

Psychedelic therapy initiative makes it on November ballot

By Gary A. Warner
For the Oregon Capital Bureau

After a delay to count the final signatures, an initiative to legalize the therapeutic use of the psychedelic properties of “magic mushrooms” has qualified for Oregon’s November ballot.

“We did it!” announced the website of supporters of Initiative Petition 34, the Oregon Psilocybin Services Act.

Secretary of State Bev Clarno certified July 8 that the backers of Initiative Petition 34 had submitted 132,465 valid signatures — a comfortable margin beyond the required 112,020 required to put the issue before voters.

The deadline for submitting signatures was July 2. At that time, the IP34 supporters were about 6,000 signatures short of the number needed to

make the ballot. They submitted additional petitions before the deadline, but it took until July 8 for the signatures to be validated.

The certification means four ballot measures will go before voters on Nov. 3. An initiative to decriminalize possession of small amounts of many drugs — including heroin and cocaine — qualified earlier. The Legislature submitted two referrals for voter consideration: a cigarette tax and a campaign finance reform measure.

If approved by voters, IP 34 would create a legal, licensed system of therapeutic centers where adult clients could undergo therapy involving the ingestion of psilocybin, the psychoactive substance extracted from some fungi. Supporters say psilocybin has been shown



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to aid in treatment of depression, anxiety and some other mental disorders.

The initiative would change Oregon state statutes to allow the manufacture, delivery and administration of psilocybin at supervised, licensed facilities. Under cur-

rent law, growing, manufacturing, delivering and possessing psilocybin is illegal under state and federal law. It is listed as a Schedule 1 drug by the federal Drug Enforcement Agency.

If approved, the initiative would require the Ore-

gon Health Authority to create an “Oregon Psilocybin Services Program” to license and regulate each step of the process from cultivation to administration.

Adult clients would visit a clinic-like setting where a licensed “facilitator” would administer a regulated dose of psilocybin and monitor the client’s experience during and after it is ingested. The licensed facilitators would be exempt from criminal penalties that apply to unlicensed sale, possession and use.

The COVID-19 pandemic has made it difficult for traditional signature-gathering techniques.

The psilocybin and drug decriminalization initiatives were the only two of 72 ballot measure efforts that were at some point submitted for review to the Secretary of

State for the 2020 election.

Ballot measures that would have dealt with sexual assault, guns, forests, water quality, air pollution, taxes, transportation, animal rights, and toll roads either stalled, were withdrawn or did not gather enough signatures to qualify.

A group attempting to create an independent panel for reapportionment of state and congressional districts next year has filed suit against the Secretary of State in federal court, arguing that the pandemic’s impact had made it impossible to gather the nearly 150,000 signatures needed for a constitutional amendment.

Whether voters eventually see four or five measures on the November ballot, it will be the lowest number since at least the beginning of this century.

Pandemic leads to unusually short list of ballot measures

By Gary A. Warner
For the Oregon Capital Bureau

Drug decriminalization, a cigarette tax increase and limits on political campaign financing are on a historically short list of ballot measures that will go before voters in the Nov. 3 election.

The COVID-19 pandemic has made it difficult for traditional signature-gathering techniques such as stations at shopping centers and fairs, or going door to door. With Thursday’s deadline to submit signatures, only one of the 72 ballot measures that have at some point submitted for review by the secretary of state made it across the finish line.

The drug decriminalization initiative will join psilocybin treatment and two referrals from the Legislature — a cigarette tax increase and campaign finance reform — on the ballot.

A group trying to change political district reapportionment decisions from the Legislature to an independent panel has taken

legal action against Secretary of State Bev Clarno to be allowed more time to gather signatures because of the pandemic.

Even if all five measures make it onto the ballot, it will be the lowest number this century. Proposed measures dealing with sexual assault, guns, forests, water quality, air pollution, taxes, transportation, animal rights and toll roads were withdrawn, never got off the ground or didn’t gather enough signatures to even try to submit petitions to the state.

What’s on the ballot

The secretary of state has certified that Initiative Petition 44, a first-in-the-nation law to decriminalize possession of small amounts of drugs, including heroin, cocaine and methamphetamine, will go to voters.

The initiative would change simple possession for personal use from a felony to a misdemeanor, with violators paying a \$100 fine. Those who agree to take part in substance abuse programs wouldn’t have to pay the fine.

The initiative would shift the money not spent on possession prosecutions to addiction treatment programs. It would also take a portion of state taxes on legalized marijuana sales and apply it to the addiction programs.

The initiative will join two other measures on the ballot, both referrals from the Legislature that do not need signature-gathering.

Initiative 401 would allow for campaign contribution limits. The state has no limits on campaign contributions, though they must be recorded with the secretary of state and put on a website available for public view. The state Supreme Court has voided earlier attempts to lower the amount of money raised and spent in campaigns, citing the state’s expansive definition of freedom of speech.

Initiative 402 would increase the cigarette tax by two dollars and add a 65% tax on vaping products.

Voters will also see a second drug-related ballot measure, to legalize the use of the psilocybin in controlled treatment centers.

What could be on the ballot

An initiative campaign to change the way Oregon draws the boundaries of congressional and legislative districts filed suit in U.S. District Court on Tuesday, saying the COVID-19 crisis had made it “impossible” to get the nearly 150,000 signatures required to get the constitutional amendment on the ballot.

Initiative 57 is supported by a group named People Not Politicians. It would amend the state’s constitution to create an independent citizens’ redistricting commission to draw boundaries for districts of the U.S. Congress, Oregon House and Oregon Senate.

Under current law, the Legislature would determine the maps next year based on data from the 2020 census. The new districts would go into effect for the 2022 election. Democrats have large majorities in both the House and Senate.

The Bloomberg Law website reported the group had filed for an injunction to stop Clarno from closing the door on getting on the November ballot.

It argues that other states have changed deadlines and even election dates due to the pandemic. In the filing, the group claims it asked Clarno to lower the number of required signatures and give the group until mid-August to submit its petitions. Clarno did not act on the request.

The lawsuit has been joined by the Independent Party of Oregon, the League of Women Voters of Oregon and the NAACP of Eugene & Springfield, Bloomberg Law reported.

The case has been assigned to U.S. District Court Judge Michael J. McShane. No date for any action was available Friday.

Coronavirus kills off \$273 million in statewide projects

By Gary A. Warner
For the Oregon Capital Bureau

A steep drop in lottery funds due to the COVID-19 crisis has killed the sale of \$273 million in state bonds to pay for major projects, state officials said July 8.

“There’s not enough money — there is no repair,” said Sen. Betsy Johnson, D-Scappoose, a chair on the budget-writing Joint Ways and Means Committee.

The 37 projects authorized by the Legislature at the end of the 2019 session include water system overhauls in Warm Springs and Salem, rehabilitating the Willowa Lake Dam, a Deschutes Basin piping project, two affordable housing projects, a new YMCA for Eugene and deepening the Coos Bay channel.

In order to sell bonds, the state has to show a 4-to-1 ratio between forecast Lottery Fund revenue and the amount of debt in the bonds. That has not been a problem in previous budget cycles since the lottery was established in 1984.

Lottery sales sharply declined during the coronavirus crisis that arrived in Oregon at the end of February. The subsequent closing of businesses and the stay-home emergency order for residents kept customers away from venues that sell the state-sponsored games of chance. The Lottery said earlier this month that sales for April were off by 90% compared to the year before.

The loss has left the state with a Lottery Fund bonding ratio of just over 3-to-1. That is too low to proceed.

Gov. Kate Brown confirmed the bond sale was dead.

“The State Debt Policy Advisory Commission has notified legislative leadership and the Governor there are no longer sufficient funds to issue lottery backed bonds approved during the 2019 session,” said Nikki Fisher, a Brown spokeswoman.

Fisher said Brown and legislative leaders are discussing “next steps” on the projects.

But legislative budget-writers said the nature of the bond sales is “all-or-nothing.” Unlike other discretionary spending that can be reduced to account for lower revenues, the lottery bonds are authorized to be sold as a package.

“It’s all or none,” said Sen. Bill Hansell, R-Athens, a member of the Joint Ways and Means Committee. “If we don’t sell one, we don’t sell any. The lottery revenue has just cratered. We already have debt service on projects funded in earlier cycles.”

The projects do not automatically roll over to the next budget. Each will have to compete again for a diminishing pot of state dollars during the 2021 session.

The bonds were scheduled to be issued in spring 2021, with debt service on the sale beginning in the 2021-23 two-year budget cycle, known as the biennium.

Josh Lehner, an analyst with the Oregon Office of Economic Analysis, forecast in May that the state faced a \$2.7 billion deficit in its current budget and a likely \$4.4



EO Media Group file photo

The Oregon Coast Aquarium in Newport features a “Passages of the Deep” exhibit that enables visitors to walk through underwater ecosystems.

billion hole for the 2021-23 biennium.

Unlike the federal budget, the state constitution does not allow for deficit spending. The state budget must be balanced.

Brown is expected to call a special session of the Legislature as early as later this month to deal with budget cuts, increases in taxes and fees — or both — to fill the gap.

Lehner said that, after losing nearly all its revenue in April and May, the Oregon Lottery has rebounded with the “reopening” of businesses over the past few weeks. Lottery revenue has recently rebounded to about 90% of normal.

Officials don’t yet know if the uptick in lottery play

might be a short-term spurt of pent-up demand or a long-term return close to prior levels of spending. The fragility of the reopening and the possibility of future shutdowns as COVID-19 infections rise again make forecasting difficult.

Some of the major projects affected include:

- Affordable housing preservation: \$25 million
- Salem drinking water improvements: \$20 million
- Eugene YMCA: \$15 million
- Affordable Market Rate Housing Acquisition Program: \$15 million
- Levee Grant Program: \$15 million
- Port of Coos Bay channel deepening project: \$15 million

• Water supply development: \$15 million

• Willowa Lake Dam rehabilitation: \$14 million

• Southern Oregon Workforce Center, Roseburg: \$10 million.

• Deschutes Basin Board of Control piping project: \$10 million

• Warm Springs water improvements: \$7.8 million

• Blue Mountain Community College Facility for Agricultural Resource Management: \$6.5 million

• Oregon Coast Aquarium: \$5 million

According to the Oregon Lottery website, more than \$2.6 billion in prizes were awarded in 2018, with \$725 million to state and local programs.

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