

BEFORE THE BOARD OF COMMISSIONERS OF LANE COUNTY, OREGON

ORDER NO: 16-08-02-08

IN THE MATTER OF REFERRING A
LOCAL RECREATIONAL MARIJUANA
TAX TO THE VOTERS AND DIRECTING
THE COUNTY CLERK TO PLACE SUCH
QUESTION ONTO THE NOVEMBER 8,
2016 ELECTION

WHEREAS, In November, 2014 Oregon voters approved Ballot Measure 91, legalizing the recreational use of marijuana in Oregon effective July 1, 2015; and

WHEREAS, the Oregon Legislative Assembly, through actions in 2015 and 2016 amended a number of the statutes created by Measure 91's passage; and

WHEREAS, ORS 475B.345 establishes a procedure whereby a local government may tax the retail sale of recreational marijuana products at a rate not to exceed 3%; and

WHEREAS, the local tax does not become effective until local voters approve it at the General Election; and

WHEREAS, the Lane County Board of Commissioners held a series of meetings regarding this tax, and among other issues, considered the importance of using any proceeds from this tax on services related to the impact of recreational marijuana use, including public safety, public health, behavioral health and addictions treatment, and land use planning; and

WHEREAS, the Lane County Board of Commissioners adopted Ordinance 16-04 on July 26, 2016, establishing the Lane County Local Marijuana Tax of 3% at Lane Code 4.700 to 4.720; and

NOW, THEREFORE, the Board of County Commissioners of Lane County **ORDERS** as follows:

1. That no later than 5:00PM on August 18, 2016, County Counsel forward the proposed ballot language, attached hereto as Exhibit A to the County Clerk for review and placement on the November 8, 2016 election for the purposes of seeking voter approval of the Lane County Local Marijuana Tax of 3%; and
2. Subsequent to the aforementioned review, the County Clerk will submit the ballot measure title and voters pamphlet explanatory statement to the Oregon Secretary of State's office for inclusion in the state voters' pamphlet.
3. That the Administrator direct appropriate staff to enter into an Intergovernmental Agreement with the Oregon Department of Revenue for collection and transmittal services related to the local tax contingent upon approval by the voters.

ADOPTED this 2nd day of August, 2016.

APPROVED AS TO FORM
Date 7/26/16 lane county
[Signature]
OFFICE OF LEGAL COUNSEL
Revised 1/5/16

[Signature]
Faye Stewart, Chair
Lane County Board of Commissioners

CAPTION: A point of sale tax on recreational marijuana products. (9 words)

QUESTION: Shall Lane County impose a tax of 3% on recreational marijuana products sold within the unincorporated area of Lane County? (20 words)

SUMMARY: Oregon's laws establishing the legal sale of recreational marijuana products provides that a local jurisdiction may establish up to a 3% tax on the sale of marijuana products via a local ordinance which must then be approved by voters.

The Board of County Commissioners passed Ordinance 16-04, which amends Lane Code Chapter 4 (taxation).

The Ordinance:

- *Defines certain terms related to the sale of recreational marijuana products
- *Imposes a 3% tax rate on marijuana products sold within unincorporated Lane County
- *Provides that the marijuana retailer must collect the tax
- *Provides that the tax revenue will be directed to county services through the annual budget process

This tax only applies to retailers licensed by the Oregon Liquor Control Commission to sell recreational marijuana products within unincorporated Lane County. Passage of this tax would add 3% to the existing state tax rate of 17%. Medical marijuana will remain untaxed. (147 words)