

ORDINANCE No. 176196

Authorize use of post-December 7, 2000 Civil Forfeiture Funds and properties deposited in Civil Forfeiture Trust Fund Account for general lawful municipal uses (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. Oregon voters enacted Ballot Measure Three on November 7, 2000, which creates a new section in the Oregon Constitution, Article XV, Section 10, and which provided for certain permissible and nonpermissible uses of forfeited properties and proceeds obtained after December 7, 2000.
2. In response to the Oregon Constitution, Article XV, Section 10, this Council authorized the Treasurer and Police Bureau to establish a trust account or accounts for compliance with Ballot Measure Three on November 29, 2000 under City Ordinance No. 175116, to separate funds by date.
3. The findings of Ordinance No. 175116 incorrectly stated that Article XV, Section 10 requires that forfeited property or proceeds obtained after December 7, 2000 under the new section must be limited for use solely towards drug treatment. Rather, Article XV, Section 10 permits other disposition of the forfeited property or proceeds as specifically provided by law.
4. The Council, therefore, specifically provides that funds in the established trust account or accounts, for forfeiture properties and proceeds obtained after December 7, 2000, be made available for all lawful municipal purposes as general funds, excluding use for law enforcement purposes.

NOW, THEREFORE, the Council directs:

- a. The funds available in the trustee account or accounts established by the Treasurer and Police Bureau under Ordinance No. 175116 shall be available as general funds to be used for all lawful municipal purposes except for law enforcement.

Mayor Vera Katz

DNLesh:ls

January 15, 2002

Passed by the Council: JAN 16 2002

Deputy

Gary Blackmer

Auditor of the City of Portland

By: /S/ Susan Parsons

BACKING SHEET INFORMATION

AGENDA NO. 40,60-2002

ACTION TAKEN:

JAN 09 2002 PASSED TO SECOND READING JAN 16 2002 9:30 A.M.

ORDINANCE/RESOLUTION/COUNCIL DOCUMENT NO. 176196

COMMISSIONERS VOTED AS FOLLOWS:		
	YEAS	NAYS
FRANCESCONI	X	
HALES	===	=====
SALTZMAN	X	
STEN	X	
KATZ	X	