

AGENDA ITEM FOR ADMINISTRATIVE MEETING (X) Discussion only
() Action

FROM (DEPT/ DIVISION): County Counsel

SUBJECT: Psilocybin Election

<p>Background:</p> <p>At the last meeting, the Board expressed its desire to refer to the voters whether psilocybin manufacturing and centers should be allowed in the county. An ordinance has been drafted to implement a ban and refer the matter to the voters.</p>	<p>Requested Action:</p> <p>Adopt Ordinance No. 2022-08</p>
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ATTACHMENTS: Proposed Ordinance

*****For Internal Use Only*****

Checkoffs:

- () Dept. Head (copy)
- () Human Resources (copy)
- (X) Legal (copy)
- () (Other - List:)

To be notified of Meeting:
Bob Waldher
Needed at Meeting:

Scheduled for meeting on: July 6, 2022

Action taken:

Follow-up:

THE BOARD OF COMMISSIONERS OF UMATILLA COUNTY

STATE OF OREGON

In the Matter of the Referring)
Ban on Psilocybin Service) ORDINANCE No. 2022-08
Centers and the Manufacture of)
Psilocybin Products to an Election)

WHEREAS, in November 2020, Oregon voters approved Ballot Measure 109, known as the Oregon Psilocybin Service Act (codified at ORS 475A), which allows for the manufacture, delivery and administration of psilocybin at licensed facilities;

WHEREAS the vote in Umatilla County on Ballot Measure 109 was 11,330 (36%) in favor and 20,126 (64%) in opposition

WHEREAS, ORS 475A.235 provides that the Oregon Health Authority will regulate the manufacturing, transportation, delivery, sale and purchase of psilocybin products and the provision of psilocybin services in the state;

WHEREAS, the Oregon Health Authority has initiated a rulemaking process to implement the state's psilocybin regulatory program and intends to begin accepting applications for psilocybin-related licenses on January 2, 2023;

WHEREAS, as of this date, the Oregon Health Authority has not completed the rulemaking process for implementing the state's psilocybin regulatory program, and Umatilla County is uncertain how the manufacture, delivery and administration of psilocybin at licensed psilocybin facilities will operate within the County;

WHEREAS, ORS 475A.718 provides that a governing body of a county or city council may adopt an ordinance to be referred to the electors of the city or county prohibiting the establishment of state licensed psilocybin product manufacturers and/or psilocybin service centers in the area subject to the jurisdiction of the city or in the unincorporated area subject to the jurisdiction of the county;

WHEREAS, based on the previous vote on Ballot Measure 109, the Umatilla County Board of Commissioner seeks to refer to the voters of Umatilla County the question of whether to establish a ban on state-licensed psilocybin product manufacturers and psilocybin service centers within the unincorporated areas of Umatilla County.

NOW, THEREFORE the Board of Commissioners of Umatilla County and the people of Umatilla County ordain the adoption of the following:

1. The establishment of psilocybin product manufacturers licensed under ORS 275A.290 and psilocybin service centers licensed under ORS 475A.305 is prohibited in the unincorporated areas of Umatilla County

2. This ordinance is referred to the electors of Umatilla County for approval at the next statewide general election on November 8, 2022.

3. This ordinance takes effect and becomes operative 30 days after the day on which it is approved by a majority of voters.

FURTHER by unanimous vote of those present, the Board of Commissioners deems this Ordinance necessary for the immediate preservation of public peace, health, and safety; therefore, it is adjudged and decreed that an emergency does exist in the case of this Ordinance.

DATED this 6th day of July, 2022.

UMATILLA COUNTY BOARD OF COMMISSIONERS

John M. Shafer, Chair

Daniel N. Dorran, Commissioner

George L. Murdock, Commissioner

ATTEST:
OFFICE OF COUNTY RECORDS

Records Officer