

# Notice of Measure Election

## County

SEL 801

rev 01/16: ORS 250.035, 250.041,  
250.175, 254.103, 254.465

<b>Notice</b>		
<b>Date of Notice</b> August 15, 2016	<b>Name of County or Counties</b> Clackamas County	<b>Date of Election</b> November 8, 2016
<b>Final Ballot Title</b> The following is the final ballot title of the measure to be submitted to the county's voters. The ballot title notice has been published and the ballot title challenge process has been completed.		
<b>Caption</b> 10 words which reasonably identifies the subject of the measure.		
Ordinance Imposing 3% County Tax on Retail Sales of Marijuana		
<b>Question</b> 20 words which plainly phrases the chief purpose of the measure.		
Shall Clackamas County impose a 3% tax on the sale of recreational marijuana items in unincorporated areas of Clackamas County?		
<b>Summary</b> 175 words which concisely and impartially summarizes the measure and its major effect.		
Under state law, a county governing body may adopt an ordinance to be referred to the voters of the County imposing up to a three percent tax or fee on the sale of retail recreational marijuana items in unincorporated areas of the county by a state licensed marijuana retailer.		
Approval of this measure would adopt the Ordinance Imposing a three percent tax on the sale of recreational marijuana items in the unincorporated area of the county by a state licensed marijuana retailer. The proposed ordinance is available at the Office of County Counsel and can be viewed on the County's website at <a href="http://www.clackamas.us/bcc/marijuanatax.html">http://www.clackamas.us/bcc/marijuanatax.html</a> . The tax would be collected at the point of sale and remitted by the marijuana retailer. "Marijuana items" means marijuana, cannabinoid products, cannabinoid concentrates and cannabinoid extracts. Revenues from the tax will be directed towards code enforcement, law enforcement, juvenile and adult prevention, dependency and addiction, and public health and safety services.		
<b>Explanatory Statement</b> 500 words that impartially explains the measure and its effect.		
If the county is producing a voters' pamphlet an explanatory statement must be drafted and attached to this form for: → any measure referred by the county governing body; or → any Initiative or referendum, if required by local ordinance.		
		<b>Explanatory Statement Attached?</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<b>Authorized County Official</b> Not required to be notarized.		
<b>Name</b> Stephen L. Madkour	<b>Title</b> County Counsel	
<b>Mailing Address</b> 2051 Kaen Rd. Oregon City, OR 97045	<b>Contact Phone</b> 503-655-8362	
<i>By signing this document:</i> → I hereby state that I am authorized by the county to submit this Notice of Measure Election; and → I certify that notice of receipt of ballot title has been published and the ballot title challenge process for this measure completed.		

Signature Redacted

Signature

Date Signed

8/23/16

### EXPLANATORY STATEMENT

Approval of this measure would adopt an Ordinance that imposes a three percent tax on the sale of recreational marijuana items by a marijuana retailer within the unincorporated area of Clackamas County. The tax would apply only to unincorporated areas of Clackamas County. If approved, the annual revenues from this tax are estimated to be approximately \$180,000. The proposed ordinance is available at the Office of County Counsel and can also be viewed on the County's website at <http://www.clackamas.us/bcc/marijuanatax.html>.

There are no restrictions on how the county may use the revenues generated by this tax, but the County proposes to devote the revenues to those services potentially impacted by marijuana sales and usage such as County Code enforcement, law enforcement, juvenile and adult prevention, dependency and addiction, and public health and safety services.

Under Measure 91, adopted by Oregon voters in November 2014, codified in ORS chapter 475B and amended by the Legislature in 2015 and 2016, the Oregon Liquor Control Commission must license the retail sale of recreational marijuana. ORS 475B.345 provides that a county governing body may adopt an ordinance imposing up to a three percent tax on the sale of marijuana items (which include marijuana concentrates, extracts, edibles, and other products intended for human consumption and use) by retail licensees in the unincorporated areas of the County, but the Ordinance must be referred to the county voters at a statewide general election. If the measure is approved by the voters, the Ordinance imposing a three percent tax on the sale of marijuana items by a retail licensee in the unincorporated areas of the county will be adopted. The tax does not apply to medical marijuana. The tax will become effective 90 days after adoption of the Ordinance.

Explanatory Statement Furnished by Clackamas County Board of Commissioners  
Signature Redacted

Authorized Signature

Date: August 23, 2016