

# Gun control measure would raise local costs

By ALEX BAUMHARDT  
Oregon Capital Chronicle

SALEM — Only one of the four statewide ballot measures Oregonians will vote on in November comes at a financial cost to local governments.

That measure would ban the sale of high-capacity ammunition magazines, require a firearm safety course, tighten licensing and create stricter background checks on weapons purchases. A committee involving the Secretary of State's Office and legislative analysts determined it would cost the state over \$23 million but generate about the same amount in revenue. The measure would cost local governments up to \$31 million in its first year.

Three other statewide ballot measures — that would punish absentee lawmakers, strip mention of slavery from the Constitution and make health care a constitutional right — have little or no impact on state finances, analysts determined.

State officials will consider changes to the financial impact statements and any changes will be made before Aug. 10, according to Ben Morris, communications director for the Secretary of State's Office.

The Financial Estimate Committee, a partnership of the Legislative Policy and Research Office and the Oregon Secretary of State's Office, will host the meeting. The committee is tasked with evaluating the costs of ballot measures before including them in voter pamphlets and on ballots.

Its five members are Secretary of State Shemia Fagan, state Treasurer Tobias Read, Revenue Department Director Betsy Imholt, Administrative Services Director Katy Coba and a local government representative, currently accountant Tim Collier.

## Boosting gun safety

More than 160,000 Oregonians signed a petition to get a new gun control proposal on the November ballot. Initiative Petition 17 would require anyone buying a firearm to obtain a permit by passing a safety training course. Current gun owners would have to obtain permits for any future gun purchases if the law were enacted. It would also ban the sale of ammunition magazines containing more than 10 rounds and require background checks on everyone who buys a gun, no matter the wait. Current state and federal gun laws require criminal background checks, but a loophole in federal law allows gun dealers to sell firearms without a completed background check if it takes longer than three days to complete.

The measure would require expenditures but would also bring in money.

## Cost to state government:

- About \$2 million in one-time expenses and \$21 million between 2023-25 to provide additional staff and resources for the Oregon State Police for background checks and issuing permits. The Oregon Judicial Department would likely have increased costs and cases related to new crimes established by the law and among people appealing permit denials.

## Revenue for state government:

- Up to \$23.5 million for the state from fees for fingerprinting, FBI back-

ground checks and judicial filings.

## Cost to local government:

- More than \$51 million in the first year to process an estimated 300,000 permit applications a year.
- More than \$47 million in subsequent years to process permits.

## Revenue for local government:

- Nearly \$20 million per year in application fees.

## Punishing absentee lawmakers

Initiative Petition 14 would amend the state Constitution to make lawmakers ineligible for reelection if they have 10 or more unexcused absences from floor sessions. Such sessions involve debates and voting on new laws. The measure aims to stop Republican lawmakers from blocking legislation by walking out or refusing to show up.

Republican lawmakers did that five times in 2019 and 2020 to prevent or stall action on guns, forestry, health care, the education budget and climate change. Oregon's Constitution requires that two-thirds of legislators be present for a vote. This means that if more than 20 representatives or more than 10 senators are absent, a vote cannot take place.

The initiative is not expected to cost state or local governments anything and would not generate any revenue, according to the committee.

## Removing slavery as punishment for crime

Initiative Referendum 402 would remove slavery and indentured servitude as accepted criminal punishments in the Oregon Constitution. Currently, Oregon is one of 10 states that technically still allows such punishment in sentencing. It would add language to the Constitution allowing state courts and probation and parole officials to order alternatives to incarceration such as education and treatment, too. A grassroots advocacy group, Oregonians Against Slavery & Involuntary Servitude, which was established in 2020 by alumni of Willamette University, is behind the initiative.

The committee determined that any costs are tentative.

"The impact of the measure will depend on potential legal action or changes to inmate work programs," the committee concluded.

## Health care as a constitutional right

Initiative Referendum 401 would amend the state Constitution to make access to affordable health care a right and make Oregon the first state in the nation to secure such a right for its residents.

It would require the state to ensure access to "cost-effective, clinically appropriate and affordable health care" for residents, balanced against obligations to fund public schools and other essential public services, according to the petition.

The committee could not determine the financial impacts of the measure because amending the Constitution would not cost extra money, but laws created to ensure the new right would.

"The impact of the measure will depend on future legislative action to establish additional health benefits and determine how they will be paid for," it wrote.



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A state-ordered audit has concluded that Clackamas County's tally from the May 17 primary election was accurate, despite faulty printed barcodes that required hand-duplication of thousands of ballots.

# Audit: Clackamas tally accurate

By PETER WONG  
Oregon Capital Bureau

SALEM — A state-ordered audit has concluded that Clackamas County's tally of results from the May 17 primary election was accurate, despite faulty printed barcodes that required hand duplication of thousands of ballots.

The special audit, which Secretary of State Shemia Fagan ordered on June 10, was in addition to the regular post-election audits required in all of Oregon's 36 counties, which conduct the elections. The regular audits turned up no problems in Multnomah and Washington counties.

Audits usually involve county election workers pulling a statistically significant random sampling of ballots in statewide races off the shelves — ballots are normally tallied by optical scanners or other machines — and counting them by hand. Then the samples are matched against the machine-tallied results to verify their accuracy.

The state order for Clackamas County was more extensive. It required workers to verify that the ballots they duplicated by hand were transcribed accurately, in addition to the standard requirements. The order specifies which batches of ballots should be recounted from six countywide races. The batches were randomly selected, as were the races.

Clackamas County completed its special audit by the state deadline of June 23.

Fagan, who lives in Clackamas County, said in a statement on Aug. 5:

"I mandated Clackamas County elections to conduct a hand recount and investigate the ballot duplication process to ensure that ballots with misprinted barcodes were counted correctly. Clackamas County can rest assured that this rigorous post-election audit verified that the May 2022 election results were 100% accurate. "This post-election audit was a

necessary step in assuring Clackamas County voters, and all Oregonians, that they can continue to trust in the integrity of Oregon elections."

The secretary of state is Oregon's chief elections officer.

County election workers did find one ballot that was duplicated incorrectly. There also were some minor discrepancies in the numbers tallied for candidates, though the overall totals of ballots cast were correct, and the discrepancies had no effect on any of the election races chosen for audit.

The contests were Clackamas County commissioner positions 2 and 5 — incumbents Paul Savas and Sonya Fischer are headed for Nov. 8 runoffs, since neither won a majority in the primary for the nonpartisan offices — plus party nominees for U.S. senator, and unopposed candidates for three nonpartisan judgeships on the Clackamas County Circuit Court, Oregon Court of Appeals and Oregon Supreme Court. Ten races for precinct committee persons also were covered.

According to the order, the batches represent 10% of the total ballots cast. Depending on the race, between 90,000 and 98,000 ballots were cast in Clackamas County in the primary. The audits cover samplings of the total.

Clackamas County Clerk Sherry Hall certified primary results on June 14.

The June 10 state order laid out justification for the special audit: "In order to certify results on time, the county required hundreds of additional staff, an emergency response from the county government, added security measures, several revisions to the security plan, and increased oversight by the Secretary of State's Office."

According to county records, workers put in 6,700 hours and the clerk's budget was increased by at least \$80,000 to cover the extra costs.

County commissioners have

scheduled an Aug. 10 session with Hall to review her plans for conducting the Nov. 8 general election, when Hall will be up for election to a sixth four-year term. Though the clerk is an independently elected official, the office budget is subject to approval by the county budget committee, which consists of the five elected commissioners and five public appointees.

Unrelated to the primary election fiasco was another error, which involved thousands of voters in Oregon City received their mayoral election ballots with an error in the voters' pamphlet for a different election being held for Oak Lodge Water Services District residents, who live across the Clackamas River and several miles to the north. About 3,800 households in the McLoughlin and Park Place neighborhoods will receive the correct voters pamphlet in a separate mailing. That special election is Aug. 23.

Board Chairman Tootie Smith issued this statement on June 16:

"Moving forward, the county is 100% committed to minimizing the risk that an elections failure could happen again. I want to be transparent about what that means.

"I have met with the clerk and provided the county's procurement and financial support to (1) select a new ballot printer, (2) upgrade outdated equipment to insure state-of-the-art systems are in place and (3) update necessary software. It is also essential that quality control testing with printed ballots be substantially improved before future distribution.

"All of this will be expedited so that our next election in August can be carried out without interruption.

"I also expect the clerk to conduct a thorough review of her operations and decisions following the primary election, as well as her full cooperation with the audits requested by the secretary of state. I expect her findings to be presented to the full Board of Commissioners."

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