

BEV CLARNO
SECRETARY OF STATE



STEPHEN N. TROUT
DIRECTOR

255 CAPITOL STREET NE, SUITE 501
SALEM, OREGON 97310-0722

(503) 986-1518

MEMORANDUM

To: All County Elections Officials

From: Stephen N. Trout, Director *SN*

Date: September 3, 2020

Subject: Directive 2020-3

Attached is a copy of Directive 2020-3 for the 2020 General Election. Please review this Directive carefully. Please use the attached ballot statements to proof ballots. Thoroughly review the statements to ensure you include on your ballot all offices that apply to your county and that they are in the correct order.

Feel free to contact us if you have any questions or concerns.



OFFICE OF THE SECRETARY OF STATE

ELECTIONS DIVISION

Directive of the Secretary of State	Subject: Official Ballot Statements, November 3, 2020, General Election	Date: September 3, 2020	Number: 2020-3
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The Secretary of State in carrying out the duties of the office shall issue detailed directives necessary to maintain uniformity in the application, operation and interpretation of Oregon election laws (ORS 246.110 & 120). The information provided here is an official directive of the Secretary of State.

This directive incorporates the attached instructions for processing the official Ballot Statements issued for the 2020 General Election.

The instructions provide information regarding:

- Ballot Label Style
- Ballot Specifications
- Ballot Arrangement
- Numbering System for Candidates and Measures
- Random Ordering of Candidate Names
- Printing Candidate Names
- Multiple Party Nominations
- Judicial Candidates "Incumbent" Designation
- County Nonpartisan Candidates
- Lines for Candidate Write-In Votes
- Ballot Measure Formatting

The provisions of ORS 254.108, 254.125, 254.135, 254.145, 254.155 and ORS 260.675 should be reviewed prior to preparing the official ballot.

Bev Clarno
Secretary of State

By: Stephen N. Trout
Director

BEV CLARNO
SECRETARY OF STATE



STEPHEN N. TROUT
DIRECTOR
255 CAPITOL STREET NE, SUITE 501
SALEM, OREGON 97310-0722
(503) 986-1518

DATE: September 3, 2020

TO: ALL COUNTY ELECTION OFFICIALS

FROM: Stephen N. Trout, Director *SNT*

SUBJECT: Official Ballot Statements for the November 3, 2020, General Election,
Directive 2020-3

Enclosed you will find the following Official Ballot Statements. We have also enclosed a list of open offices for the 2020 General Election. These Statements will serve as a guide in preparing your county's ballot. The state Official Ballot Statements consist of:

- 1 Partisan Candidates
- 2 Nonpartisan Candidates
- 3 Measures

The Secretary of State directs the following:

BALLOT LABEL STYLE

The official General Election Ballot shall be styled as:

“Official Ballot” and state the name of your county and the date of the election.

See ORS 254.135 for further requirements.

BALLOT SPECIFICATIONS

All Official General Election ballots shall be printed in black ink on good quality material, as required by ORS 254.195(1). Ballots shall be printed on white paper.

BALLOT ARRANGEMENT

The offices shall be arranged in the sequence shown on the enclosed ballot statement. Offices are listed in the following order:

- 1 Federal Office
 - President
 - US Senator
 - US Representative
- 2 State Office
 - Secretary of State
 - State Treasurer
 - Attorney General
- 3 Legislative Office
 - State Senator
 - State Representative
- 4 County Office - if partisan
- 5 City Office - if partisan
- 6 Nonpartisan Office – the sequence of all nonpartisan offices shall be as follows:
 - a State Office (None at this election)
 - b State Judicial Office - Contested races appear before uncontested races for the same office type.
 - Contested Supreme Court (None at this election)
 - Uncontested Supreme Court
 - Contested Court of Appeals (None at this election)
 - Uncontested Court of Appeals
 - Contested Circuit Court positions
 - Uncontested Circuit Court positions
 - c District Attorney
 - d County Judge (None at this election)
 - e Nonpartisan County Offices - such as the following:
 - County Assessor
 - County Clerk
 - County Sheriff
 - County Surveyor
 - County Treasurer
 - Justice of the Peace
 - f Nonpartisan City Offices
 - g Special District Offices - if any
- 7 Measures
 - State
 - County
 - City
 - Multi-County Special District
 - Single County Special District

If for any reason you feel that the ballot arrangement as set forth will cause you undue administrative or printing problems, please contact this office for further advice.

NUMBERING SYSTEM

- 1 Candidates - Automated Tally Systems: Unique candidate numbers are not required.
- 2 Measures: The number assigned to each local (county, city and district) measure must be preceded by a unique county prefix number (*i.e.*, Baker County is number 1, Benton is number 2, and so forth, numbered consecutively in alphabetical order until Yamhill County, which is number 36).

If a city or district is located in more than one county, the county elections officer who is the filing officer shall immediately certify the district or city measure and number to the county clerk of any other county in which the district or city is located. The same measure number shall be used in all counties in which the election is conducted for that measure.

RANDOM ORDERING OF CANDIDATE NAMES

The names of the candidates shall be ordered as provided for in ORS 254.155. On August 27, 2020, this office sent a memo to all County Election Officials giving the random ordering of the letters of the alphabet for candidates on the ballot for the November 3, 2020, General Election. The Ballot Statement for state candidates has been prepared by the Secretary of State using the random sequence.

The random ordering of the letters of the alphabet for which candidate's names will be placed on the ballot for the November 3, 2020, General Election is as follows:

1. P	5. F	9. I	13. U	17. N	21. V	25. O
2. M	6. Z	10. R	14. Q	18. K	22. Y	26. S
3. W	7. A	11. J	15. C	19. L	23. D	
4. T	8. B	12. H	16. G	20. X	24. E	

For candidates whose last names begin with the same letter(s) of the alphabet, or whose names are identical etc., follow the procedure contained in OAR 165-010-0090.

ORS 254.115(4) requires if two or more candidates for the same office have the same or similar surnames, the location of their places of residence shall be printed opposite their names to distinguish one from another.

CANDIDATE NAMES

The names of candidates shall be printed on the official ballot as indicated in the Ballot Statement. Office titles, candidate names and political parties must be printed **in bold face, mixed case type** rather than in all upper case, for the purpose of better readability. Mixed case means the first letters of these names shall be upper case with the rest lower case (unless within the name an upper case letter is specified by the candidate, such as "McVan").

Additionally, **candidate names must not contain any periods**, even after a Jr or Sr. For example, a candidate name should be formatted as Jonathan J Smith, Jr - with **no periods** (commas are allowable).

ORS 249.031 allows for a candidate to use a nickname in parentheses. ORS 254.145(2) provides that no title or designation may be included in the candidate's name (such as Dr, Mr, PhD, Senior Vice President, etc.). Designations such as Jr, Sr, III, IV, etc. are allowable if it is actually part of the name by which the candidate is commonly known.

In addition, ORS 248.360(2) and 254.135(2) provide that in the year when a President and a Vice President of the United States are to be elected, the general election ballot shall state: *Electors of President and Vice President are being elected and a vote for the candidates for President and Vice President shall be a vote for the electors supporting those candidates.*

Note: If no candidate has filed for an office, the ballot must include "No Candidate Filed."

MULTIPLE PARTY NOMINATIONS:

Candidates may be nominated by multiple political parties and have up to three parties listed after their name as indicated in the Ballot Statement. If the candidate was nominated by the party they are a member of, that party will be listed first, followed by all other parties as specified by the candidate. If the candidate fails to specify which parties and in which order those parties should be listed on the ballot, the first three parties the candidate filed a certificate of nomination for should be listed on the ballot utilizing the random alpha order. A nonaffiliated candidate's name will also be followed by a specific three character designation.

JUDICIAL CANDIDATES "INCUMBENT" DESIGNATION

The information for state candidates for Supreme Court, Court of Appeals, Tax Court and Circuit Court positions shall include a designation of "Incumbent" for each candidate who is the regularly elected or appointed judge of the court to which the candidate seeks election. The Ballot Statement provides this designation.

Please note that justice of the peace, county judges and municipal court candidates do not have the "incumbent" designation.

COUNTY NONPARTISAN CANDIDATES

Review ORS 249.091 to determine if county nonpartisan candidates (sheriff, county treasurer or county clerk, or candidates to fill a vacancy in a nonpartisan office) are required to be listed on the general election ballot.

LINES FOR CANDIDATE WRITE-IN VOTES

ORS 254.145(3) provides for the write-in of names in the appropriate place on the ballot. Allow one blank line for each position to be filled. Example: "Vote for Three." In this case, you will provide three blank lines following the list of candidates for that office. Blank lines shall not be numbered.

Offices that have been certified as "No Candidate Filed" must still appear on the ballot with the appropriate number of write-in lines. "No Candidate Filed" may be shown on what would have been the candidate name line.

BALLOT MEASURE FORMATTING

State ballot measures must be formatted as shown on the attached Ballot Measure Statement. The state ballot measure headers and the ballot title captions must be printed in **bold face, mixed case type** rather than in all upper case, for the purpose of better readability. Mixed case means the first letters of a phrase or sentence and only certain words within a sentence may be upper case with the rest lower case.

This directive applies to state ballot measures and does not require you to use the same formatting for local measures. However, we encourage consistent formatting, as this would ensure better readability for the voters.

If you have any questions, please contact our office.

Candidate Ballot Statement
2020 General Election

September 03, 2020

United States President and Vice President

Vote for one

Your vote for the candidates for United States President and Vice President shall be a vote for the electors supporting those candidates.

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

Vote for one

Jo Rae Perkins	Republican
Jeff Merkley	Democrat, Independent, Working Families
Ibrahim A Taher	Pacific Green, Progressive
Gary Dye	Libertarian

US Representative, 1st District

Vote for one

Suzanne Bonamici	Democrat, Working Families
Christopher C Christensen	Republican

US Representative, 2nd District

Vote for one

Robert Werch	Libertarian
Cliff Bentz	Republican
Alex Spenser	Democrat

US Representative, 3rd District

Vote for one

Earl Blumenauer	Democrat, Working Families
Joanna Harbour	Republican
Alex C DiBlasi	Pacific Green
Josh Solomon	Libertarian

Candidate Ballot Statement
2020 General Election

September 03, 2020

US Representative, 4th District Vote for one

Daniel Hoffay Pacific Green
Peter DeFazio Democrat, Independent, Working Families
Alek Skarlatos Republican

US Representative, 5th District Vote for one

Matthew James Rix Libertarian
Amy Ryan Courser Republican
Kurt Schrader Democrat

Secretary of State Vote for one

Nathalie Paravicini Pacific Green, Progressive
Kyle Markley Libertarian
Kim Thatcher Republican, Independent
Shemia Fagan Democrat, Working Families

State Treasurer Vote for one

Michael P Marsh Constitution
Tobias Read Democrat, Working Families
Chris Henry Independent, Progressive, Pacific Green
Jeff Gudman Republican

Attorney General Vote for one

Ellen Rosenblum Democrat, Independent, Working Families
Lars D H Hedbor Libertarian
Michael Cross Republican

State Senator, 1st District Vote for one

Dallas Heard Republican
Kat Stone Democrat

Candidate Ballot Statement
2020 General Election

September 03, 2020

State Senator, 2nd District Vote for one

Jerry Allen Democrat, Working Families
Art Robinson Republican, Constitution
Thomas Griffin Libertarian

State Senator, 5th District Vote for one

Dick Anderson Republican
Shauleen Higgins Pacific Green
Melissa T Cribbins Democrat, Independent, Working Families

State Senator, 9th District Vote for one

Patrick Marnell Libertarian
Jim Hinsvark Democrat, Pacific Green
Fred Frank Girod Republican

State Senator, 10th District (2 Year Unexpired Term) Vote for one

Deb Patterson Democrat, Working Families
Denyc Boles Republican
Taylor A Rickey Libertarian

State Senator, 12th District Vote for one

Brian J Boquist Republican, Independent
Bernadette Hansen Democrat

State Senator, 14th District Vote for one

Harmony K Mulkey Republican, Libertarian
Kate Lieber Democrat, Working Families

State Senator, 18th District Vote for one

Ginny Burdick Democrat

Candidate Ballot Statement
2020 General Election

September 03, 2020

State Senator, 21st District	Vote for one
Kathleen Taylor	Democrat, Working Families

State Senator, 22nd District	Vote for one
Lew Frederick	Democrat

State Senator, 23rd District	Vote for one
Michael Dembrow	Democrat, Working Families

State Senator, 25th District	Vote for one
Justin Hwang	Republican, Independent
Chris Gorsek	Democrat, Working Families

State Senator, 27th District	Vote for one
Eileen Kiely	Democrat, Working Families
Tim Knopp	Republican, Independent

State Senator, 28th District	Vote for one
Hugh Palcic	Democrat, Independent
Dennis Linthicum	Republican

State Senator, 29th District	Vote for one
Bill Hansell	Republican
Mildred A O'Callaghan	Democrat

State Senator, 30th District	Vote for one
Carina M Miller	Democrat
Lynn P Findley	Republican

Candidate Ballot Statement
2020 General Election

September 03, 2020

State Representative, 1st District Vote for one

Calla Felicity Democrat
David Brock Smith Republican

State Representative, 2nd District Vote for one

Gary Leif Republican
Charles F Lee Democrat

State Representative, 3rd District Vote for one

Jerry Morgan Democrat
Lily Morgan Republican

State Representative, 4th District Vote for one

Mary Middleton Democrat, Independent
Duane A Stark Republican

State Representative, 5th District Vote for one

Pam Marsh Democrat, Independent
Sandra A Abercrombie Republican

State Representative, 6th District Vote for one

Kim Wallan Republican
Alex Levi Usselman Libertarian
Alberto Enriquez Democrat, Independent

State Representative, 7th District Vote for one

Cedric Hayden Republican, Independent
Jerry M Samaniego Democrat

Candidate Ballot Statement
2020 General Election

September 03, 2020

State Representative, 8th District Vote for one

Timothy W Aldal Republican
Paul R Holvey Democrat, Working Families
Martha A Sherwood Libertarian

State Representative, 9th District Vote for one

Cal Mukumoto Democrat, Working Families
Boomer Wright Republican, Libertarian

State Representative, 10th District Vote for one

David Gomberg Democrat, Independent
Max Sherman Republican

State Representative, 11th District Vote for one

Marty Wilde Democrat, Independent, Working Families
Katie Boshart Glaser Republican

State Representative, 12th District Vote for one

Ruth E Linoz Republican
John Lively Democrat

State Representative, 13th District Vote for one

Nancy Nathanson Democrat, Independent
David J Smith Republican

State Representative, 14th District Vote for one

Julie Fahey Democrat, Independent, Working Families
Rich Cunningham Republican, Libertarian

Candidate Ballot Statement
2020 General Election

September 03, 2020

State Representative, 15th District Vote for one

Miriam G Cummins Democrat, Working Families
Shelly Boshart Davis Republican

State Representative, 16th District Vote for one

Dan Rayfield Democrat, Working Families
Jason Hughes Republican

State Representative, 17th District Vote for one

Paige Hook Democrat, Working Families
Jami Cate Republican
Timothy L Dehne Pacific Green

State Representative, 18th District Vote for one

Jamie Morrison Democrat
Rick Lewis Republican

State Representative, 19th District Vote for one

Raquel Moore-Green Republican
Jacqueline M Leung Democrat, Progressive, Working Families

State Representative, 20th District Vote for one

Selma Pierce Republican, Independent
Paul Evans Democrat, Working Families

State Representative, 21st District Vote for one

Brian Clem Democrat
Jack L Esp Republican

Candidate Ballot Statement
2020 General Election

September 03, 2020

State Representative, 22nd District	Vote for one
Teresa Alonso Leon	Democrat, Independent, Working Families
Anna Kasachev	Republican

State Representative, 23rd District	Vote for one
Alex Polikoff	Pacific Green, Progressive
Scott D Clawson	Libertarian
Mike Nearman	Republican
Sean K Scorvo	Democrat

State Representative, 24th District	Vote for one
Ron Noble	Republican, Independent
Lynnette Shaw	Democrat, Working Families

State Representative, 25th District	Vote for one
Bill Post	Republican
Ramiro Navarro Jr	Democrat, Working Families

State Representative, 26th District	Vote for one
Courtney Neron	Democrat, Working Families
Tim E Nelson	Libertarian
Peggy Stevens	Republican

State Representative, 27th District	Vote for one
Sandra Nelson	Republican, Libertarian
Sheri Schouten	Democrat, Working Families

State Representative, 28th District	Vote for one
Daniel R Martin	Republican
Winsvey E Campos	Democrat, Working Families

Candidate Ballot Statement
2020 General Election

September 03, 2020

State Representative, 29th District Vote for one

Susan McLain Democrat, Working Families
Dale Fishback Republican

State Representative, 30th District Vote for one

Janeen Sollman Democrat, Working Families

State Representative, 31st District Vote for one

Brad Witt Democrat, Independent, Working Families
Brian G Stout Republican

State Representative, 32nd District Vote for one

Suzanne Weber Republican, Independent, Libertarian
Debbie Boothe-Schmidt Democrat, Working Families

State Representative, 33rd District Vote for one

Dick Courter Republican
Maxine E Dexter Democrat, Working Families

State Representative, 34th District Vote for one

Ken Helm Democrat, Working Families, Republican

State Representative, 35th District Vote for one

Dacia Grayber Democrat, Working Families
Bob Niemeyer Republican

State Representative, 36th District Vote for one

James A Ball Republican
Lisa Reynolds Democrat, Working Families

Candidate Ballot Statement
2020 General Election

September 03, 2020

State Representative, 37th District Vote for one

Rachel Prusak Democrat, Working Families
Kelly Sloop Republican, Libertarian

State Representative, 38th District Vote for one

Patrick Castles Republican
Andrea Salinas Democrat, Independent, Working Families

State Representative, 39th District Vote for one

Tessah L Danel Democrat
Christine Drazan Republican, Independent
Kenny Sernach Libertarian

State Representative, 40th District Vote for one

Mark W Meek Democrat, Working Families
Josh Howard Republican, Libertarian

State Representative, 41st District Vote for one

Karin Power Democrat, Working Families
Michael Newgard Republican

State Representative, 42nd District Vote for one

Rob Nosse Democrat, Working Families

State Representative, 43rd District Vote for one

Tawna Sanchez Democrat, Working Families

State Representative, 44th District Vote for one

Tina Kotek Democrat, Working Families
Margo Logan Republican

Candidate Ballot Statement
2020 General Election

September 03, 2020

State Representative, 45th District	Vote for one
Barbara Smith Warner	Democrat, Working Families

State Representative, 46th District	Vote for one
Khanh Pham	Democrat, Working Families

State Representative, 47th District	Vote for one
Diego Hernandez	Democrat
Ryan Gardner	Republican
Ashton Simpson	Working Families

State Representative, 48th District	Vote for one
Edward Marihart	Libertarian
Jeff Reardon	Democrat, Independent

State Representative, 49th District	Vote for one
Greg Johnson	Republican
Zach Hudson	Democrat, Independent, Working Families

State Representative, 50th District	Vote for one
Ricki Ruiz	Democrat, Independent, Working Families
Amelia Salvador	Republican

State Representative, 51st District	Vote for one
Janelle S Bynum	Democrat, Independent, Working Families
Jane J Hays	Republican
Donald B Crawford	Libertarian

Candidate Ballot Statement
2020 General Election

September 03, 2020

State Representative, 52nd District Vote for one

Anna Williams Democrat, Independent, Working Families
Stephen D Alder Libertarian
Jeff Helfrich Republican

State Representative, 53rd District Vote for one

Jack Zika Republican, Libertarian
Emerson Levy Democrat, Independent

State Representative, 54th District Vote for one

Cheri Helt Republican, Independent, Libertarian
Jason Kropf Democrat, Working Families

State Representative, 55th District Vote for one

Barbara Fontaine Democrat
Vikki Breese-Iverson Republican

State Representative, 56th District Vote for one

E Werner Reschke Republican
Faith N Leith Democrat

State Representative, 57th District Vote for one

Roland Ruhe Democrat
Greg Smith Republican

State Representative, 58th District Vote for one

Nolan E Bylenga Democrat
Bobby Levy Republican

Candidate Ballot Statement
2020 General Election

September 03, 2020

State Representative, 59th District Vote for one

Arlene C Burns Democrat, Independent, Working Families
Daniel G Bonham Republican

State Representative, 60th District Vote for one

Mark Owens Republican, Libertarian
Beth E Spell Democrat, Working Families

Judge of the Supreme Court, Position 4 Vote for one

Christopher L Garrett **Incumbent**

Judge of the Court of Appeals, Position 9 Vote for one

Jacqueline S Kamins **Incumbent**

Judge of the Circuit Court, 4th District, Position 12 Vote for one

Adrian L Brown
Rima Ghandour

Judge of the Circuit Court, 13th District, Position 2 Vote for one

Nathan Ratliff
Joshua C Guest
Bonnie A Lam
Alycia Edgeworth Kersey **Incumbent**

Judge of the Circuit Court, 14th District, Position 1 Vote for one

Brandon S Thueson **Incumbent**
Amanda Thorpe

Judge of the Circuit Court, 14th District, Position 4 Vote for one

Sarah E McGlaughlin **Incumbent**
Jason D Hayward

Candidate Ballot Statement
2020 General Election

September 03, 2020

Judge of the Circuit Court, 17th District, Position 2 Vote for one

Marcia Buckley **Incumbent**
Amanda Benjamin

Judge of the Circuit Court, 19th District, Position 3 Vote for one

Michael T Clarke
Jenefer S Grant **Incumbent**

Judge of the Circuit Court, 24th District, Position 1 Vote for one

Rob Raschio
Jim Carpenter

Judge of the Circuit Court, 2nd District, Position 6 Vote for one

Amit Kapoor **Incumbent**

Judge of the Circuit Court, 2nd District, Position 10 Vote for one

Kamala Shugar **Incumbent**

Judge of the Circuit Court, 4th District, Position 26 Vote for one

Steffan Alexander **Incumbent**

Judge of the Circuit Court, 8th District, Position 1 Vote for one

Matt Shirtcliff **Incumbent**

Judge of the Circuit Court, 11th District, Position 4 Vote for one

Alycia N Sykora **Incumbent**

Judge of the Circuit Court, 20th District, Position 5 Vote for one

Kelly D Lemarr

Secretary of State Elections Division
255 Capitol St NE, Ste 501, Salem, Oregon 97310

Candidate Ballot Statement
2020 General Election

September 03, 2020

Judge of the Circuit Court, 20th District, Position 10 Vote for one

Brandon M Thompson **Incumbent**

Judge of the Circuit Court, 21st District, Position 3 Vote for one

Joan E Demarest **Incumbent**

Judge of the Circuit Court, 23rd District, Position 4 Vote for one

Brendan J Kane **Incumbent**

District Attorney, Lincoln County Vote for one

Lanee Danforth

Ballot Measure Statement
2020 General Election

September 03, 2020

**Referred to the People by the
Legislative Assembly**

Measure 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

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.

Yes

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.

No

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.

Ballot Measure Statement
2020 General Election

September 03, 2020

**Referred to the People by the
Legislative Assembly**

Measure 108

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

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.

Yes

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.

No

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.

Ballot Measure Statement
2020 General Election

September 03, 2020

Proposed by Initiative Petition

Measure 109

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

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.

Yes

Result of “No” Vote: “No” vote retains current law, which prohibits manufacture, delivery, and possession of psilocybin and imposes misdemeanor or felony criminal penalties.

No

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.

Ballot Measure Statement
 2020 General Election

September 03, 2020

Proposed by Initiative Petition

Measure 110

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

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.

Yes

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.

No

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

Ballot Measure Statement
2020 General Election

September 03, 2020

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.