$1,000 valuation for EMS and Fire services for 5 years beginning in FY 2023/2024? This measure renews current local option taxes.

Summary: This is not a tax increase, it renews the existing levy. Upper McKenzie Rural Fire Protection District (UMRFPD) operates with dedicated volunteers covering 6 square miles of the McKenzie Valley plus about 600 square miles outside of the district. The department operates from two fire stations with 2 fire engines, one tender, two type 6 brush trucks and a rescue vehicle supported by a Chief's vehicle and a Duty Officer's vehicle.

The proposed levy would enable the Fire Department to continue to provide quality EMS and fire suppression services to the community. Without the funds the district would not be able to purchase medical supplies, PPE, fire supplies, equipment and training.

The proposed rate will raise approximately \$71,500 in 2023/2024, \$73,640 in 2024/2025, \$75,850 in 2025/2026, \$78,130 in 2026/2027, \$80,470 in 2027/2028. The estimated tax cost for this measure is an estimate only.

Background: The McKenzie Fire and Rescue Fire District protects 45 miles of Oregon's McKenzie River between Springfield and Blue River. The mission of the staff and volunteers is to prevent, protect, and preserve life and property from loss by fire, accident, sudden illness, or disaster in the community; further, to enhance the quality of life and to minimize suffering wherever possible. This fire district was heavily impacted by the Holiday Farm fire in 2020.

Because of the lost property tax revenues, the state is providing funds to reimburse those lost property tax revenues. In 2022, \$86,732 will go to the Upper McKenzie Rural Fire Protection District for taxes as well as \$36,286 for their Local Option in 2022. This is part of a \$23.2 million reimbursement to counties for lost tax revenues.

Ballot Measure 20-335

Lane County, Oregon Investment in County Parks, Water Access, Restoration of Natural Areas

Question: Shall County restore, improve parks and natural areas by levying \$0.16 per \$1,000 assessed value for five years beginning FY2023/24?

Summary: The measure temporarily funds Lane County Parks to improve and invest in parks, trails, water access, water quality and natural areas.

County parks provide places close to home for people to exercise, play and experience the outdoors. The measure would finance:

- Investments at Mt. Pisgah, Baker Bay, Armitage, Richardson, North Jetty, and other parks
- Improving water recreation access at Fern Ridge Reservoir and along the McKenzie, Willamette and Siuslaw rivers
- Security patrols focused on visitor and property safety
- Repair, renovation or replacement of restrooms, water systems, camping and boating facilities
- Restoration of natural areas, including improving water quality
- Trail work and education programs at Mt. Pisgah

Levy funds would be placed in a restricted special revenue fund. An annual independent financial audit of levy spending would be required.

The estimated tax rate for this levy is \$0.16 per \$1,000 of assessed value. The median Lane County homeowner is estimated to pay an average of \$38 per year for five years. It is estimated to raise \$31,000,000 over five years. 2023: \$5,826,448; 2024: \$6,043,409; 2025: \$6,268,430; 2026: \$6,501,809; 2027: \$6,743,856. The estimated tax cost for this measure is an ESTIMATE ONLY based on the best information available from the county assessor at the time of estimate and may reflect the impact of early payment discounts, compression and the collection rate.

Background: (*Register Guard*) Because of inadequate funding and staffing levels for Lane County's parks, there have been delays in repairs, upgrades and replacement of crucial infrastructure, with an estimate of around \$25 million in deferred maintenance; this position was supported by an external consultant

There are a number of parks with particular needs. Howard Buford Recreation Area, home to Mt. Pisgah and 17 hiking trails southeast of Eugene and Springfield, is at the top of the list. The consultants said the popular park is in poor condition and estimate it will require more than \$2.3 million in fixes.

Perkins Peninsula Park on the south Fern Ridge Lake is in poor condition. Consultants estimate the county will need to invest \$1.6 million in the park over 10 years, including more than \$600,000 to replace cold water service tanks that serve the pump house. Westlake in Dunes City is in poor condition, but the estimated cost of repairs is much lower — around \$450,000 over 10 years, a large portion of which is more than \$300,000 to replace a wooden dock.

Seven more parks are in poor condition — Archie Knowles, Bender Landing, Camp Lane, Farnham Landing, Hendricks Bridge, Linslaw Park and Zumwalt. Also rated in very poor condition is Harbor Vista, north of Florence, needing \$1.1 million in investment. Upgrades include \$156,000 to replace copper water pipes which serve the park restroom and the day-use area and a campground.

Ballot Measure 20-336

City of Coburg, Oregon 2022 Coburg Charter

Question: Should the 2022 Coburg Charter Be Adopted Repealing Previous Charters?

Summary: The Oregon Constitution allows City voters the right to adopt, amend and revise the home rule charter. The Charter grants legal authority to the city and sets duties. Coburg voters adopted the most recent revision to the Charter in 1992. Many charter provisions are outdated and hinder effective and efficient municipal operation. The proposed 2022 Coburg Charter largely follows the League of Oregon Cities 2018 model charter. Among other things, the proposed Charter will add the City Administrator as an officer, clarify the responsibilities of the officers of the City, update the responsibilities of the Mayor and Council, update how vacancies are filled, and clarify what is a quorum.

Background: The City of Coburg has changed greatly since the current charter was adopted in 1992. The existing charter was outdated and hard to understand and contained certain provisions which hindered efficient municipal operations. In December 2021, the City Council directed staff to draft changes to that Charter. The number of changes which were needed to bring the charter up to date resulted in it becoming a very confusing document. In July 2022, the staff recommended that, rather than amend the existing Charter, the councilors basically repeal the charter, which includes the 1992 charter and Chapter XII, section 45 of the 1950 Charter, and a new charter be presented to the Coburg electors named the 2022 Coburg Charter.

New Bans on Psilocybin

In 2020 Oregon registered voters approved Ballot Measure 109 Oregon Psilocybin Services Act. The act establishes rules surrounding the use of Psilocybin in the treatment of mental illnesses. It allows the manufacture, delivery, and administration at supervised, licensed facilities. Four cities have measures that propose bans or temporary bans of the establishment/licensed psilocybin related businesses in their jurisdictions. The four cities' measures are included below.

Ballot Measure 20-328

City of Dunes City, Oregon Prohibit Psilocybin-related Businesses within Dunes City

Question: Shall Dunes City prohibit psilocybin-related businesses in Dunes City?

Summary: State law allows operation, manufacture, distribution, and possession of psilocybin and psilocin. State law provides that a City Council may adopt an ordinance to be referred to the voters to prohibit the establishment of any of those registered or licensed activities.

Approval of this measure would prohibit the establishment of psilocybin project manufacturers and/or psilocybin service center operators within the area subject to the jurisdiction of Dunes City.

Ballot Measure 20-330

City of Junction City, Oregon Prohibit Psilocybin-related Businesses within the City of Junction City

Question: Shall the City of Junction City prohibit psilocybin-related businesses within the City?

Summary: The State law permits persons licensed, controlled and regulated by the State to legally manufacture psilocybin products and provide psilocybin services to persons 21 years of age and older. State law authorizes the governing bodies of cities and counties to adopt ordinances to be referred to the voters that prohibit the establishment of psilocybin product manufactures and psilocybin service center operators within the area subject to the city's or county's jurisdiction. The City of Junction City is

referring to the voters an ordinance prohibiting psilocybin product manufacturers and psilocybin service center operators within the city.

Ballot Measure 20-332

City of Cottage Grove, Oregon Prohibit Psilocybin-related Businesses within the City of Cottage Grove

Question: Shall the City of Cottage Grove prohibit psilocybin-related businesses within the City?

The State law permits persons licensed, controlled and regulated by the State to legally manufacture psilocybin products and provide psilocybin services to persons 21 years of age and older. State law authorizes the governing bodies of cities and counties to adopt ordinances to be referred to the voters that prohibit the establishment of psilocybin product manufacturers and psilocybin service center operators within the area subject to the city's or county's jurisdiction.

Approval of this measure would prohibit the establishment of psilocybin product manufacturers and psilocybin service center operators within the area subject to the City of Cottage Grove's jurisdiction.

Ballot Measure 20-337

City of Coburg, Oregon A Temporary Ban on Psilocybin Service Centers and Manufacturing Products

Question: Shall the City of Coburg declare a temporary ban on Psilocybin-related businesses and the manufacture of Psilocybin products?

Summary: Psilocybin is a psychedelic drug found in certain mushrooms. State law allows operation, manufacturer, distribution and possession of psilocybin and psilocin. State law provides that Coburg may adopt a measure to be referred to the voters to prohibit the establishment of any registered or licensed activities. The Oregon Health Authority has initiated a rulemaking process to implement the state's psilocybin regulatory program and intends to begin accepting applications for psilocybin-related licenses on January 2, 2023. This measure would add a two-year moratorium for the establishment of operations of psilocybin-related businesses within the City's jurisdiction. The Oregon Health Authority has not completed the rulemaking process to implement the state's psilocybin regulatory program. The City Council believes that prohibiting psilocybin product manufacturers and psilocybin service centers within the city's jurisdictional boundaries to enable the adoption of the state's psilocybin licensing and regulatory program to allow the city to have reasonable time, place, and manner to adopt regulations is in the best interest of the health, safety, and welfare of the people of Coburg.

Background: In 2020, Oregon became the first state in the nation to legalize the therapeutic, supervised use of psilocybin after 56% of voters approved Ballot Measure 109. Psilocybin is the active hallucinogenic ingredient in what are commonly referred to as magic mushrooms. But the measure allows cities and counties to opt out of the program if their constituents vote to do so, and several are hoping to do just that, sparking confusion among residents hoping to be involved in psilocybin treatment. For example, people considering training to become facilitators may spend thousands of dollars for the training, but need to know what to do if their county opts out. As of September 2, 2023 the following counties added permanent or temporary bans to the November ballot: Clackamas, Umatilla, Jackson, Crook, unincorporated Deschutes County, unincorporated Coos County, Klamath, unincorporated Clatsop County unincorporated Morrow County, and unincorporated Douglas County.

Some cities also proposed bans including Brownsville, Philomath, Eagle Point, Central Point, Shady Cove, Phoenix, Rogue River, Banks, Cornelius, St. Helens, Newberg, McMinnville, La Pine, Estacada, Sandy, Molalla, Bandon, Coos Bay, Coquille, Lakeside, Myrtle Point, North Bend, Culver, Madras, Metolius, Seaside, Irrigon, Boardman, Heppner, Lone, Winston, Canyonville, Oakland, Glendale, Drain, Myrtle Creek, Reedsport, Sutherland, Riddle, Elkton, Roseburg (vote is for allowing psilocybin and psilocin), and Prineville. (Data obtained from county elections websites and is current as of September 2, 2022.)

(Lane County Ballot Measure information is from the *Lane County Elections Measures Filings*)

State Ballot Issues

Ballot Measure 111

Right to Healthcare Amendment

What: The Constitution of the State of Oregon is amended by creating a new section 47 to be added to and made a part of Article I. It is the obligation of the state to ensure that every resident of Oregon has access to cost-effective, clinically appropriate and affordable health care as a fundamental right.

Summary: The current state law outlines the general requirements for health insurance policies and provides healthcare for low income and disabled residents who meet eligibility requirements. The measure, if passed, would amend Article 1 of the state constitution to establish health care as a fundamental right and would obligate the state to provide residents “access to cost-effective, clinically appropriate and affordable health care.” The amendment requires the state to balance that obligation against the public interest in funding public schools and other essential public services.

While this measure establishes a new constitutional obligation of the state, it does not specify what the state must do to comply. If the state is sued to enforce the amendment, the court may not order a remedy that interferes with the state’s requirement to balance healthcare funding against funding for public schools and other essential public services. (www.sos.oregon.gov *Explanatory Final Statements*)

Financial Impact:

The Oregon Financial Estimate Committee was unable to determine the measure’s impact on government spending and revenue. Spending and revenue under this measure will be determined by the Legislature in the future.

What would be the result of a “yes” vote?:

The Oregon Constitution will be amended to say that the state is obligated to ensure that Oregon residents have “access to cost-effective, clinically appropriate and affordable health care as a fundamental right.” This right to health care must be balanced with the State’s obligation to fund public schools and other essential services.

What would be the result of a “no” vote?

The Oregon Constitution will remain unchanged.

Ballot Measure 112

Remove Slavery as Punishment for Crime

What: The Oregon Constitution would be amended by removing language allowing slavery and involuntary servitude as a punishment for a crime.

Summary: The Oregon Constitution Article I, section 34, currently prohibits slavery and involuntary servitude but allows an exception as punishment for a crime. Ballot Measure 112 would remove the language that allows slavery and involuntary servitude as a punishment for crime. This ballot measure would work in tandem with Section 41 of the Oregon Constitution, which establishes a work requirement for adults in custody, and is not intended to repeal the work requirement section. Ballot Measure 112 permits a court, or probation or parole agency, as part of sentencing, to order a person convicted of a crime to engage in education, counseling, treatment, community service or other alternatives to incarceration. These activities must be in line with programs that have been in place to provide for accountability, reformation, protection of society, or rehabilitation.

Financial Impact:

There is no direct financial impact to state revenue. The impact of the measure will depend on potential legal action or changes to current inmate work mandates.

What would be the result of a “yes” vote?

If the measure passes, it would amend the Oregon Constitution to remove language allowing slavery and involuntary servitude as punishment for a crime, and would add language which allows programs such as counselling, education, work, or community service to be ordered as part of sentencing.

What would be the result of a “no” vote?

The Oregon Constitution would retain current language that prohibits slavery and involuntary servitude in general, but allows slavery and involuntary servitude as punishment for a crime.

Ballot Measure 113

Exclusion from Re-election for Legislative Absenteeism

What: This measure amends the Oregon Constitution to ban a legislator with ten or more unexcused absences from holding state legislative office for one term. The intent of the measure is to define the consequences for unexcused absences from floor sessions in either regular or special sessions. A “floor” session is the term used when the Senate or the House meets to conduct legislative business and doesn’t include committee meetings or hearings. If fewer than two-thirds of the members are present during floor sessions, legislative business cannot be conducted.

Summary: In the past two decades, Oregon has seen a number of legislative walkouts by members of the minority party. Most recently, in 2021, 2020, and 2019, Republicans walked out over bills dealing with COVID issues, redistricting, and climate. In 2001, the Democratic house members were in the minority, and they walked out in a protest about redistricting.

Currently, the state constitution authorizes legislative chambers to punish disorderly conduct, including legislative absenteeism, with a two-thirds supermajority vote. Punishment may include the expulsion of

a member. The legislative rules governing absences are voted on by both chambers at the beginning of each session. Those rules may cover unexcused absences and specify the process for determining excused and unexcused absences. Currently there is no formal definition in Oregon legislative rules concerning what constitutes an “unexcused” absence or how many a legislator can accumulate. To receive approval of an absence, a legislator begins by filing a request explaining the absence. A determination is made by the Senate President or House Speaker. Currently there is no right of appeal against excuse determinations and no requirement for the Senate President or House Speaker to formally explain their decision to declare an absence to be unexcused.

What would be the results of a “yes” vote?

If the measure passes, it would disqualify legislators with ten unexcused absences from legislative floor sessions from holding office as legislature for the term following their current term of office.

What would be the result of a “no” vote?

The existing law would be retained. Legislators’ attendance can be compelled by current legislative rules. Absent legislators may be punished by the legislative chamber (and potentially by a two-thirds majority vote).

Ballot Measure 114

Changes to Firearms Ownership and Purchase Requirements Initiative

What: Measure 114 passage enacts a law to require individuals to have a permit, issued by local law enforcement, to obtain a firearm from a gun dealer, private individual or at a gun show. Applicants pay a fee of \$65 (\$50 for a renewal), submit a photo ID, are fingerprinted, pass a criminal background check, and pass both a firearm safety training class and a live-fire training session. The permit is valid for 5 years.

Restrictions are imposed upon purchase of certain ammunition. No magazines over ten rounds can be purchased or sold after the effective date of the Act and those already owned on that date are restricted to the owner’s sole use on personal property, at shooting ranges, competition and lawful recreational activities such as hunting, provided they are transported to such locations in a locked container separate from any firearm. Exceptions would apply for current owners/inheritors, law enforcement and armed services personnel. Violations are Class A misdemeanors. The State Police is responsible for maintaining the permit/firearm database. (<https://www.lifteveryvoiceoregon.com/ip-17-summary>)

Financial Impact: The intent of the measure is for permit revenues to cover administrative costs. Although cost estimates were submitted by state and local governments, the Oregon Financial Estimate Committee stated there was uncertainty as to the projected number of permit applications, revenue from those applications, and related administrative costs. The committee therefore concluded that the financial impact for state and local governments is indeterminate.

Summary: Since 2020 the Oregon State Police has reported a sharp increase in the number of background checks on prospective gun buyers in Oregon. This increase in gun ownership has been accompanied by a spike in overall gun violence, including homicide, violent crime, attempted suicide, suicide and unintentional death and injury. Seventy-seven percent of Oregon’s gun deaths since 2020 have been suicides, 23 percentage points higher than the national average.

In recent years the Legislature has responded to calls for stricter gun laws by enacting a background check requirement for gun transfers (2015), a “red flag” law allowing the removal of firearms from those who pose a risk to themselves or others (2017), a law allowing firearms to be removed from dating partners in domestic abuse cases, and a law that requires safe storage of firearms and gives certain jurisdictions the ability to ban firearms (2021).

What would be the results of a “yes” vote?

Passage of the measure would change current firearm laws by requiring a permit to purchase a firearm. The permit, issued by local law enforcement and renewable every five years, would be issued after the applicant passes a background check, completes an approved live-fire safety course, and pays a fee to cover fingerprints and background check processing. Denial of a permit may occur if the applicant is deemed a danger to self or others. Manufacture, sale, use, or possession of large-capacity magazines holding more than 10 rounds would become a Class A misdemeanor.

What would be the results of a “no” vote?

Existing laws would remain in effect, including requiring a seller/transferor to request a background check before firearm purchase. Current law states that transfer of the firearm may occur after three days if the background check is not completed.

(Oregon Ballot Measure information is from Voter Service, League of Women Voters of Oregon)

Discussion Questions

1. This material presents information on 10 ballot measures that will be on the ballots in Lane County, but only one issue, Measure 20-335, will be before all Lane County voters. Which Lane County measures do you want to discuss in depth?
2. Should seniors on fixed incomes (below a certain amount) and low income homeowners be exempt from the increases in property taxes?
3. Several cities and counties have put on their ballot the prohibition or banning of psilocybin manufacturers and service center operators. Was the passage of Measure 109 in 2020 premature?
4. Measure 113 would ban a legislator with 10 or more unexcused absences from holding state legislative office for one term. Are there times when absenteeism for political reasons would be a reasonable course of action? What alternatives might be considered?
5. Since 2020 the Oregon State Police has reported a sharp increase in the number of background checks on prospective gun buyers in Oregon. This increase in gun ownership has been accompanied by a spike in overall gun violence, including homicide, violent crime, attempted suicide, suicide and unintentional death and injury. If background checks have not deterred violence why would adding more laws and bureaucracy deter it? How might the state address the increase in guns and the deaths they cause?

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