

COLUMBIA COUNTY  
EXPLANATORY STATEMENT

**Ballot Title Caption:** Imposes city tax on marijuana retailer's sale of marijuana items.

Measure Number (if known): **261**

Word Total (500 Max):

**Statement:**

Under measure 91, adopted by the Oregon voters in November 2014, and amended by the Legislature in 2015, the Oregon Liquor Control Commission must license the retail sale of recreational marijuana. The 2015 Legislation provides that a city council 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 city, but the council must refer that ordinance to the voters at a statewide general election. The City of Scappoose City Council has adopted an ordinance imposing a tax of the full amount allowed under State law, which is currently three percent (3%), on the sale of marijuana items by a marijuana retailer in the city, and, as a result, has referred this measure to the voters.

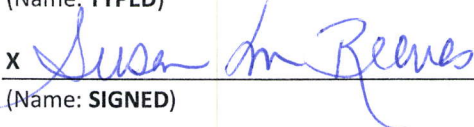
If this measure is adopted, it would approve Scappoose Ordinance No. 858 imposing a three percent tax, or the maximum rate allowed by the State, whichever is greater, on the sale of marijuana items in the city by a licensed marijuana retailer. The tax would be collected at the point of sale and remitted by the marijuana retailer. The measure also includes provisions regarding collection, administration and enforcement of the tax. There are no restrictions on how the city may use the revenues generated by this tax.

Under state law, a city that adopts an ordinance that prohibits the establishment in the area subject to the jurisdiction of the city of a medical marijuana processor, medical marijuana dispensary, or recreational marijuana producer, processor, wholesaler, or retailer may not impose a tax or fee on the production, processing or sale of marijuana or any product into which marijuana has been incorporated. The City of Scappoose has referred such a measure to the electors of Scappoose. As a result, if the voters pass a prohibition ordinance, this tax measure will not become operative, even if it also receives a majority of votes.

**Person responsible for the content of the Explanatory Statement:**

Susan M Reeves

(Name: TYPED)

x   
(Name: SIGNED)

City Recorder

Position

August 19, 2016

Date signed

**Instructions**

- The explanatory statement shall be typed.
- Word total: not to exceed 500 words.
- Signature: signed by the person responsible for the content of statement and to include the name of the governing body that person represents.
- Deadline: The statement filing deadline is the same deadline date as that of filing the Notice of Measure election (5pm)
- The county clerk shall reject any referred measure submitted without an explanatory statement