IN THE CIRCUIT COURT OF THE STATE OF OREGON FOR THE COUNTY OF MULTNOMAH

) Case No. 20CV11065 / 20CV11084)	
) OPINION ON CONSOLIDATED) PETITIONS SEEKING ALTERNATIVE	
BALLOT TITLE	
))

This case came before the court pursuant to ORS 255.155 on petitions for review of the ballot title prepared by the Metro Attorney, pursuant to Resolution No. 20-5083, passed February 25, 2020, in which the Metro Council referred a "Supportive Housing Services" ballot measure for placement on the May 19, 2020 primary election ballot. Petitioners contend that Metro's ballot title does not comply with the requirements of ORS 250.035.¹

Upon considering the briefs submitted by the parties and by *amici curiae*, the court finds the ballot title proposed by the Metro Attorney does not fully comply with ORS 250.035.

Page 1 OPINION ON CONSOLIDATED PETITIONS SEEKING ALTERNATIVE BALLOT TITLE

¹ Under ORS 250.035, a "ballot title" consists of a Caption (limited to 10 words); a Question (limited to 20 words); and a Summary (limited to 175 words).

Pursuant to ORS 255.155(1), the court hereby certifies to the city elections officer the following ballot title:

CAPTION: Supports homeless services through higher earners' tax, business profits tax.

QUESTION: Should Metro support homeless services, tax income over \$200,000/\$125,000 (joint/single), profits on businesses with income over \$5 million?

SUMMARY: Measure funds supportive housing services to prevent and reduce homelessness in Washington, Clackamas, and Multnomah counties within district boundaries. Prioritizes services to address needs of people experiencing, or at risk of, long-term or frequent episodes of homelessness. Services funded by a marginal income tax of 1% on households with income over \$200,000 (over \$125,000 for single filers) and a business profits tax of 1%. Income tax applies to resident income, and to non-resident income earned from sources within district. Exempts businesses with gross receipts of \$5 million per year or less. Declares funding for homelessness services a matter of metropolitan concern, directs regional funding to local services agencies, requires community engagement to develop localized implementation plans. Allocates funds to counties by estimated revenue collected within each county. Establishes community oversight committee to evaluate and approve local plans, monitor program outcomes and uses of funds. Requires creation of tri-county homeless services coordination plan. Requires performance reviews and independent financial audits. Metro administrative and oversight costs limited to 5%. Requires voter approval to continue tax after 2030.

The Metro Attorney may submit an appropriate form of judgment consistent with this opinion.

DATED this 17th day of March, 2020.

Eric J. Bloch

Circuit Court Judge