

# FULL TEXT OF BALLOT TITLES—NOVEMBER 6, 2018

## MULTNOMAH COUNTY • STATE OF OREGON

ONLY THE CAPTION AND QUESTION WILL APPEAR ON YOUR OFFICIAL BALLOT AND ONLY THE APPROPRIATE MEASURES FOR EACH PRECINCT WILL APPEAR ON THAT PRECINCT'S BALLOT.

### STATE MEASURES

Referred to the People  
by the Legislative Assembly

**102 Amends Constitution: Allows local bonds for financing affordable housing with nongovernmental entities. Requires voter approval, annual audits**

**Result of "Yes" Vote:** "Yes" vote allows local governments to issue bonds to finance affordable housing with nongovernmental entities. Requires local voters' approval of bonds, annual audits, public reporting.

**Result of "No" Vote:** "No" vote retains constitutional prohibition on local governments raising money for/ loaning credit to nongovernmental entities; no exception for bonds to pay for affordable housing.

**Summary:** Amends Constitution. The constitution currently prohibits most local governments from raising money for, or loaning credit to, or in aid of, any private entity. Measure allows local governments to issue general obligation bonds to finance the cost of constructing affordable housing including when the funds go to a nongovernmental entity. Measure requires that local authorizing bonds be approved by local voters and describe affordable housing to be financed. The jurisdiction authorizing bonds must provide annual audits and public reporting on bond expenditures. Measure limits jurisdiction's bonded indebtedness for capital costs of affordable housing to one-half of one percent of the value of all property in the jurisdiction.

**Estimate of Financial Impact:** This measure amends Article XI, section 9 of the Oregon Constitution to allow local governments to issue general obligation bonds to finance the cost of constructing affordable housing when partnering with a nongovernmental entity. The measure also requires that proposed bonds be approved by local voters and the jurisdiction authorizing the bonds must provide annual audits and public reporting on bond expenditures.

There is no financial impact to state revenue or expenditures.

There is no financial impact on local government revenue or expenditures required by the measure. The revenue and expenditure impact on local governments is dependent on decisions by local governments to propose bonding for affordable housing and voter approval of the proposed bonds.

### Proposed by Initiative Petition

**103 Amends Constitution: Prohibits taxes/fees based on transactions for "groceries" (defined) enacted or amended after September 2017**

**Result of "Yes" Vote:** "Yes" vote amends Constitution; prohibits state/local taxes/fees based on transactions for "groceries" (defined), including those on sellers/distributors, enacted/amended after September 2017.

**Result of "No" Vote:** "No" vote retains state/local government authority to enact/amend taxes (includes corporate minimum tax), fees, on transactions for "groceries" (defined), including on sellers/distributors.

**Summary:** Amends Constitution. Currently, state/local governments may enact/amend taxes/fees on grocery sales, including state corporate minimum tax, local taxes. Measure prohibits state/local governments from adopting, approving or enacting, on or after October 1, 2017, any "tax, fee, or other assessment" on sale/distribution/purchase/receipt of, or for privilege of selling/distributing, "groceries", by individuals/entities regulated by designated food safety agencies, including restaurants, or operating as farm stand/farmers market/food bank. Measure prohibits "sales tax, gross receipts tax, commercial activity tax, value-added tax, excise tax, privilege tax, and any other similar tax on sale of groceries." "Groceries" defined as "any raw or processed food or beverage intended for human consumption." Alcoholic beverages, marijuana products, tobacco products exempted. Other provisions.

**Estimate of Financial Impact:** The financial impact is indeterminate.

**104 Amends Constitution: Expands (beyond taxes) application of requirement that three-fifths legislative majority approve bills raising revenue**

**Result of "Yes" Vote:** "Yes" vote expands "bills for raising revenue," which require three-fifths legislative majority, to include (beyond taxes) fees and changes to tax exemptions, deductions, credits.

**Result of "No" Vote:** "No" vote retains current law that bills for raising revenue, which require three-fifths legislative majority, are limited to bills that levy/increase taxes.

**Summary:** The Oregon Constitution provides that "bills for raising revenue" require the approval of three-fifths of each house of the legislature. The constitution does not currently define "raising revenue." Oregon courts have interpreted that term to include bills that bring money into the state treasury by levying or increasing a tax. Under that interpretation, a bill imposing a fee for a specific purpose or in exchange for some benefit or service is not included. Nor is a bill that reduces or eliminates tax exemptions. Proposed measure amends constitution and defines "raising revenue" to include any tax or fee increase, including changes to tax exemptions, deductions, or credits. Measure expands three-fifths legislative majority requirement to also apply to such bills.

#### Estimate of Financial Impact:

**State Government:** The financial impact to state revenue and expenditures is indeterminate.

**Local Government:** The financial impact to local government revenue and expenditures is indeterminate.

**105 Repeals law limiting use of state/local law enforcement resources to enforce federal immigration laws**

**Result of "Yes" Vote:** "Yes" vote repeals law limiting (with exceptions) use of state/local law enforcement resources for detecting/apprehending persons suspected only of violating federal immigration laws.

**Result of "No" Vote:** "No" vote retains law limiting (with exceptions) use of state/local law enforcement resources for detecting/apprehending persons suspected only of violating federal immigration laws.

**Summary:** Measure repeals ORS 181A.820, which limits (with exceptions) the use of state and local law enforcement money, equipment and personnel for "detecting or apprehending persons whose only violation of law" pertains to their immigration status. Current exceptions allow using law enforcement resources to:

- Detect or apprehend persons accused of violating federal immigration laws who are also accused of other violations of law;
- Arrest persons "charged by the United States with a criminal violation of federal immigration laws" who are "subject to arrest for the crime pursuant to a warrant of arrest issued by a federal magistrate";
- Communicate with federal immigration authorities to verify immigration status of arrested persons or "request criminal investigation information with reference to persons named in records of" federal immigration officials.

**Estimate of Financial Impact:** The financial impact is indeterminate.

**106 Amends Constitution: Prohibits spending "public funds" (defined) directly/indirectly for "abortion" (defined); exceptions; reduces abortion access**

**Result of "Yes" Vote:** "Yes" vote amends constitution, prohibits spending "public funds" (defined) directly/indirectly for any "abortion" (defined), health plans/insurance covering "abortion"; limited exceptions; reduces abortion access.

**Result of "No" Vote:** "No" vote retains current law that places no restrictions on spending public funds for abortion or health plans covering abortion when approved by medical professional.

**Summary:** Amends Constitution. Under current law, abortions may be obtained, when approved by medical professional, under state-funded health plans or under health insurance procured by or through public employer or other public service. Measure amends constitution to prohibit spending "public funds" (defined) for "abortion" (defined) or health benefit plans that cover "abortion." Measure defines "abortion," in part, as "purposeful termination of a clinically diagnosed pregnancy." Exception for ectopic pregnancy and for pregnant woman in danger of death due to her physical condition. Exception for spending required by federal law, if requirement is "found to be constitutional." No exception for pregnancies resulting from rape/incest unless federal law requires. Effect on spending by public entities other than state unclear. Measure reduces access to abortion. Other provisions

**Estimate of Financial Impact:** Ballot Measure 106 amends the Oregon Constitution by prohibiting the expenditure of public funds on abortions, except for those deemed to be medically necessary, required by the federal government, or to terminate a clinically diagnosed ectopic pregnancy.

The financial impact of the measure is anticipated to result in a net annual expenditure increase of \$19.3 million in public funds administered by state government. This increase is based on two factors: 1) an estimated decrease in state government expenditures of \$2.9 million resulting from the prohibition on spending public funds for abortions not exempted under the measure; and 2) an estimated increase of \$22.2 million in state government expenditures resulting from an estimated increase in births and corresponding utilization of health care, food, and nutrition services provided by state government programs. The net expenditure increase of \$19.3 million represents the estimated impact for the first year of the measure and would be a recurring expense each year thereafter at a level dependent on program caseloads and cost of providing services.

The net financial impact on state funds is expected to be a cost of \$4.8 million in the first year and will compound in future years. The future compounded costs are indeterminate.

The measure is also expected to increase annual federal matching funds received by state government by an estimated \$14.5 million to support the additional health care, food, and nutrition services. As with the estimated net increase in state government expenditures, the increase in federal revenue represents the estimated impact during the first year of the measure and would recur each year thereafter at a level dependent on program caseloads and cost of providing state government services.

The financial impact on local government is indeterminate.

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**CITY OF LAKE OSWEGO**

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**Measure 3-537 Lake Oswego Charter Amendment Regarding Posting Notices of Proposed Ordinances**

**Question:** Shall the City Charter be amended to remove the requirement to post notices of proposed ordinances in two public places?

**Summary:** Section 33B of the Lake Oswego Charter currently requires that, at least one week before the City Council considers a proposed ordinance, written notice of the ordinance must be posted at City Hall and "two other public places," and must be published in a newspaper of general circulation in the city. The notice must include the ordinance title and the day, time and place where it will be considered.

Approval of this measure amends Section 33B of the Charter to remove the requirement to post ordinance notices in "two other public places." Section 33B would continue to require posting notices at City Hall and publishing them in a newspaper of general circulation.

The city intends to continue its current practice of also publishing ordinance notices on the city's website; posting City Council agendas, which include titles and links to proposed ordinances, on the city's website; publishing agenda notices in an electronic newsletter sent to subscribers; and sending electronic notices of agendas to those who have requested them.

**3-538 Lake Oswego Charter Amendment Relating to Regular Council Meetings**

**Question:** Shall the Lake Oswego Charter be amended to allow cancellation of up to three regular City Council meetings each year?

**Summary:** Section 14A of the Lake Oswego City Charter currently requires the City Council to hold a regular meeting at least twice each month at a time and place designated by the Council. The Council has designated the first and third Tuesdays of each month for regular meetings. Special meetings may also be called as needed, with advance public notice.

Approval of this measure amends Section 14A of the City Charter to authorize the Council to cancel up to three regular meetings each calendar year. A majority vote of the entire Council would be required. No more than two of the regular meetings canceled each year could be consecutive. This change would have the effect of allowing the Council to declare a recess for a period of time and allowing scheduling options when a regularly-scheduled meeting is considered not necessary to accomplish the work of the Council. Section 14A of the Charter would continue to authorize special meetings in addition to regular meetings.

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**CITY OF PORTLAND**

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Proposed by Initiative Petition

**Measure 26-200 Amends Charter: Limits candidate contributions, expenditures; campaign communications identify funders.**

**Question:** Should Portland Charter limit campaign contributions, expenditures for elected offices; require certain funding disclosures for campaign communications; allow payroll deductions?

**Summary:** Measure amends charter, to be implemented by ordinance effective by September 2019.

Limits contributions received by candidates, candidate committees in city elections per election cycle to:

- No more than \$500 from individual, political committee.
- No more than \$5,000 loan balance from candidate.
- Any amount from small donor committee (defined), which may accept contributions of \$100 or less per individual donor per year.

Allows candidates to receive any amount from government public campaign funding system. Limits independent expenditures to \$5,000 per individual, \$10,000 per political committee, per election cycle. Unlimited independent expenditures by small donor committees.

Each communication (defined) to voters relating to a city candidate election must prominently disclose (defined) information about source of contributions, expenditures for communication.

Allows individuals to make campaign contributions by payroll deduction if private or public employer agrees or allows payroll deductions for other purposes.

Entities making independent expenditures greater than \$750 must register as political committee within three days.

Fines for violations; subpoena power for, investigations by City Auditor.

Definitions; other provisions.

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**CITY OF PORTLAND**

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Proposed by Initiative Petition

**Measure 26-201 Imposes surcharge on certain retailers; funds clean energy, job training.**

**Question:** Shall large retailers (defined) pay 1% surcharge on Portland revenues to fund clean renewable energy (defined) projects, job training?

**Summary:** Measure amends code to require Portland retailers with total annual revenue over 1 billion dollars and Portland annual revenue over 500,000 dollars to pay 1% surcharge on gross revenue from retail sales (defined) within Portland. Proceeds placed into new Portland Clean Energy Community Benefits Fund. Certain sales of groceries, medicines, health care services excluded from gross revenue.

Measure creates new Portland Clean Energy Community Benefits Fund Committee; will exclusively recommend to Mayor distributions of Fund proceeds as grants to private, Oregon nonprofit organizations, for:

**Clean Energy Projects (approximately 50-75%):** renewable energy, energy efficiency and green infrastructure projects, such as:

- Energy not produced from fossil fuels, nuclear power, or certain hydropower
- Heating, lighting, water, cooling efficiencies
- Green building design
- Tree canopy

**Clean Energy Jobs Training (approximately 20-25%):** training that prioritizes workforce development for traditionally underemployed, economically disadvantaged workers, including:

- Communities of color
- Women
- Persons with disabilities
- Chronically underemployed

**Future Innovation (approximately 5%)**

Annual financial audit; biennial performance audit.

Administrative costs cannot exceed 5%.

Other provisions.

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**METRO**

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Referred to the People of the Metro Region by the Metro Council

**Measure 26-199 Bonds to fund affordable housing in Washington, Clackamas, Multnomah counties.**

**Question:** Shall Metro issue bonds, fund affordable housing for low-income families, seniors, veterans, people with disabilities; require independent oversight, annual audits?

If the bonds are approved, they will be payable from taxes on property or property ownership that are not subject to the limits of sections 11 and 11b, Article XI of the Oregon Constitution.

**Summary:** Measure authorizes \$652.8 million in general obligation bonds to fund affordable housing in Washington, Clackamas, and Multnomah counties.

Bonds will be used to build affordable housing for low-income households; purchase, rehabilitate, and preserve affordability of existing housing; buy land for affordable housing; help prevent displacement.

Affordable housing means land and improvements for residential units occupied by low-income households making 80% or less of area median income, which in 2018 for a family of four was \$65,120; improvements may include a mix of unit sizes, spaces for community and resident needs and services. Some units will be accessible for people with disabilities and seniors; flexibility for existing tenants and hardship.

Requires community oversight and independent financial audits. Creates affordable housing function for Metro, implemented by Metro and local housing partners. Local and regional administrative costs capped at 5% of bond proceeds. Bond costs estimated at \$0.24 per \$1,000 of assessed value annually, approximately \$5.00/month for the average homeowner. Bonds may be issued over time in multiple series.

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**RIVERDALE RURAL FIRE PROTECTION DISTRICT 11JT**

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**Measure 26-198 Renew five year local option levy for Riverdale Fire District**

**Question:** Shall existing special operating levy of \$.50 per \$1,000 of assessed value be extended for 5 years? This measure renews current local option taxes.

**Summary:** This measure continues and increases local 5 year option initially adopted November 5, 2002. This measure authorizes the Board of Directors to levy taxes needed for the annual cost of emergency services provided to Riverdale residents. The District presently operates with the aid of a 5 year local option tax which expires June 30, 2019. This measure continues the local option tax, which is \$.050 per \$1,000 for 5 years beginning 2019-2020. The tax is necessary to pay the contract costs for emergency fire and medical services.

The estimated local option taxes over 5 years are:

2019-2020: \$ 370,800

2020-2021: \$ 381,924

2021-2022: \$ 393,382

2022-2023: \$ 405,183

2023-2024: \$ 417,339

The estimated total tax raised over 5 years if the maximum levy is assessed would be \$1,968,628.

The Board of Directors intends to levy taxes each year only in an amount that meets the District's needs for emergency services. The amount assessed under the prior levy was \$.25 per \$1,000 for 2014-2015, 2015-2016, 2016-2017, 2017-2018, and 2018-2019.

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.