

**THIS EXPLANATORY STATEMENT HAS BEEN
REVIEWED AND APPROVED BY THE
COMMITTEE UNDER ORS 251.215 ON AUGUST 8, 2018**

MEASURE NO. 106

**AMENDS CONSTITUTION: PROHIBITS SPENDING "PUBLIC FUNDS"
(DEFINED) DIRECTLY/INDIRECTLY FOR "ABORTION" (DEFINED);
EXCEPTIONS; REDUCES ABORTION ACCESS**

Submitted to the Electorate of Oregon by Initiative Petition to be voted on at the General Election, November 6, 2018.

Explanatory Statement

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3 Currently women in Oregon may obtain abortions when approved by a
4 medical professional, under publicly-funded health plans.

5 Ballot Measure 106 amends the Oregon Constitution to prohibit publicly-
6 funded healthcare programs, including the Oregon Health Plan and the Public
7 Employees Benefit Board, from covering abortion. It does so by prohibiting the
8 spending of “public funds” (defined in the measure as “funds and moneys under
9 the control or in the custody of the State of Oregon or any of its political
10 subdivisions or public officials”) for any “abortion,” (defined in the measure as a
11 “purposeful termination of a clinically diagnosed pregnancy of a woman
12 resulting in the death of the human embryo or fetus”) except for when that
13 abortion is “medically necessary” (defined in the measure as “a condition in
14 which a licensed physician determines that the pregnant woman suffers from a
15 physical disorder, physical injury, or physical illness that would place her in

16 danger of death unless an abortion is performed, including a life-endangering
17 physical condition caused by or arising from the pregnancy itself”) or when the
18 spending of public funds on an abortion is required by federal law.

19 The measure creates two exceptions to the prohibition on spending of
20 public funds for purposes of abortion. When federal law requires a state to
21 provide funding for particular abortions, the first exception allows public funds
22 to be spent on those abortions to the extent that the federal requirement is found
23 to be constitutional. The second exception allows public funds to be spent on an
24 abortion to terminate an ectopic pregnancy.

25 The measure states that it does not prohibit the expenditure of public
26 funds for the purpose of health insurance costs, so long as public funds are not
27 spent to pay or reimburse for the costs incurred in performing an abortion.

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