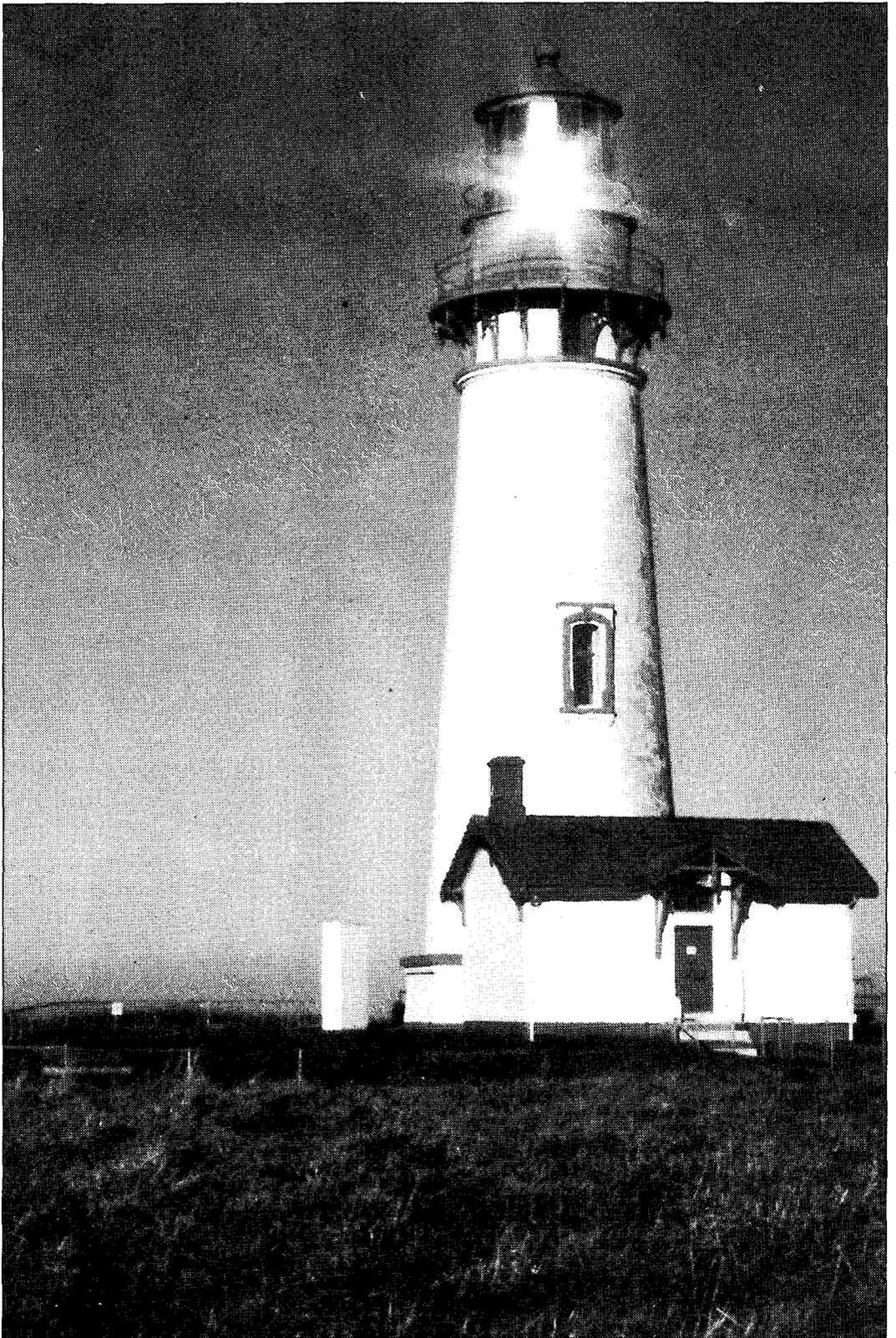


voters' pamphlet



VOTE BY MAIL GENERAL ELECTION, NOVEMBER 7, 2000

Compiled and Distributed by

Bill Bullock
Oregon Secretary of State



This Voters' Pamphlet is provided for assistance in casting your vote by mail ballot.

BILL BRADBURY
SECRETARY OF STATE
SUZANNE TOWNSEND
DEPUTY SECRETARY OF STATE



STATE OF OREGON
SECRETARY OF STATE
136 STATE CAPITOL
SALEM, OREGON 97310-0722
(503) 986-1500

Dear Oregonian:

This is Volume 1 of the 2-volume 2000 General Election Voters' Pamphlet. As in the last two general elections, the pamphlet is divided into two volumes: Volume 1 for state measure information and Volume 2 for candidate information. The candidate volume will be mailed in the next seven to ten days.

The size of this book makes it unique and you will notice that it looks more like your telephone directory than the voters' pamphlets you have received in the past. There are 26 state measures on the ballot—the most since 1914. A record setting 607 arguments were either purchased for \$500 or placed for free (requiring 1000 voter signatures). The 26 state measures and 607 arguments have produced the thickest voters' pamphlet in Oregon history.

The pamphlet's increased length means that stapling, which is the usual binding method, will not work. Rather than divide the measures into two volumes, it was more cost effective and convenient to bind it like a telephone book.

I have introduced an innovation for Volume 1 that I hope you will find useful. On the opposite page is a table of contents for the measures. Next to each measure you will see an arrow which lines up with a printed tab that references the impartial information for that measure. The tab serves two purposes. First, it allows you to quickly find a measure. Second, it clearly differentiates between the parts of this book designed to inform you and those trying to influence you. The impartial information about a measure (ballot title, estimate of financial impact, text and explanatory statement) has the printed tab on the page. The information placed by proponents and opponents of the measure has no printed tab and follows the impartial information.

Although this pamphlet looks different, it is just as recyclable as previous voters' pamphlets. I encourage you to recycle it.

This is a unique voters' pamphlet and this will be a unique election. Oregon's election will be the first ever entirely vote-by-mail general election in the United States. To participate in this election, there are some important dates to remember:

- October 17 is the deadline to register to vote.
- October 20 to 24 are the dates that ballots will be mailed out. If you are registered to vote and do not receive a ballot in the mail, call your local county elections office for assistance. The phone number for each office is printed on page 375.
- November 7 at 8:00 p.m. is the deadline for your ballot to be received by a county elections official.

I have issued a challenge to Oregonians to have the highest voter turnout of any state in the nation this fall. To promote this effort, I have launched a website (www.oregonvotes.com) as a clearinghouse for election information. Working together, Oregon can set the mark for the new millennium with an historic voter turnout in our unique vote-by-mail election.

Sincerely,

Bill Bradbury

On the cover: The crisp clear light of a December morning reflects off the glass of the Yaquina Head Lighthouse. At 93 feet, it is the tallest lighthouse on the Oregon coast. First lit in 1873, it is still in service. 1998 photo courtesy of Ron Benton of Waldport, Oregon.

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Information

GENERAL

Your official 2000 General Election Voters' Pamphlet is divided into two separate volumes. This was necessary because there are 26 statewide measures and 607 arguments filed in support of or in opposition to these measures. The amount of information is too large to be bound into one book in a cost-effective manner.

This is Volume 1 and contains information on the statewide ballot measures, as well as information on registering to vote and obtaining an absentee ballot. Volume 2 will include the list of state candidates, statements submitted by state candidates, political party statements and drop site locations. It may also include your county Voters' pamphlet if your county chooses to produce a Voters' pamphlet in combination with the state. Volume 2 will be mailed October 18 – 21.

For each of the 26 statewide measures in this Voters' Pamphlet you will find the following information:

- (1) the ballot title;
- (2) estimate of financial impact;
- (3) complete text of the proposed measure;
- (4) explanatory statement; and
- (5) arguments filed by proponents and opponents of the measure.

The ballot title is drafted by the Attorney General's office. It is then distributed to a list of interested parties for public comment. After review of any comments submitted, the ballot title is certified by the Attorney General's office. The certified ballot title can be appealed and may be changed by the Oregon Supreme Court.

The estimate of financial impact for each measure is prepared by a committee of state officials including the Secretary of State, the State Treasurer, the Director of the Oregon Department of Administrative Services and the Director of the Department of Revenue. The committee estimates only the direct impact on state and local governments, based on information presented to the committee.

The explanatory statement is an impartial statement explaining the measure. Each measure's explanatory statement is written by a committee of five members, including two proponents of the measure, two opponents of the measure and a fifth member appointed by the first four committee members, or, if they fail to agree on a fifth member, appointed by the Secretary of State. Explanatory statements can be appealed and may be changed by the Oregon Supreme Court.

Citizens or organizations may file arguments in favor of, or in opposition to, measures by purchasing space for \$500 or by submitting a petition signed by 1,000 voters. Arguments in favor of a measure appear first, followed by arguments in opposition to the measure, and are printed in the order in which they are filed with the Secretary of State's office.

Additionally, measures 83 through 89 were referred to Oregon voters by the 1999 Legislature and you will find a "Legislative Argument in Support" for each of these measures. Oregon law allows the Legislature to submit, at no cost, an argument in support of each measure it refers to the people.

The Voters' Pamphlet has been compiled by the Secretary of State since 1903, when Oregon became one of the first states to provide for the printing and distribution of such a publication. One copy of the Voters' Pamphlet is mailed to every household in the state. Additional copies are available at the State Capitol, local post offices, courthouses and all county election offices.

WEBSITE

Most of the information contained in this Voters' Pamphlet is also available in the Online Voters' Guide on the World Wide Web at <http://www.sos.state.or.us/elections/nov72000/nov72000.htm>

ATTENTION:

The State of Oregon prints measure arguments and candidate statements as submitted by the author. The state *does not correct* punctuation, grammar, syntax errors or inaccurate information. The only changes made are attempts to correct spelling errors if the word as originally submitted is not in the dictionary.

Measure arguments are printed for the measures designated by the persons submitting the arguments and appear *in favor* or *in opposition* as designated by the submitters.

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YOUR VOTED BALLOT MUST BE RETURNED (POSTMARKS DO NOT COUNT) TO YOUR COUNTY ELECTIONS OFFICE BY ELECTION DAY, TUESDAY, NOVEMBER 7, 2000.

County Elections Offices are open on election day from 7 a.m. to 8 p.m.

Measure No. 83

Senate Joint Resolution 2—Referred to the Electorate of Oregon by the 1999 Legislature to be voted on at the General Election, November 7, 2000.

BALLOT TITLE

83 AMENDS CONSTITUTION: AUTHORIZES NEW STANDARDS, PRIORITIES FOR VETERANS' LOANS; EXPANDS QUALIFIED RECIPIENTS

RESULT OF "YES" VOTE: "Yes" vote authorizes new standards and priorities, and expands qualified recipients for veterans' loans.

RESULT OF "NO" VOTE: "No" vote retains current standards, priorities, and qualifications for veterans' loans.

SUMMARY: Amends Constitution. Constitution now authorizes fund from which state makes home, farm loans to veterans who served certain active duty. Measure authorizes Director of Veterans' Affairs to establish standards and priorities for granting loans from fund. Measure eliminates requirement that part of active duty be served between September 15, 1940, and December 31, 1976. Measure provides that active duty includes service in operations for which certain awards are authorized, and does not include training. Measure eliminates outdated language.

ESTIMATE OF FINANCIAL IMPACT: The measure authorizes the issuance of additional bonds for veterans home and farm loans in an amount that will be approximately \$50 million during each two-year budget period.

There is no impact on local government expenditures or revenues.

TEXT OF MEASURE

Be It Resolved by the Legislative Assembly of the State of Oregon:

PARAGRAPH 1. Sections 1 and 3, Article XI-A of the Constitution of the State of Oregon, are amended to read:

Sec. 1. (1) Notwithstanding the limits contained in section 7, Article XI of *[the]* **this** Constitution, the credit of the State of Oregon may be loaned and indebtedness incurred in an amount not to exceed eight percent of the true cash value of all the property in the state, for the purpose of creating a fund, to be known as the "Oregon War Veterans' Fund," to be advanced for the acquisition of farms and homes for the benefit of male and female residents of the State of Oregon who served in the Armed Forces of the United States. Secured repayment thereof shall be and is a prerequisite to the advancement of money from such fund, except that moneys in the Oregon War Veterans' Fund may also be appropriated to the Director of Veterans' Affairs to be expended, without security, for the following purposes:

- [(1)] **(a)** Aiding war veterans' organizations in connection with their programs of service to war veterans;
- [(2)] **(b)** Training service officers appointed by the counties to give aid as provided by law to veterans and their dependents;
- [(3)] **(c)** Aiding the counties in connection with programs of service to war veterans;
- [(4)] **(d)** The duties of the Director of Veterans' Affairs as conservator of the estates of beneficiaries of the United States Veterans' Administration; and
- [(5)] **(e)** The duties of the Director of Veterans' Affairs in providing services to war veterans, their dependents and survivors.

(2) The Director of Veterans' Affairs may establish standards and priorities with respect to the granting of loans from the Oregon War Veterans' Fund that, as determined by

the director, best accomplish the purposes and promote the financial sustainability of the Oregon War Veterans' Fund, including, but not limited to, standards and priorities necessary to maintain the tax-exempt status of earnings from bonds issued under authority of this section and section 2 of this Article.

Sec. 3. No person shall receive money from the Oregon War Veterans' Fund except the following:

- (1) A person who:
 - (a) Resides in the State of Oregon at the time of applying for a loan from the fund;
 - (b) Served honorably in active duty, **other than active duty for training**, in the Armed Forces of the United States:
 - (A) For a period of not less than 210 days, *any part of which occurred between September 15, 1940, and December 31, 1976*] or who was, prior to completion of such period of service, discharged or released from active duty on account of service-connected injury or illness; or
 - (B) **In a theater of operations for which a campaign or expeditionary ribbon or medal is authorized by the United States;**
 - (c) Has been honorably separated or discharged from the Armed Forces of the United States or has been furloughed to a reserve; and
 - (d) Makes application for a loan *[either]* within the 30-year period immediately following the date on which the person was released from active duty in the Armed Forces of the United States, *or not later than January 31, 1985, whichever occurs last*].

(2)(a) The spouse of a person who is qualified to receive a loan under subsection (1) of this section but who has either been missing in action or a prisoner of war while on active duty in the Armed Forces of the United States even though the status of missing or being a prisoner occurred prior to completion of the minimum length of service or residence set forth in subsection (1) of this section, provided the spouse resides in this state at the time of application for the loan.

(b) The surviving spouse of a person who was qualified to receive a loan under subsection (1) of this section but who died while on active duty in the Armed Forces of the United States even though the death occurred prior to completion of the minimum length of service or residence set forth in subsection (1) of this section, provided the surviving spouse resides in this state at the time of application for the loan.

(c) The eligibility of a surviving spouse under this subsection shall terminate on his or her remarriage.

PARAGRAPH 2. The amendment proposed by this resolution shall be submitted to the people for their approval or rejection at the next regular general election held throughout this state.

NOTE: Boldfaced type indicates new language; *[brackets and italic]* type indicates deletions or comments.

Measure No. 83

EXPLANATORY STATEMENT

Ballot Measure 83 amends the Oregon Constitution to expand the eligibility for receiving home and farm veterans' loans. The proposed amendment would also authorize the Director of Veterans' Affairs to establish standards and priorities for granting loans from the Oregon War Veterans' Fund.

The Oregon Constitution currently authorizes the state to make home or farm loans to Oregon residents who served honorably in active duty in the Armed Forces of the United States. The active duty must be at least 210 days in length or when discharge or release from active duty of less than 210 days is due to a service-connected injury or illness. In order for an Oregon resident to be eligible for a loan, however, the Constitution requires at least some part of the active duty to have been between September 15, 1940, and December 31, 1976. In addition, the Constitution currently requires loan applications to have been filed not later than January 31, 1985, or within the 30-year period immediately following the date on which the person was released from active duty.

Ballot Measure 83 would eliminate the requirement that a portion of active duty occur prior to 1977. Ballot Measure 83 provides that time spent training while on active duty does not count toward the 210 day minimum length of active duty service.

Ballot Measure 83 retains the requirement that active duty must be for a period of at least 210 days or if discharge from active duty is due to a service-connected injury or illness.

Ballot Measure 83 also establishes an alternative basis for meeting the active duty requirement that does not depend on the length of active duty. Under the alternative, an Oregon resident would be eligible for a veterans' loan if the person's active duty was in a theater of operations for which a campaign or expeditionary ribbon or medal is authorized by the United States. Ballot Measure 83 would also eliminate the requirement that a loan application be filed not later than January 31, 1985, but retains the requirement that application must be made within 30 years after the date of release from active duty.

Home and farm loans to veterans are made from the Oregon War Veterans' Fund. The Oregon War Veterans' Fund is funded by the sale of bonds. Under federal law, the interest income that bondholders receive from these bonds is exempt from federal income taxation. Federal law, however, further provides that the interest on bonds that finance loans to veterans with active duty occurring only after 1976 is not exempt and therefore subject to federal income taxation.

Ballot Measure 83 authorizes the Director of Veterans' Affairs to establish standards and priorities that the director determines best accomplish the purposes and promote the financial stability of the Oregon War Veterans' Fund, including those necessary to maintain the tax-exempt status of interest on bonds that fund Oregon veterans' home and farm loans.

Committee Members:

Senator Verne Duncan
 Representative Bob Montgomery
 David S. Barrows
 Rick Hanson
 Kathleen Beaufait

Appointed By:

President of the Senate
 Speaker of the House
 Secretary of State
 Secretary of State
 Members of the Committee

(This committee was appointed to provide an impartial explanation of the ballot measure pursuant to ORS 251.215.)

Measure No. 83 Arguments

LEGISLATIVE ARGUMENT IN SUPPORT

Five states, including Oregon, currently have programs in place that allow veterans who served prior to 1977 to receive lower interest home loans through the Veterans' Home Loan program. This program began in 1944 to serve as an additional benefit for servicemen returning from World War II. Over the years the program has helped many veterans to attain home ownership.

The Oregon Constitution currently limits eligibility for these lower interest home loans to veterans that served prior to 1977, excluding thousands of Oregon veterans who have served our country since the end of the Vietnam War. Ballot Measure 83 would expand eligibility for the program to all residents who served honorably in the military for at least 210 days or who were in a theater of operations where they earned a ribbon or medal.

We urge a "yes" vote on Ballot Measure 83

Committee Members:	Appointed By:
Senator Verne Duncan	President of the Senate
Representative Kathy Lowe	Speaker of the House
Representative Bob Montgomery	Speaker of the House

(This Joint Legislative Committee was appointed to provide the legislative argument in support of the ballot measure pursuant to ORS 251.245.)

ARGUMENT IN FAVOR

The United Veterans' Groups of Oregon recommends a "Yes" vote on Ballot Measure 83 for several important reasons. Passage of Ballot Measure 83 would allow veterans who entered active military service after 1976 and served under honorable conditions to become eligible for the Oregon Department of Veterans' Affairs Veterans' Home Loan Program.

- **The Veterans' Home Loan Program is self-supporting**
 - Program supported entirely by the mortgage payments of those who have received the home loans.
 - Program does not receive any taxpayer money. **There is no cost to the state.**
- **The Veterans' Loan Program has a positive economic impact on the State**
 - Since 1945, more than 332,000 loans have been made.
 - More than \$7.3 billion has been lent.
 - Increases home ownership.
 - Creates jobs.
 - Strengthens communities.
 - Helps support schools.
- **It's the right thing to do**

Thousands of Oregonians have served their state and nation since the end of the Vietnam War. They have served in locations such as Beirut, Lebanon, Somalia, Grenada, and Central America. They continue to serve in the Persian Gulf, Bosnia and Kosovo. They continue to face many of the same risks as their counterparts who served in earlier conflicts. Their service to their state and nation, no less valuable than the service of their earlier peers, should be recognized.

As the umbrella organization representing Congressionally Chartered veterans' service organizations in the State of Oregon, we recommend a "Yes" vote.

R. Bruce Brown, Chairman
United Veterans' Groups of Oregon

Member Organizations

Air Force Sergeants' Association
American Ex-Prisoners of War
American Legion
AMVETS
Disabled American Veterans
Korean War Veterans Assn.
Marine Corps League
Military Order of the Purple Heart
The Non Commissioned Officers Assn.
Paralyzed Veterans of America
The Retired Enlisted Association
The Retired Officers' Association
Veterans of Foreign Wars
Vietnam Veterans of America

(This information furnished by R. Bruce Brown, United Veterans' Groups of Oregon.)

(This space purchased for \$500 in accordance with ORS 251.255.)

The printing of this argument does not constitute an endorsement by the State of Oregon, nor does the state warrant the accuracy or truth of any statement made in the argument.

Measure No. 84

84

Senate Joint Resolution 39—Referred to the Electorate of Oregon by the 1999 Legislature to be voted on at the General Election, November 7, 2000.

BALLOT TITLE

84 AMENDS CONSTITUTION: STATE MUST CONTINUE PAYING LOCAL GOVERNMENTS FOR STATE-MANDATED PROGRAMS.

RESULT OF "YES" VOTE: "Yes" vote retains requirement that state pay local governments for costs of state-mandated programs.

RESULT OF "NO" VOTE: "No" vote repeals requirement that state pay local governments for costs of state-mandated programs.

SUMMARY: This measure retains section 15, Article XI of the Oregon Constitution, which requires state legislature to pay local governments for costs of new state-mandated programs or increased level of services for state-mandated programs. If costs are not paid, local governments need not comply with law or rule requiring program or service. Contains exceptions. Requires 3/5 vote of each house of state legislature to take certain actions reducing state revenues that are distributed to local governments.

ESTIMATE OF FINANCIAL IMPACT: There is no financial effect on state or local government expenditures or revenues.

TEXT OF MEASURE

Be It Resolved by the Legislative Assembly of the State of Oregon:

PARAGRAPH 1. Section 15a, Article XI of the Constitution of the State of Oregon, is repealed and section 15, Article XI of the Constitution of the State of Oregon, is retained as part of the Oregon Constitution.

PARAGRAPH 2. The amendment proposed by this resolution shall be submitted to the people for their approval or rejection at the next regular general election held throughout this state.

EXPLANATORY STATEMENT

Section 15, Article XI of the Oregon Constitution, requires the state to pay for services that the state requires local governments to provide. Section 15 is repealed by section 15 a of Article XI on June 30, 2001, unless the people vote to keep section 15 in effect. Ballot Measure 84 keeps section 15 in effect.

Section 15 covers administrative, financial, social, health and other specified services that the state requires local governments to provide. For purposes of section 15, "local government" means a city, county, municipal corporation or municipal utility operated by a board or commission.

Under section 15, a local government does not have to provide a service that the state requires if:

- (1) The state fails to pay at least 95 percent of the cost of the required service; or
- (2) The cost of providing the service exceeds one-hundredth of one percent of the local government's budget for the services, not counting the costs met by the state.

The state may provide money for a service by appropriating the funds or by requiring the local government to collect fees or charges.

Section 15 requires that at least 18 of the 30 state Senators and 36 of the 60 state Representatives approve any bill that reduces the money that the state distributes to local governments from the proceeds of a specific state tax.

Section 15 does not apply to:

- (1) A law approved by at least 60 percent of the members of each house of the legislature;
- (2) A service required by a state or federal court;
- (3) A law enacted or approved through an initiative or referendum;
- (4) A service that informs citizens about a local government activity; or
- (5) Any other program or service specified in section 15.

Committee Members:

Senator Lee Beyer
 Representative Richard Devlin
 Representative Deborah Kafoury
 Representative Bill Witt
 Kathleen Beaufait

Appointed By:

President of the Senate
 Speaker of the House
 Secretary of State
 Secretary of State
 Members of the Committee

(This committee was appointed to provide an impartial explanation of the ballot measure pursuant to ORS 251.215.)

Measure No. 84 Arguments

LEGISLATIVE ARGUMENT IN SUPPORT

Measure 84 preserves the voter-approved constitutional requirement for state government to pay for services that it requires local governments to provide.

The "local mandate" provision was added to the Oregon Constitution by Oregon voters as Ballot Measure 30 in the 1996 general election. This section of the Constitution states that, if state government requires a local government to provide new or additional services, then state government must also provide the additional funding to support those services. If the state does not provide the funds, the local government is not required to provide the service.

When voters approved the "local mandate" law in 1996, a provision was included that required voters to review the law in November 2000. Measure 84 provides that review. Unless Measure 84 is approved, the 1996 "local mandate" amendment will be removed entirely from the Constitution. This means that the Legislature will have no restrictions on imposing new service requirements on local governments without funding them.

There are exceptions to the funding requirement. State or federal courts may mandate services or requirements without providing funding. Voters may enact new laws without funding through the initiative process. The Legislature, if at least 60% of the members of each house agree, may enact a new mandate without funding.

The voter approved "local mandate" law has been a success. The law helps to ensure the unique approach each local government has to providing services. Very few pieces of legislation since 1996 have been called into question under this law, a signal that the Legislature and state agencies are seriously considering the cost of funding programs before forcing them on local governments.

We urge you to re-affirm your support for the "no local mandates without funding" law by voting YES on Measure 84.

Committee Members:

Senator Lee Beyer
 Representative Richard Devlin
 Representative Kevin L. Mannix

Appointed By:

President of the Senate
 Speaker of the House
 Speaker of the House

(This Joint Legislative Committee was appointed to provide the legislative argument in support of the ballot measure pursuant to ORS 251.245.)

ARGUMENT IN FAVOR

Eliminate Hidden Costs and Hidden Taxes

Yes on Measure 84

We must continue to slow the growth of hidden taxes! State government should pay for the programs it enacts. Measure 84 retains this principle of accountability in Oregon's law, passed by the voters in 1996.

Hidden costs result when the state government makes your counties and cities deliver state programs without providing money to pay for them. By their very nature, hidden costs grow and grow with no accountability and no control. As consumers, you know hidden costs get translated into higher prices.

Hidden costs also become higher taxes for you as a local taxpayer. It's like giving the State unlimited authority to charge state programs against your local property taxes **without your approval**.

You have a chance through Ballot Measure 84 to retain Oregon's law limiting unfunded mandates and **assuring future accountability**.

You can assure for the future that the responsibility for enacting government programs and paying for them remains linked together.

You can **stop us from returning to the illusion that people are getting something for nothing**.

Keep the brakes on the growth of hidden taxes.

Vote YES on #84

Submitted by:

Richard M. Butrick
 President
 Associated Oregon Industries

(This information furnished by Richard M. Butrick, Associated Oregon Industries.)

(This space purchased for \$500 in accordance with ORS 251.255.)

The printing of this argument does not constitute an endorsement by the State of Oregon, nor does the state warrant the accuracy or truth of any statement made in the argument.

Measure No. 84 Arguments

ARGUMENT IN FAVOR

VOTE YES ON MEASURE 84!

STOP UNFUNDED MANDATES!

- A YES VOTE requires the Legislature to provide funding to public safety districts such as fire and 9-1-1 communications, as well as other districts such as water, sewer, parks & recreation, and library whenever the Legislature requires a local government to establish a new program or provide additional services for existing programs.

WHO PAYS THE COST OF UNFUNDED MANDATES?

- You the taxpayers or ratepayers end up funding these Legislative mandates when your local districts must provide additional service.

VOTERS APPROVED THIS MEASURE IN NOVEMBER 1996!

- Voters already approved this measure once; VOTE YES to permanently require the Legislature to pay for unfunded mandates to our local service providers.

**MAKE THE LEGISLATURE THINK ...
BEFORE REQUIRING NEW PROGRAMS THAT
COST YOU MONEY!**

VOTE YES ON MEASURE 84!

(This information furnished by Greg Baker, Executive Director, Special Districts Association of Oregon.)

ARGUMENT IN FAVOR

RETAIN OUR MANDATES LAW - VOTE YES ON 84!

Ballot Measure 84

An unfunded mandate is a binding directive from one level of government to another to accomplish something without providing the money to pay for it. Ballot Measure 30, approved by the voters in 1996, changed this practice in Oregon. It required the State to provide money to local governments for the "usual and reasonable" costs of mandates. Local governments are often amenable to receiving responsibilities for services when there is adequate State funding or fiscal flexibility to pay for them. But when we are mandated responsibilities without fiscal assistance, the impact often results in protecting the State budget at the expense of our local budgets. As a result, we are blamed for higher property taxes, fees, and charges to cover costs for which the State government should be held accountable.

In placing Measure 30 on the ballot in 1996, legislators recognized that a partnership must exist between each level of government and fiscal impact discussions must take place before mandate legislation is passed. They also felt a need for a trial period to make sure that the new law would work as they expected.

The trial period has ended and the law has worked very well. There has been greater sensitivity and accountability by the State to the impact of unfunded mandates on our communities' ability to meet our local needs for public safety and community livability. There was one occasion where the State felt it was a statewide priority to impose an unfunded mandate and the necessary two thirds vote was achieved to do so. This is the way the law was designed to work.

Measure 84 is the opportunity to preserve Oregon's voter-approved unfunded mandates provision. Vote for State **accountability** and for **local control**. Vote "Yes" on Measure 84 to continue Oregon's unfunded mandate law.

(This information furnished by Commissioner Harold Haugen, Josephine County, President, Association of Oregon Counties; Commissioner Steve McClure, Union County, 2nd Vice President, Association of Oregon Counties; Commissioner Charlie Hales, Portland, President, League of Oregon Cities; Mayor Susan Roberts, Enterprise, Vice President, League of Oregon Cities; Greg Baker, Executive Director, Special Districts Association of Oregon.)

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Measure No. 84 Arguments

ARGUMENT IN FAVOR

Measure 84 is good news for taxpayers.

Measure 84 would retain Oregon's constitutional provision approved by the voters in 1996 that state funds cover the expense of future state mandates on local governments.

When state government requires local governments to provide a particular service, but doesn't provide the money to pay for it, an unfunded mandate is created. **It's as if someone else had the ability to write checks from your personal bank account for purchases you might not necessarily approve of or choose for yourself.**

In the past 4 years since passage of Oregon's unfunded mandates law there have been only two unfunded mandates. As a result, local citizens have had greater local resources and choice in deciding to fund local services such as fighting crime, maintaining parks, and helping children at risk. Even in the one case where an unfunded mandate was passed regarding landslides, the Legislature achieved enough consensus to achieve the 2/3's vote necessary to impose it as a statewide priority. **This is how the law was intended to work.**

In these times when economic growth is slowing and county revenues from federal forests continue to decline, it makes no sense for the state legislature to decide how a local government's funds are spent. **If a state service is important enough to become law, it should be funded from the state's resources.**

State government should pay for state programs and local government should pay for local programs. Unfunded mandates have plagued local planning efforts for years, always at the expense of local taxpayers.

Vote "Yes" on Measure 84 and **retain Oregon's unfunded mandates law.**

Randall "Randy" Franke
Patti Milne
Mike Ryan

(This information furnished by Randall Franke, Mike Ryan, Patti Milne.)

(This space purchased for \$500 in accordance with ORS 251.255.)

The printing of this argument does not constitute an endorsement by the State of Oregon, nor does the state warrant the accuracy or truth of any statement made in the argument.

ARGUMENT IN FAVOR

STOP UNFUNDED MANDATES – SUPPORT MEASURE 84

While reaching agreement on issues these days is very difficult, one issue facing Oregon voters this November 7 is not. The concept is really quite simple. When the State of Oregon approves new programs that cost more money, the State of Oregon shall provide full funding for those programs. **VOTE YES ON MEASURE 84** - stop the list of unfunded mandates placed on local government and local property taxpayers from growing.

WHAT IS AN UNFUNDED MANDATE?

- A program enacted by the State legislature or agencies and given to local government **WITHOUT** adequate funding!

WHO PAYS FOR UNFUNDED MANDATES?

- YOU DO, the local taxpayers through higher property taxes!

CAN WE STOP THESE MANDATES IN THE FUTURE?

- Vote YES on Measure 84

Now is a very important time to retain Article 15 of the Oregon constitution, approved by the Oregon voters in 1996, requiring the State to pay for programs mandated on local governments. The federal and state governments continue to shift responsibility for services to local government. Local taxpayers deserve the assurances of Article 15 in the future that funding to pay for these programs will also be provided. A **YES VOTE** on Measure 84 will keep the State from shifting the hidden tax burden to the local level.

Twelve (12) states already have constitutional amendments limiting unfunded mandates. Congress has also passed a bill limiting federal unfunded mandates. The past four years in Oregon have proven that Measure 30 works – very few unfunded mandates have been passed and less hidden taxes passed on to local taxpayers. Oregon voters deserve to have these assurances in the future as well. Join us and **VOTE YES on Measure 84** to retain Oregon's unfunded mandates law.

(This information furnished by Bill Bellamy, Jefferson County Commissioner; John Mabrey, Wasco County Judge.)

(This space purchased for \$500 in accordance with ORS 251.255.)

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Measure No. 84 Arguments

ARGUMENT IN FAVOR

Say NO to Unfunded Mandates
Vote YES on Measure 84

There's a basic principle in our Constitution that says, if the state requires a local government to do something, the state must pay the costs of that mandated activity, or the local government need not comply. And, if the state cuts funding for the programs they require, local governments may stop doing them.

It's a simple, sensible principle that's been in place since voters approved it in 1996. It has worked to make the partnership between the state and local governments stronger. It has worked to keep local dollars directed to local services, chosen by local people, rather than being spent on state requirements.

Now we need to keep it working.

Section 15 of the Constitution, which prevents unfunded state mandates on cities, counties, schools and special districts, will be repealed on June 30, 2001 unless Measure 84 is approved. A YES vote on Measure 84 will prevent unfunded mandates from cutting into funding for the local programs that we need. A YES vote on Measure 84 keeps the state accountable for decisions that affect the finances in our communities.

Prevent unfunded mandates, and vote YES on Measure 84!

(This information furnished by Commissioner Charlie Hales, Portland, Mayor Susan Roberts, Enterprise; League of Oregon Cities.)

(This space purchased for \$500 in accordance with ORS 251.255.)

The printing of this argument does not constitute an endorsement by the State of Oregon, nor does the state warrant the accuracy or truth of any statement made in the argument.

ARGUMENT IN FAVOR

"Unfunded Mandates Law has Worked Well"

Jackson County has experienced numerous revenue losses over the past 4 years and faces uncertain times in the future. Millions of dollars have been lost in reduced forest receipts and even the best hope for a federal forest safety net would only be good for six years. During this period, unfunded mandates from the state would have reduced our citizens ability to choose local services they want. An unfunded mandate occurs when the state requires the county to perform tasks and does not provide funding to pay for it.

The voters of Oregon approved an amendment to Article 15 of the Oregon constitution (Ballot Measure 30) in 1966 which requires the State to pay for services it mandates local government to provide. In the past, these mandates were often unfunded and ate away at our shrinking local tax dollar. As a result of this new law there have been very few unfunded state mandates on Jackson County. The State has been more sensitive in establishing its priorities since they have to pay for mandated services on local government. This has allowed our citizens to have more resources and choice in setting priorities for local services.

When the "unfunded mandates" amendment was approved by the voters in 1996, they included a provision that required voters to review the law in November, 2000. Measure 84 is that review. If Measure 84 is not approved, the 1996 voter-approved "unfunded mandates" amendment will be deleted from the constitution. This would allow the Legislature, once again, to impose new programs on local governments without funding them.

Article 15 of the constitution requiring the state to pay for mandates on local government has proven to be a good law. It should be retained. Avoid hidden taxes. Vote "Yes" on Measure 84.

(This information furnished by Commissioner Jack Walker, Jackson County; Commissioner Ric Holt, Jackson County.)

(This space purchased for \$500 in accordance with ORS 251.255.)

The printing of this argument does not constitute an endorsement by the State of Oregon, nor does the state warrant the accuracy or truth of any statement made in the argument.

Measure No. 84 Arguments

ARGUMENT IN FAVOR

Ballot Measure 84 is about accountability and local control!

If Ballot Measure 84 is not **readopted** the Legislature and state agencies will once again be able to create programs without budgeting money and force local communities to come up with the funding instead! These **unfunded mandates** place local citizens in the position of increasing their taxes, cutting local programs to find the funds, or breaking the law. They force choices to be made in violation of **local control!**

Ballot Measure 84 is a constitutional amendment that provides a large measure of protection for local control. **It places a permanent constraint on state agencies and the Legislatures ability to mandate programs.** They will have to provide the funds or obtain approval from 3/5th of the Legislature first. It raises the requirements for the services and programs that they want to create.

What is truly unique about Ballot Measure 84 is that **Oregon's voters overwhelming approved an identical Ballot Measure in 1997 (Measure 30).** This was done with the requirement that it be voted on again in the November 2000 election so its effectiveness could be assessed. **After four years of experience it can be said that the idea has worked!** The Legislature and state agencies have drastically limited their practice of creating programs without budgeting state funds to pay for running them. **Local control has greatly benefited from this change in Oregon's constitution.**

Join me in voting for Ballot Measure 84 to make it permanent. It has earned our support.

(This information furnished by Tom Brian.)

(This space purchased for \$500 in accordance with ORS 251.255.)

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ARGUMENT IN OPPOSITION

Measure 84 Damages the Integrity and Cohesion of Our State

Endowed as Oregon is with plentiful natural resources and a diverse population, we don't need to put roadblocks in the way of our ability to address problems arising from Oregon's population growth or changes in the economy. Binding the state's hands to set policy when it must seek to protect the quality of life in Oregon makes no sense.

Important issues are at stake, from to clean air or water standards, to minimum standards for road or building construction, to safety and health for workers on the job. Major efforts to protect the quality of life and business climate in Oregon should not be undermined.

Measure 84 makes it difficult to set new policy in this state and require all governmental jurisdictions within the state to enforce these new policies. Had Measure 84 been in place in earlier decades, Tom McCall might never have been able to promote and pass landmark legislation such as Oregon's Open Beaches law.

Vote No on Measure 84 Keep Oregon Prepared to Deal With the Future

(This information furnished by Senator Tony Corcoran, Sen. Dist. 22.)

(This space purchased for \$500 in accordance with ORS 251.255.)

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Measure No. 85

House Joint Resolution 28—Referred to the Electorate of Oregon by the 1999 Legislature to be voted on at the General Election, November 7, 2000.

EXPLANATORY STATEMENT

BALLOT TITLE

85 AMENDS CONSTITUTION: MODIFIES POPULATION, MINIMUM AREA REQUIREMENTS FOR FORMATION OF NEW COUNTIES

RESULT OF "YES" VOTE: "Yes" vote modifies population and minimum area requirements for formation of new counties.

RESULT OF "NO" VOTE: "No" vote retains current constitutional requirements for minimum area of counties, population of new counties.

SUMMARY: Amends constitution. Constitution now requires that all counties have minimum area of 400 square miles and that new counties have minimum of 1200 inhabitants. Measure permits new county to be established with, or existing county to be reduced in size to, less than 400 square miles, provided that new county has more than 100,000 inhabitants. If new county is established on land from existing county, existing county must retain population at least as great as that of new county at time new county is established.

ESTIMATE OF FINANCIAL IMPACT: There is no financial effect on state or local government expenditures or revenues.

When the Oregon Constitution was adopted in 1857, the requirement was any new county must contain at least 400 square miles and at least 1,200 inhabitants. The Oregon Constitution also currently forbids existing counties from being reduced to less than 400 square miles or less than 1,200 inhabitants. Ballot Measure 85 would amend the Oregon Constitution, allowing the formation of a new county containing less than 400 square miles, and the reduction of an existing county to less than 400 square miles as long as the new county has at least 100,000 inhabitants. This measure also states a new county may not be created on land from within an existing county unless the remaining population of the existing county is equal to or greater than the new county at the time the new county is established.

Committee Members:

Senator John Lim
 Representative Ron Sunseri
 Representative Gary Hansen
 Commissioner Sharron Kelley
 Commissioner Randall Franke

Appointed By:

President of the Senate
 Speaker of the House
 Secretary of State
 Secretary of State
 Members of the Committee

(This committee was appointed to provide an impartial explanation of the ballot measure pursuant to ORS 251.215.)

TEXT OF MEASURE

Be It Resolved by the Legislative Assembly of the State of Oregon:

PARAGRAPH 1. Section 6, Article XV of the Constitution of the State of Oregon, is amended to read:

Sec. 6. *[No]* Each county shall *[be reduced to]* consist of an area of **no** less than *[four hundred]* **400** square miles; *nor shall any new county be established in this State containing a less area, nor unless such new county shall contain]* **and** a minimum population of *[at least twelve hundred]* **1,200** inhabitants. **However, a new county may be established with, or an existing county may be reduced to, an area of less than 400 square miles if the new county has more than 100,000 inhabitants. A new county may not be established on land from within an existing county unless the existing county retains a population equal to or greater than the new county at the time the new county is established.**

PARAGRAPH 2. The amendment proposed by this resolution shall be submitted to the people for their approval or rejection at the next regular general election held throughout this state.

NOTE: **Boldfaced** type indicates new language; *[brackets and italic]* type indicates deletions or comments.

Measure No. 85 Arguments

LEGISLATIVE ARGUMENT IN SUPPORT

History. The manner of establishing counties in Oregon is unchanged since Oregon's original Constitution of 1857, when the entire population was about 50,000. A county at that time was required to have 400 square miles and 1200 people.

Today, 143 years later, things have changed a great deal. Oregon's population has reached 3.3 million and continues to grow.

How it Works. Measure 85 **does not require** the formation of a new county. Instead, it changes the requirements and **allows** a county with less than 400 square miles and 1200 population. A new county may be formed provided it contains at least 100,000 inhabitants.

Safeguards. The measure protects existing counties by requiring that the new county may form only if it leaves an equal to or greater population in the existing county. Also, State taxes shared by all counties (for example, gas taxes and cigarette taxes) are distributed based on population, not on the number of counties.

Not every city or county in Oregon would or could be affected by Measure 85 because of the 100,000 population requirement, but in no case will any new county even begin without a vote of the local communities involved.

Local Control. Measure 85 is an extension of citizens' right of self-determination. Measure 85 creates a choice for Oregonians, a protection against consolidating and centralizing governments when local communities may oppose such bigger, more expensive government. Measure 85 eliminates 1857 guidelines and creates another tool for Oregonians to meet the changing needs of our State in a new Century.

We urge your "yes" vote.

Committee Members:

Senator John Lim
Representative Vic Backlund
Representative Ron Sunseri

Appointed By:

President of the Senate
Speaker of the House
Speaker of the House

(This Joint Legislative Committee was appointed to provide the legislative argument in support of the ballot measure pursuant to ORS 251.245.)

ARGUMENT IN FAVOR

Vote YES on Measure 85

The rules for establishing new counties have not changed since 1857 when the Oregon Constitution was adopted. County size was based, in part, on the distance a man could cover on horseback in one day (approximately 400 square miles) and a population requirement of at least 1,200 residents. Today, 143 years later, time and distance are measured by the speed of the Internet instead of a day's horseback ride. Oregonians' governance requirements have also changed.

Oregon's population is now numbered in the millions instead of thousands and our land use laws now concentrate people in cities. It's common to have a number of communities with residents having very different personal requirements living close together within a county. Communities that are still somewhat rural in nature find themselves needing relief from county tax systems that support mostly big city programs in the larger community.

Measure 85 eliminates the 400 square mile county size requirement in communities with populations of 100,000 or more, and allows voters to establish new counties. Measure 85 protects existing counties by requiring that a new county may be formed only if it leaves an equal or greater population behind. Since those state taxes which are given back to counties (liquor, cigarette and gasoline taxes) are based on a per capita basis, each citizen's share of such taxes remains the same.

Measure 85 is about choice. It's not Civil War or the Boston Tea Party. Measure 85 protects small communities from fiscal and political impacts caused if a large city and a county join and centralize services. Measure 85 gives voters in local communities the right to reject efforts to force them to join a more expensive and less personal government. That protection is an important thing to remember about Measure 85.

Debra Noah Gussie McRobert David Widmark

(This information furnished by Debra Noah, Gussie McRobert, David Widmark.)

(This space purchased for \$500 in accordance with ORS 251.255.)

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Measure No. 85 Arguments

ARGUMENT IN FAVOR

Vote YES on Ballot Measure 85

This measure is not about new counties. This is simply about choices and options. It's that simple. When Portland and Multnomah County looked at merging into one governmental entity, which they seem to do every five to ten years, Gresham looked at its choices. There were not many. Should Gresham, Troutdale, Fairview or Wood Village choose to not merge into the City-County entity, there were very few options. Through joint work by elected officials from the East Multnomah County region, some laws were changed which would allow the people outside of Portland the choice to merge into another county, only by popular vote. But the best option, our own small county, is not possible at this time. This measure changes that.

The Oregon Constitution's provisions for forming a new County are old and outdated. This amendment will allow a final, last choice of forming a new County which is small in area but not in population. This choice is the best in fiscal matters and the best for self-governance. There is no fiscal impact to this measure. Tax revenue for existing counties remaining unchanged will not be reduced or changed.

This choice is simply the final option to make self-governance a possibility in certain urban regions with large populations. This will not tear the county map of Oregon asunder. It will not ruin cities or counties. It will simply allow a choice for people numbering at least 100,000 strong to change political affiliations should a much larger population choose to change their governmental structure. A minority will not be forced into a large governmental experiment if they should choose not to do so.

Again, this is about choice. Should one large population choose to merge into a big government, Measure 85 simply allows the remaining population to create their own smaller, more representative county.

John A. Leuthauser

(This information furnished by John A. Leuthauser.)

(This space purchased for \$500 in accordance with ORS 251.255.)

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ARGUMENT IN FAVOR

Oregon has changed a lot since 1857

In 1857 Oregon's Constitution was created by a Constitutional Convention. After weighty debates on slavery, suffrage, prohibition, and the rights of citizens, the Convention also considered more mundane issues like "how are we going to form counties?"

In the 1857, Oregon was sparsely populated. Oregon contained about a hundred thousand square miles of land but fewer than fifty thousand settlers. The Convention took this into consideration when it decided that new counties must minimally contain 400 square miles and 1200 people.

Since 1857, Oregon's population has swollen past three million. Most of those people live in the northern end of the Willamette Valley, with the odd result that Oregon's smallest counties are also the most heavily populated. As neighbors become packed in closer together, they begin to notice that there are significantly different interests within their county. Some of these differences can be resolved, but often one part of a county dominates another politically. The result is that those citizens feel unrepresented by their county government.

Measure 85 provides a solution to this.

By recognizing the changes Oregon's population, Measure 85 provides citizens with the choice to form a new county that more closely represents their interests.

What will Measure 85 do?

- Oregonians will be able to form a new county by a popular vote.
- A new requirement of 100,000 people will replace the old requirement of 400 square miles.

What will Measure 85 not do?

- It will not alter the distribution of legislators at the state level.
- It will not strip existing counties of population. New counties must leave behind more people than they take.

What will Measure 85 mean?

- Politically oppressed populations will be free to form a new county that better reflects their interests.
- Oregonians will have more choices in determining how they choose to live.
- Local governments will more closely reflect the interests of the people that they serve.

Vote YES on Measure 85.

(This information furnished by Richard P. Burke, Mainstream Liberty Caucus.)

(This space purchased for \$500 in accordance with ORS 251.255.)

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Measure No. 86

House Joint Resolution 17—Referred to the Electorate of Oregon by the 1999 Legislature to be voted on at the General Election, November 7, 2000.

BALLOT TITLE

86 AMENDS CONSTITUTION: REQUIRES REFUNDING GENERAL FUND REVENUES EXCEEDING STATE ESTIMATES TO TAXPAYERS

RESULT OF "YES" VOTE: "Yes" vote establishes constitutional requirement to refund general fund revenues exceeding state estimates to taxpayers.

RESULT OF "NO" VOTE: "No" vote rejects constitutional requirement to refund general fund revenues exceeding state estimates to taxpayers.

SUMMARY: Amends Constitution. Current statutes require state to estimate future general fund revenues from corporate income/excise taxpayers and from personal income taxpayers and require refunds to either of those two categories of taxpayers when revenues received from that category of taxpayers exceed estimate by two percent. Measure creates constitutional provision establishing such "kicker" refund determinations and requiring refunds when revenues received exceed estimates by two percent. Allows legislature to determine how revenues shall be returned to taxpayers. First applies to biennium beginning July 1, 2001.

ESTIMATE OF FINANCIAL IMPACT: There is no financial effect on state or local government expenditures or revenues.

TEXT OF MEASURE

Be It Resolved by the Legislative Assembly of the State of Oregon:

PARAGRAPH 1. The Constitution of the State of Oregon is amended by creating a new section 14 to be added to and made a part of Article IX, such section to read:

SECTION 14. (1) As soon as is practicable after adjournment sine die of a regular session of the Legislative Assembly, the Governor shall cause an estimate to be prepared of revenues that will be received by the General Fund for the biennium beginning July 1. The estimated revenues from corporate income and excise taxes shall be separately stated from the estimated revenues from other General Fund sources.

(2) As soon as is practicable after the end of the biennium, the Governor shall cause actual collections of revenues received by the General Fund for that biennium to be determined. The revenues received from corporate income and excise taxes shall be determined separately from the revenues received from other General Fund sources.

(3) If the revenues received by the General Fund from corporate income and excise taxes during the biennium exceed the amount estimated to be received from corporate income and excise taxes for the biennium, by two percent or more, the total amount of the excess shall be returned to corporate income and excise taxpayers.

(4) If the revenues received from General Fund revenue sources, exclusive of those described in subsection (3) of this section, during the biennium exceed the amount estimated to be received from such sources for the biennium, by two percent or more, the total amount of the excess shall be returned to personal income taxpayers.

(5) The Legislative Assembly may enact laws:

(a) Establishing a tax credit, refund payment or other mechanism by which the excess revenues are returned to taxpayers, and establishing administrative procedures connected therewith.

(b) Allowing the excess revenues to be reduced by administrative costs associated with returning the excess revenues.

(c) Permitting a taxpayer's share of the excess revenues not to be returned to the taxpayer if the taxpayer's share is less than a de minimis amount identified by the Legislative Assembly.

(d) Permitting a taxpayer's share of excess revenues to be offset by any liability of the taxpayer for which the state is authorized to undertake collection efforts.

(6)(a) Prior to the close of a biennium for which an estimate described in subsection (1) of this section has been made, the Legislative Assembly, by a two-thirds majority vote of all members elected to each House, may enact legislation declaring an emergency and increasing the amount of the estimate prepared pursuant to subsection (1) of this section.

(b) The prohibition against declaring an emergency in an act regulating taxation or exemption in section 1a, Article IX of this Constitution, does not apply to legislation enacted pursuant to this subsection.

(7) This section does not apply:

(a) If, for a biennium or any portion of a biennium, a state tax is not imposed on or measured by the income of individuals.

(b) To revenues derived from any minimum tax imposed on corporations for the privilege of carrying on or doing business in this state that is imposed as a fixed amount and that is nonapportioned (except for changes of accounting periods).

(c) To biennia beginning before July 1, 2001.

PARAGRAPH 2. The amendment proposed by this resolution shall be submitted to the people for their approval or rejection at the next regular general election held throughout this state.

86

Measure No. 86

EXPLANATORY STATEMENT

Ballot Measure 86 adds a new section to the Oregon Constitution. It would require refunds to taxpayers when state General Fund revenues exceed state estimates of General Fund revenues by two percent or more, as currently required by statute.

Current statutory law requires the state to estimate General Fund revenues separately from corporate income and excise taxes and from all other sources, including personal income taxes, for each two-year state budget period (also called a biennium). If collections for the biennium from either corporate income and excise taxes or from other General Fund revenue sources exceed their estimates by two percent or more, current statutes require that the surplus over 100% of the estimate, commonly known as the "kicker," be refunded to taxpayers in the form of a direct refund or through a tax credit.

Ballot Measure 86 would establish these "kicker" refunds as constitutional requirements. As under current law, Ballot Measure 86 would require "kicker" refunds to be determined separately for corporate taxpayers and for personal income taxpayers.

Ballot Measure 86 would permit the Legislative Assembly, by a two-thirds majority vote of all members elected to each house, to increase the estimates at any time during the two-year state budget period. The effect of an increase in an estimate would be to reduce or eliminate the "kicker" refunds otherwise due taxpayers under Ballot Measure 86. By contrast, the Oregon Constitution currently permits the Legislative Assembly to modify or eliminate the statutory "kicker" by a three-fifths majority vote of all members elected to each house of the Legislative Assembly.

Ballot Measure 86 would permit the Legislative Assembly to determine the means by which "kicker" refunds are returned to taxpayers, to deduct administrative costs from refunds, to withhold refunds of very small ("de minimis") amounts and to offset a taxpayer's refund against outstanding liabilities owed by the taxpayer to the state.

Ballot Measure 86 would apply to biennia beginning on or after July 1, 2001.

Committee Members:

Senator Bill Fisher
 Representative Tim Knopp
 Senator Neil Bryant
 Representative Ken Strobeck
 Jerry Hudson

Appointed By:

President of the Senate
 Speaker of the House
 Secretary of State
 Secretary of State
 Members of the Committee

(This committee was appointed to provide an impartial explanation of the ballot measure pursuant to ORS 251.215.)

86

Measure No. 86 Arguments

LEGISLATIVE ARGUMENT IN SUPPORT

HISTORY OF THE "KICKER LAW"

The surplus "kicker law", enacted in 1979, provided for the return of, or a credit on, personal and corporate/excise taxes when collections exceeded projected revenues by at least two percent. The 1979 law applied to the biennium beginning July 1, 1979 only, unless approved by the voters at the 1980 primary election. On May 20, 1980, the voters approved continuance of the "tax reduction program" by a vote of 636,565 to 64,979.

Under the "kicker law", state economists issue a forecast at the end of every legislative session projecting what they think income tax collections will be in the coming two-year budget period. If actual revenue exceeds 2 percent more than the forecast, the extra tax collected, including the 2 percent, must be refunded. Individual and corporate/excise kicker dollars are calculated separately.

This kicker refund has been triggered seven times since 1981, returning a total of \$1.2 billion in personal income tax and \$426 million in corporate/excise tax. The Legislature kept the personal kicker dollars in 1989-91 and the corporate/excise kicker dollars in 1991-93 to balance the budget.

NEW TAXPAYER PROTECTIONS

Current law requires a three-fifths vote in each house of the Legislative Assembly to keep the kicker dollars. Ballot Measure 86 amends Oregon's Constitution to require an increase to a 2/3 vote in each house of the Legislative Assembly to keep the kicker dollars.

The "kicker law" is a statute. Like any other statute, it can be amended or repealed by the legislature. Ballot Measure 86 would assure that the "kicker law" could only be amended or repealed by a vote of the people.

Committee Members:

Senator Bill Fisher
Representative Tim Knopp
Representative Jackie Winters

Appointed By:

President of the Senate
Speaker of the House
Speaker of the House

(This Joint Legislative Committee was appointed to provide the legislative argument in support of the ballot measure pursuant to ORS 251.245.)

ARGUMENT IN FAVOR

Support the Kicker

Return the People's money to the People!

The "kicker" has been the single most popular version of tax reform in the history of Oregon. It is a very simple. The Governor and Legislature balance the budget then return the remaining funds collected over 2% to the people of Oregon.

This amendment must be placed in the Constitution next to the requirement to balance the State budget. You would think a law would be good enough!

Unfortunately, Democratic Governors and Democratic Legislators have consistently tried to spend your money. They have opposed returning a dime of your money. It is not pay as you go but steal as you go in their book!

The Republican Legislature fought hard to return non-budgeted funds back to the people. Despite rhetoric, the Republican Legislature funded education at the highest level in Oregon history, and passed education accountability in the form of school report cards.

Rhetoric claiming the amendment will hurt education is false. The Legislature and Governor can work together.

Small businesses support the "kicker." It is common sense accountability of elected officials. Look at the real tax brackets for Oregon small businesses that make up 96% of the economy:

- Federal tax bracket 28 to 36%
- Employee SS FICA 8%
- State income tax 9%
- Business portion SS FICA 15%
- Property tax 2%
- Health insurance payments

Local businesses are tax bracketed at 63% to 70%. Small businessmen make less than elected officials or government employees. Any retirement savings comes out of the leftovers that feed and cloth their children. Local businesses support local government, and expect local government to support the local economy.

The Republican Legislature asked Oregonians to send a tax message. Small businesses cannot afford higher taxes.

Please support the "kicker" amendment, and look forward to any refund due at Christmas.

Respectfully,

Brian J. Boquist
North Indian Creek Ranch
ICI Cattle & Timber Company
International Charter Incorporated of Oregon

(This information furnished by Brian J. Boquist, Managing Partner & Director, North Indian Creek Ranch, ICI Cattle & Timber Company LLC, International Charter Incorporated of Oregon.)

(This space purchased for \$500 in accordance with ORS 251.255.)

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Measure No. 86 Arguments

ARGUMENT IN FAVOR

OREGON HOUSE SPEAKER LYNN SNODGRASS
SUPPORTS BALLOT MEASURE 86

"It's not the bureaucrats' money, it belongs to Oregon families!"

"The kicker is an over-collection of money, and
people are entitled to a refund."

"Measure 86 was placed on the ballot by the Oregon Legislature
on my watch,

and I want to make sure taxpayers get back
what's rightfully theirs."

"Oregon families work hard, they pay taxes, when we collect
too much, it's our moral obligation to return the excess."

"Help curb the growth of government by putting the kicker
in the Oregon Constitution."

VOTE YES ON MEASURE 86

Lynn Snodgrass
Speaker of the House

(This information furnished by Lynn Snodgrass, Speaker of the House.)

ARGUMENT IN OPPOSITION

Oregon League of Women Voters Opposes Measure 86.

The League of Women Voters of Oregon is a grass-roots, non-partisan organization which encourages informed and active participation of citizens in government. Since 1920, the League has worked to inform voters, improve our political process and strengthen our democracy.

The League of Women Voters of Oregon opposes Measure 86 because it does not belong in the Constitution.

The Constitution is the fundamental legal document which establishes permanent rules governing the State. It is inappropriate and unreasonable to clutter the Constitution with detailed language and policy on taxes and budgets. The Constitution should rarely be changed. Tax and budget policy to meet new circumstances and changing needs can be made by statute, either by the Legislature or by citizen initiative.

Simply put, rules about what happens when "general fund revenues exceed state estimates by more than two percent" do not belong in the same place as our fundamental guarantees of freedom of speech, freedom of assembly, and freedom of religion.

The League is also concerned about this measure as tax and budget policy. It is not wise to have a law which, in effect, prevents the state from establishing a surplus fund to use in hard economic times.

Even if this measure reflected good tax and budget policy, it still should have no place in the Constitution.

PLEASE JOIN US IN VOTING "NO" ON MEASURE 86.

(This information furnished by Paula Krane, President, League of Women Voters of Oregon.)

(This space purchased for \$500 in accordance with ORS 251.255.)

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Measure No. 86 Arguments

ARGUMENT IN OPPOSITION

**GOVERNOR JOHN KITZHABER URGES
A "NO" VOTE ON MEASURE 86
IT'S FISCALLY IRRESPONSIBLE AND DOES NOT
BELONG IN THE CONSTITUTION**

Dear Fellow Oregonians:

As Governor, I share responsibility for the fiscal stewardship of our State. In making decisions about taxes and spending, I am obliged to think about how those decisions will affect our State, not just in these good economic times, but in the hard times that we know we will someday face.

Measure 86 is fiscally irresponsible. It will make it extremely difficult, if not impossible, for the State to ever build up a savings account in good times – an account that we will need to meet the emergency needs we are certain to have during the next economic downturn.

Measure 86 also gives Constitutional force to State economists' estimates of future revenues. The measure tells the State what can and cannot happen when an economist's estimate is off by more than 2%. The Constitution should not be amended lightly.

Please join me in voting "No" on Measure 86.

(This information furnished by John A. Kitzhaber, M.D.)

ARGUMENT IN OPPOSITION

**The Oregon AFL-CIO Recommends a
NO Vote on Measure 86**

We believe tax relief should be targeted to those who need it most – to Oregon's working families.

Unfortunately, the "kicker law" as currently written has generated disproportionate tax credits for our least needy taxpayers – Oregon's largest, most profitable corporations.

In the 1990s, kicker credits for corporate taxpayers averaged 18% per biennium, while refunds to individual taxpayers averaged only 5% per biennium. And most of the refunds to individuals went to our highest-income taxpayers.

The kicker law is one reason that we have seen a dramatic shift in Oregon's tax burden from businesses to individual taxpayers over the last decade – and why funding for schools and human services has been squeezed while we have enjoyed unprecedented economic prosperity.

A formula that produces such grossly unfair tax credits for our least needy taxpayers – and undermines funding for public education -- should not be placed in our constitution.

Please join us in voting No on Measure 86.

Tim Nesbitt, President
Brad Witt, Secretary-Treasurer
Oregon AFL-CIO

(This information furnished by Tim Nesbitt, Oregon AFL-CIO Committee on Political Education.)

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Measure No. 87

House Joint Resolution 52—Referred to the Electorate of Oregon by the 1999 Legislature to be voted on at the General Election, November 7, 2000.

BALLOT TITLE

87 AMENDS CONSTITUTION: ALLOWS REGULATION OF LOCATION OF SEXUALLY ORIENTED BUSINESSES THROUGH ZONING

RESULT OF "YES" VOTE: "Yes" vote allows zoning of sexually oriented businesses without showing threatened or actual neighborhood harm.

RESULT OF "NO" VOTE: "No" vote retains ban on zoning businesses based on content of speech, expression presented there.

SUMMARY: Amends constitution. Oregon Constitution allows regulation of location of sexually oriented businesses upon showing of threatened or actual neighborhood harm other than exposure to sexual expression, and only as other businesses' locations regulated for same harm. Federal constitution permits some zoning of sexually oriented businesses. Measure would allow zoning of such businesses without showing threatened or actual harm, to extent permitted by federal constitution. Covers commercial establishments whose principal business is nude dancing, nude entertainment or production, distribution or display of representations of sexual activity.

ESTIMATE OF FINANCIAL IMPACT: There is no financial effect on state or local government expenditures or revenues.

TEXT OF MEASURE

Be It Resolved by the Legislative Assembly of the State of Oregon:

PARAGRAPH 1. The Constitution of the State of Oregon is amended by creating a new section 42 to be added to and made a part of Article I, such section to read:

SECTION 42. (1) Notwithstanding section 8 of this Article, to the extent permitted by the United States Constitution, political subdivisions in this state may, through the use of zoning authority, regulate the location of sexually oriented businesses.

(2) As used in this section, "sexually oriented business" means a commercial establishment, the principal business of which is nude dancing, nude entertainment or the production, distribution or display of representations of sexual activity.

PARAGRAPH 2. The amendment proposed by this resolution shall be submitted to the people for their approval or rejection at the next regular general election held throughout this state.

EXPLANATORY STATEMENT

Ballot Measure 87 would add a new section to the Bill of Rights of the Oregon Constitution. Ballot Measure 87 would remove the limitations that the state constitutional right of free expression (Article 1, Section 8) places on the authority of a local government, such as a city or county, to regulate through zoning the location of a "sexually oriented business," in favor of the zoning authority allowed by the United States Constitution. The United States Constitution gives each city and county more ability to zone the location of sexually oriented businesses than does Article 1, Section 8 of the Oregon Constitution.

Under current Oregon law, cities and counties have the authority to regulate the locations of all businesses. However, if a local government seeks to regulate the location of a sexually oriented business based only on the content of what it displays or sells, then that is a violation of the business' right to free expression under the Oregon Constitution. Article 1, Section 8 provides that the government shall pass no law "restraining the free expression of opinion, or restricting the right to speak, write, or print freely on any subject whatever." Therefore, if a local government currently wants to specially zone the location of sexually oriented businesses, the government has to show some threatened or actual neighborhood harm from the business.

Ballot Measure 87 would allow local governments to specially zone the location of sexually oriented businesses without showing any threatened or actual harm, to the extent that the United States Constitution permits. The "sexually oriented businesses" covered by Ballot Measure 87 are those whose "principal business" is: nude dancing; nude entertainment; or the production, distribution or display of representations of sexual activity.

Committee Members:

Senator Neil Bryant
 Representative Rob Patridge
 David Fidanque
 Representative Floyd Prozanski
 Roy Pulvers

Appointed By:

President of the Senate
 Speaker of the House
 Secretary of State
 Secretary of State
 Members of the Committee

(This committee was appointed to provide an impartial explanation of the ballot measure pursuant to ORS 251.215.)

87

Measure No. 87 Arguments

LEGISLATIVE ARGUMENT IN SUPPORT

Measure 87 amends Oregon's Constitution to allow cities and counties to locate sexually oriented businesses.

Today under Oregon law, nude dancing establishments and adult bookstores are able to locate in our neighborhoods and next to our local schools and parks because cities and counties are powerless to keep sexually oriented businesses away from the most vulnerable members of our community, our children.

Oregon is one of two states in the Nation that prohibits cities and counties from determining, through zoning, the proper location of sexually oriented businesses in their community. Measure 87 allows cities and counties to determine where sexually oriented businesses are located in their community.

Measure 87 specifically defines "sexually oriented businesses" as a commercial establishment, the principal business of which is the production, distribution or display of representation of sexual activity to insure that innocent businesses are not affected.

- Measure 87 allows local communities to determine the location of sexually oriented businesses.
- Measure 87 will not affect public libraries, convenience stores and normal bookstores.
- Measure 87 will not result in the censoring of books, magazines or videotapes.
- Measure 87 will not ban sexually oriented businesses.

Measure 87 provides a common sense approach to give local communities the tools they need to improve the quality of life in their community.

Measure 87 is only about...location, location, location!

Committee Members:

Senator Neil Bryant
 Representative Randall Edwards
 Representative Rob Patridge

Appointed By:

President of the Senate
 Speaker of the House
 Speaker of the House

(This Joint Legislative Committee was appointed to provide the legislative argument in support of the ballot measure pursuant to ORS 251.245.)

ARGUMENT IN FAVOR

If you're married, suppose I could take the very heart of your relationship with your spouse into my hands. And then suppose I took this beautiful love that brought you together as man and wife, and tarnish it, demean it, defile it, and cause it to be deformed.

The Bible strongly affirms the beauty, blessedness, and joy of sexual relationships in the context of marriage. In the most intimate of our moments as man and wife, we express love in a way that is most blessed. Clearly, this is what we desire for our children as they mature and move towards marriage.

But this is precisely what is attacked by the satanic pornography industry. Young men become brute beasts, and women impersonal objects in the minds of those dominated by pornography. This is the horror of pornography. Not that it makes sex fiends of some, but that it **removes the wonder and beauty of Biblical sexuality in the context of marriage**, tarnishing the most intimate of our human relationships. How can it help but wreak havoc on the public good?

The Bible is the standard by which all men's actions must be properly evaluated and governed. It tells us that civil government's job is to effect public good by restraining certain sins as it punishes evildoers (Rom. 13:4) and by praising the righteous (2 Pet. 2:14).

Adultery was a capital crime in the Old Testament (Lev. 20:10). Our English word tells us something about this sin. Adultery **adulterates** (debases, contaminates, makes impure) the relationship with one's mate. It eats away at the very fabric of society. It must be restrained.

Clearly, the Bible asserts that pornography is a like sin, an adulterating evil (Matt. 5:27-30; Rom. 1:24; Gal. 5:19; Rev. 21:27). It must be strongly discouraged by the civil government. We therefore support Measure 87.

Prepared by the **Parents** Education Association, a family-based Biblical Alternative to the National Education Association

(This information furnished by Dennis R. Tuuri, Parents Education Association.)

(This space purchased for \$500 in accordance with ORS 251.255.)

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Measure No. 87 Arguments

ARGUMENT IN FAVOR

SUPPORT SMART PLANNING Vote Yes on 87

We are a neighborhood group from Portland.
We are not anti-porn. We are pro-smart planning.

Our Story.

There are seven adult businesses along a three-mile stretch of the commercial strip by our neighborhood. About two years ago a sex superstore located at a neighborhood access point -- directly across the street from homes -- a couple blocks from an elementary school.

The Portland City Council wanted to help with zoning, so did the state legislature. They could do absolutely nothing.

Cities can zone gas stations, liquor stores and farms. Why do sex shops have special protections from zoning?

Our group ranges from liberal Democrats to conservative Republicans. We have rejected offers of help from the Christian Coalition. We are not a religious group.

We are average citizens who are fighting for our neighborhood. Will you help us?

Adult Business Effect Neighborhoods

Austin: a study documents sex crimes occurring at a 66% higher rate where there are multiple sexually oriented businesses.

Los Angeles: responses to a property owner survey find that when adult oriented businesses locate near business - female patrons decrease and attracting employees is harder.

Indianapolis: appraisers find homes within 1,000 feet of a new adult business devalue an average of 20%.

BM 87 is already law in 48 states.

In 48 states -- city and state governments have the authority to zone adult businesses.

48 states (including Nevada, Louisiana and New York) -- have laws similar to Measure 87, yet clearly adult business continue to satisfy customers.

Measure 87 allows smart planning

Some claim that they wouldn't mind if a sex shop opened across from their school, home or community center.

This is elitism.

If they shared the experience of effected neighborhoods they would care. Poorer communities shouldn't be dumping grounds for the secondary effects of sex shop clusters.

The Portland City Council voted August 24, 2000 to support Measure 87

Vote "YES" on 87

(This information furnished by Russ Brown, SIEGE: A Campaign Against Porn Near Homes and Schools.)

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ARGUMENT IN FAVOR

NUDE DANCING

ADULT BOOKSTORES

DID YOU KNOW UNDER OREGON LAW THESE BUSINESSES CAN LOCATE NEXT DOOR TO YOUR ...

SCHOOLS

DAY CARE CENTERS

PARKS

AND YOU CAN'T DO ANYTHING ABOUT IT!

Measure 87 empowers local communities to decide where sexually oriented businesses locate.

The Oregonian said about Measure 87, then House Joint Resolution 52:

"It would give Oregonians a chance to deal with the proliferation of sex-oriented businesses and the helplessness of people who want to keep the businesses away from their homes and schools."

"It would simply invite voters to give their local elected officials the same ability to zone for sex shops that they have for other businesses."

"It would not lower Oregon's standards of free expression." (June 29, 1999 Editorial)

In bipartisan cooperation, these legislators voted to refer Measure 87 to you:

<u>State Representatives</u>		<u>State Senators</u>
Atkinson	Backlund	Adams
Beyer	Butler	Bryant
Close	Devlin	Corcoran
Edwards	Gardner	Courtney
Gianella	Harper	Derfler
Hill	Hopson	Dukes
Jenson	Kafoury	Duncan
Knopp	Kropf	Ferrioli
Krummel	Kruse	Fisher
Lehman	Leonard	Hannon
Lewis	Lokan	Hartung
Lowe	Lundquist	Lim
Mannix	Merkley	Miller
Messerle	Minnis	Nelson
Montgomery	Morgan	Qutub
Patridge	Ross	Shannon
Schrader	Shetterly	Shields
Snodgrass	Starr	Tarno
Strobeck	Sunseri	Timms
Wells	Welsh	Yih
Williams	Wilson	
Winters	Witt	

PROTECT OUR CHILDREN RETURN LOCAL CONTROL TO LOCAL COMMUNITIES VOTE YES ON 87

Authorized by Oregonians for Children,
712 East Jackson, Medford, OR 97504, (541)732-0644,
www.Oregon87.org

(This information furnished by Peter Cheney, Oregonians for Children.)

(This space purchased for \$500 in accordance with ORS 251.255.)

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Measure No. 87 Arguments

ARGUMENT IN FAVOR

FREE EXPRESSION IS SAFE UNDER MEASURE 87

Local choice through zoning, "would not -- as it should not -- trample on freedoms of expression as outright bans would do," *The Oregonian* newspaper said in its June 29, 1999 editorial favoring Measure 87 (then House Joint Resolution 52).

THE OREGONIAN CALLS MEASURE 87 A, "SENSIBLE, NECESSARY CONSTITUTIONAL AMENDMENT."

"Courts in other states have accepted zoning restrictions on the sex industry. Since 1987, though, the Oregon Supreme Court's interpretations of the state constitution's freedom of speech provisions have consistently thwarted local efforts to regulate sex shops," *The Oregonian* said.

Measure 87 refers, "to voters a clean, straightforward change in the state constitution."

Measure 87 allows cities and counties to locate sexually oriented businesses in appropriate areas of a community without trying to ban them.

It gives, "Oregonians a chance to deal with the proliferation of sex-oriented businesses and the helplessness of people who want to keep the businesses away from their homes and schools," *The Oregonian* said.

MEASURE 87 IS DIFFERENT FROM PAST BALLOT MEASURES

"A straightforward, uncluttered measure to amend the constitution to allow zoning of sex-oriented businesses would not revive the arguments about what's obscene or moral that contributed to defeats of measures in 1994 and 1996. It would not lower Oregon's standards of free expression," *The Oregonian* said.

"It would simply invite voters to give their local elected officials the same ability to zone for sex shops that they have for other businesses."

SUPPORT FOR MEASURE 87 MAKES SENSE

"Oregonians deserve a ballot referral on this question that is uncluttered with either morality-driven provisions or industry-sponsored exceptions," *The Oregonian* said.

PROTECT OUR CHILDREN SUPPORT COMMON-SENSE VOTE YES ON 87

Authorized by Oregonians for Children,
712 East Jackson, Medford, OR 97504, (541)732-0644,
www.Oregon87.org

(This information furnished by Peter Cheney, Oregonians for Children.)

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ARGUMENT IN FAVOR

SEX SHOP <--- 450 Feet ---> ELEMENTARY SCHOOL

Is this what you want for your child or grandchild?

It is happening in Oregon today!!!

DON'T LET IT HAPPEN IN YOUR COMMUNITY VOTE YES ON 87

Do you want a sex shop within 450 Feet of your child's elementary school? In Coos Bay children are forced to live with this reality and parents are powerless to do anything about it.

Today, Oregon law prohibits citizens and local governments from locating sexually oriented businesses away from places children play like schools, parks, and day care centers. A **YES** vote on Measure 87 gives local citizens an opportunity to say where sexually oriented businesses locate in their community.

Measure 87 will not censor or ban adult business. Local communities in 48 states have the ability to say where sexually oriented businesses locate in their community. Give your community an opportunity to say where sexually oriented businesses locate.

IF YOU WANT A VOICE IN WHERE SEXUALLY ORIENTED BUSINESSES ARE LOCATED IN YOUR COMMUNITY

VOTE YES ON 87!!!!

THESE MAYORS SAY VOTE "YES" ON 87

<u>CITY</u>	<u>MAYOR</u>
Beaverton	Rob Drake
Bend	Jim Young
Eugene	Jim Torrey
Forest Grove	Richard Kidd
Grants Pass	Gordon Anderson
Gresham	Charles Becker
Hillsboro	Gordon Faber
Irrigon	Linda Fox
Lake Oswego	Bill Klammer
Oregon City	John F. William, Jr.
Salem	Mike Swaim
Sherwood	Walt Hitchcock
Silverton	Ken Hector
Wilsonville	Charlotte Lehan

PROTECT OUR CHILDREN RETURN LOCAL CONTROL TO LOCAL COMMUNITIES VOTE YES ON 87!!!!

Authorized by Oregonians for Children,
712 East Jackson, Medford, OR 97504, (514)732-0644,
www.Oregon87.org

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Measure No. 87 Arguments

ARGUMENT IN OPPOSITION

OREGON LIBRARIANS AGAINST CENSORSHIP URGE YOU TO VOTE NO ON MEASURE 87!

We are librarians who cherish the right of all Oregonians to decide for ourselves what we want to read, see and hear in the privacy of our own homes.

Measure 87 is written in way that would weaken that fundamental protection of the Oregon Bill of Rights and open the door to censorship in Oregon.

We don't need to weaken the Oregon Bill of Rights to deal with the zoning of "sexually oriented businesses" and we shouldn't.

LOCAL GOVERNMENTS HAVE ALL THE POWER THEY REALLY NEED

Currently, cities and counties have broad zoning authority to restrict and regulate the locations of all businesses. If a business causes problems, cities and counties already have the power to shut down those businesses.

Measure 87 will give cities and counties the power to shut down businesses even if they aren't causing any problems—just because the politicians think those businesses are offensive.

We shouldn't give politicians the power to decide for us what we can read, see or hear. Once they start to censor which art galleries we can go to—or what video stores or movie theaters—where will the censorship stop?

DON'T OPEN THE DOOR TO CENSORSHIP! VOTE NO ON MEASURE 87!!

Colleen Bell	Jeanne Goodrich	Larry R. Oberg
Karyle Butcher	Carol Hildebrand	Carolyn S. Peake
Diedre Conkling	Curtis L. Kiefer	Wyma Jane Rogers
Ginnie Cooper	Candace Morgan	Joanna Rood
Robert Ray Craddick	Mary Norman	Janet Webster
Carole Dickerson		

(This information furnished by Jeanne Goodrich, No Censorship - No on Measure 87 Committee.)

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ARGUMENT IN OPPOSITION

THE LEGISLATURE SHOULDN'T HAVE IGNORED THE WILL OF THE VOTERS VOTE NO ON MEASURE 87!

As legislators, we were appalled when a majority of our colleagues voted to refer another censorship ballot measure to the voters.

As the voters, you have already rejected similar measures twice before: Measure 19 in 1994 and Measure 31 in 1996.

Both times you said: "NO – DON'T WEAKEN THE FREE EXPRESSION PROTECTIONS OF THE OREGON BILL OF RIGHTS!"

What part of "NO" doesn't the legislature understand?

There are lots of reasons why you should reject this measure a third time, but one of the best is to remind the majority of Legislators that it was wrong for them to assume that you didn't know what you were doing the first two times you cast your vote on this issue.

PLEASE JOIN US IN VOTING NO ON MEASURE 87!!

Senator Kate Brown	Rep. Dan Gardner
Senator Ginny Burdick	Rep. Gary Hansen
Senator Lee Beyer	Rep. Kitty Piercy
Senator Susan Castillo	Rep. Floyd Prozanski
Senator Cliff Trow	Rep. Jackie Taylor
Rep. Chris Beck	Rep. Vicki Walker
Rep. Jo Ann Bowman	

(This information furnished by Andrea R. Meyer, No Censorship - No on Measure 87 Committee.)

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Measure No. 87 Arguments

ARGUMENT IN OPPOSITION

This measure is about freedom. Our freedom as adults to make informed choices. Make no mistakes, this measure is meant to eliminate adult entertainment, not merely to rezone it. The proponents of this measure would have you believe that this is merely a way to move adult businesses away from what they deem to be sensitive areas. In truth, it will allow cities to eliminate those businesses through zoning restrictions.

This same type of measure has been attempted in major cities across the country. Where it has passed, the adult industry has been effectively eliminated. All while under the guise of merely rezoning.

We are currently afforded a choice when it comes to the adult entertainment in this state. If this measure passes, and adult businesses are shut down, or forced into the most undesirable locations, our choice has been eliminated.

Both tolerance and intolerance have a way of spreading. If we as individuals become intolerant of the views of those around us, they will in turn become intolerant of us. We needn't accept the views of our neighbors, we only need to realize that they have just as much right to express their views as we do. As tolerance grows, our society as a whole becomes a better place to live.

Opposing this measure doesn't necessarily mean that you support the adult entertainment industry. It means you recognize its right to exist, regardless of whether you support it. There is a fine line between showing someone how you believe life should be lived, and telling them how they should live. This measure crosses that line.

Freedom is a gift that is passed from one generation to the next. With each constraint that we place on ourselves, with each diminished freedom, with each choice removed, we are that much weaker as a people. By passing a measure such as this one, we are restricting that freedom not only for ourselves, but for future generations.

(This information furnished by Rob Reynolds.)

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ARGUMENT IN OPPOSITION

MEASURE 87 WOULD WEAKEN THE OREGON BILL OF RIGHTS!

VOTE "NO" ON MEASURE 87

As a former Justice of the Oregon Supreme Court, I have spent a lot of time thinking about the practical application of the Oregon Bill of Rights to the everyday lives of Oregonians.

We should be proud of our state Bill of Rights which has protected us against the possible excesses of government since we became a state in 1859.

Unfortunately, when the Legislature decided to send Measure 87 to the ballot, they chose to undermine the Bill of Rights. Here is the current language of Article 1, section 8—the provision of Oregon Constitution that Measure 87 would partially repeal:

"No law shall be passed restraining the free expression of opinion, or restricting the right to speak, write, or print freely on any subject whatever; but every person shall be responsible for the abuse of this right."

MEASURE 87 TAKES AWAY YOUR RIGHTS TO FREE EXPRESSION

For over 140 years, this language in the Oregon Bill of Rights has protected the right of all Oregonians to decide for ourselves what we want to read, see and hear in the privacy of our own homes. If passed, Measure 87 will partially replace our current constitutional guarantee of free expression with weaker federal constitutional provisions.

We don't need to erode our basic freedoms to deal with the problems caused by "sexually oriented businesses." Local governments already have all the power they need to deal with businesses that are causing problems.

DON'T WEAKEN THE OREGON BILL OF RIGHTS! VOTE NO ON MEASURE 87!!

Betty Roberts, Retired Justice, Oregon Supreme Court

(This information furnished by Betty Roberts, No Censorship - No on Measure 87 Committee.)

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Measure No. 87 Arguments

ARGUMENT IN OPPOSITION

SUPPORT THE ARTS VOTE "NO" ON MEASURE 87!!

As Oregon artists, authors, performers, and educators, we know that Measure 87 is a threat to artistic freedom in Oregon because it would allow local governments to decide for you what businesses are "sexually oriented."

There is no telling which art galleries, theaters, concert halls, book stores or neighborhood video stores might fit the politicians' idea of a "sexually oriented business" if Measure 87 is approved.

Oregon has a proud history of artistic freedom—in large part because the Oregon Bill of Rights contains some of the strongest protections for free expression in the country. But Measure 87 would weaken that protection and open the door to government censorship.

We've seen what happens in other states with weaker free expression protections:

- politicians tried to shut down the Cincinnati Art Institute when it sponsored an exhibit of sexually suggestive photos
- in Oklahoma City, officials tried to shut down a local video store because it rented "The Tin Drum"

If Measure 87 is approved, instead of deciding for ourselves what we want to read, see and hear, the politicians will make those decisions for us.

Don't be fooled. Measure 87 weakens the Oregon Bill of Rights and Oregon's protection of free expression. We don't need to do that and we shouldn't!!

Support Oregon artists. Vote No on Measure 87!!

- Ursula K. LeGuin, author
- James Canfield, choreographer
- Dan Reed, musician
- Kristy Edmunds, artist
- Henk Pander, artist
- John Daniel, author
- Valerie Brooks, writer
- Phillip M. Margolin, author
- Jan Eliot, cartoonist ("Stone Soup")
- Molly Gloss, author
- Peter Sears, poet, teacher, publisher
- Jessica Maxwell, author
- Sydney Thompson, Community of Writers
- Thomas M. Lauderdale, musician and artistic director, Pink Martini
- Sally C. Lawrence, President, Pacific Northwest College of Arts
- Judith Barrington, writer and director of the Flight of the Mind Writing Workshops
- Ruth Gundle, publisher, The Eighth Mountain Press

(This information furnished by Joan Biggs, No Censorship - No on Measure 87 Committee.)

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ARGUMENT IN OPPOSITION

HERE'S WHAT THE LEGISLATORS WHO WROTE MEASURE 87 ARE HOPING YOU WON'T FIGURE OUT

The legislators who wrote Measure 87 want you to believe they're not taking away your freedom. **That's just not true.**

Here are some other things the supporters of Measure 87 are hoping you won't realize before you vote:

- It will partially repeal the Oregon Bill of Rights protection of free expression that hasn't been changed since we became a state in 1859.
- It will replace our current free expression protections with weaker federal constitutional standards.
- Cities and counties already have the power to shut down businesses that cause problems.
- While Measure 87 won't allow banning adult businesses, it will require local governments to set aside areas in every city and county where "sexually oriented" businesses can locate.
- City and county politicians will have the power to put sex shops in your neighborhood. They'll have to put them somewhere.
- Depending on how the politicians define "sexually oriented" businesses, this measure could cover art galleries, bookstores, neighborhood video stores and even internet service providers.
- What's worse, all 276 cities and counties in the state could adopt different standards for what is and isn't the "principal business" of "commercial establishments" who sell or rent products that include nudity or "representations" of "sexual activity." This patchwork quilt of censorship laws will mean an art gallery that's legal in one community might be shut down in the neighboring town.

Can you imagine government employees checking with your local bookstore to see if they've sold too many romance novels by Nora Roberts lately? Maybe your neighborhood video store has rented too many R-rated movies this month. Once censorship gets started, there's no telling where it will go.

DON'T GIVE UP YOUR BILL OF RIGHTS PROTECTION OF FREE EXPRESSION!

VOTE NO ON MEASURE 87!!

Oregon Coalition for Free Expression

(This information furnished by Janet Arenz, Oregon Coalition for Free Expression.)

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Measure No. 87 Arguments

ARGUMENT IN OPPOSITION

THE ACLU URGES YOU TO VOTE NO ON MEASURE 87

MAKE SURE YOU READ THE FINE PRINT!!

What the proponents of Measure 87 haven't told you is that this amendment to the Oregon Bill of Rights will give every city council and county commission the power to locate "sexually oriented" businesses wherever they want, and they will have to allow them to locate somewhere. They could locate these businesses in **your** neighborhood or even create a **red light district** near **your** home or business.

MEASURE 87 HAS A HUGE LOOPHOLE!

The legislators who wrote Measure 87 are hoping that you'll never read or think about the actual language of this constitutional amendment before you vote.

The measure covers "commercial establishments" whose "principal business" is nude dancing or nude entertainment. The problem is that nude dancing bars and taverns make the vast majority of their revenue from the sale of alcohol and video poker.

In order to apply Measure 87 to nude dancing bars and taverns, cities and counties will have to define "principal business" in a way that will sweep in mainstream art galleries, bookstores and neighborhood video stores.

That's why we say Measure 87 will open the door to censorship. We don't need the government deciding which pictures in art galleries and museums are "sexually oriented." We also don't need the government checking the inventory of neighborhood bookstores to see how many books have passages with "representations" of sexual activity.

Tell the Legislature **one more time** they shouldn't try to repeal the free expression protection of **our** Constitution.

DON'T WEAKEN OUR BILL OF RIGHTS! VOTE NO ON MEASURE 87!!

For more information write to ACLU of Oregon
PO Box 40585, Portland, OR 97240
or go to www.aclu-or.org

(This information furnished by David Fidanque, American Civil Liberties Union of Oregon.)

(This space purchased for \$500 in accordance with ORS 251.255.)

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ARGUMENT IN OPPOSITION

Vote No on Measure 87

Oregon has the strongest free speech protections in the country. It is a testament to the strength and diversity of our society that we protect speech that is socially unpopular. This measure will open the door to new forms of censorship in Oregon. It's a bad idea.

Most of us realize that we do not have the right to tell our neighbors what they can watch or read, especially in the privacy of their own homes. People who do not realize this are known as busybodies.

This is the third time in recent years that busybodies have tried to carve exceptions into Oregon's free speech clause. The voters defeated the busybodies the first two times, yet the Legislature has referred it to us a third time. How many times will we have to defeat this before the Legislature gets the message?

This measure turns zoning codes into busybody weapons. Who knows where the busybodies will stop? This amendment catches mainstream movie theaters, playhouses, bookstores, video rental stores, website operators and even libraries in its net. How many of your choices do you want determined by the busybodies?

If Measure 87 passes:

Busybodies may decide that a local theater doesn't show enough G-Rated movies.

Busybodies may decide that the local playhouse has too many risque performances.

Busybodies may decide that your neighborhood bookstore sells too many romance novels.

If Measure 87 passes the Constitution will no longer protect your choices.

If you care about the choices available to you, please vote NO on Measure 87.

If you are a busybody, there is always therapy....

Furnished by the Libertarian Party of Oregon

The Libertarian Party of Oregon is the third largest political party in the state. Libertarians are fiscally conservative and socially tolerant, we believe that government should be limited to protecting our freedoms while ensuring personal responsibility.

For more information call 1 (800) 829-1992 or visit our web site at www.lporegon.org

(This information furnished by Eric Winters, Libertarian Party of Oregon.)

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Measure No. 87 Arguments

ARGUMENT IN OPPOSITION

DON'T OPEN THE DOOR TO CENSORSHIP! VOTE NO ON MEASURE 87!!

As business owners of traditional bookstores, movie theaters, art galleries, and music stores, we think it's a bad idea to let politicians close down legal businesses or force them to move just because they don't like the content of the expression that takes place in those businesses.

That's censorship by the government and that's what Measure 87 is all about.

CITIES & COUNTIES CAN ALREADY SHUT DOWN BUSINESSES THAT ARE CAUSING PROBLEMS

WE DON'T NEED TO WEAKEN THE BILL OF RIGHTS!

Most of us don't care for "sexually oriented businesses" and we don't spend our money at those places. But we don't need to repeal the Oregon Bill of Rights free expression protection to deal with businesses that are causing problems.

Local governments already have the power to go after businesses that are causing problems. Measure 87 allows government to target businesses that aren't causing harm to their neighbors.

MEASURE 87 PUTS LEGAL BUSINESSES AT RISK

Once we allow restrictions on legal businesses because politicians find them offensive, there will be no way to know where the censorship will stop. Measure 87's definition of "sexually oriented business" is wide open for abuse. The measure doesn't restrict how politicians will determine the "principal business" of a commercial establishment.

The last thing we need in Oregon is morality police in bookstores, movie theaters and art galleries monitoring what we sell and what you buy!

MEASURE 87 IS AN INVITATION TO CENSORSHIP VOTE NO ON MEASURE 87!!

Michael Powell, Powell's Books
Bill Kloster, Looking Glass Bookstore, Portland
Roberta Tichenor, Annie Blooms Books, Portland
Thomas Ranieri, Cinema 21, Portland
Terry Currier, Music Millennium, Portland
Larry West, The Book Mark, Eugene
Jack Wolcott, Grass Roots Books & Music, Corvallis
Candy Moffett, Alder Gallery, Eugene
Michael Lamont, Bijou Art Cinemas, Eugene
Victoria Frey, Quartersaw Gallery, Portland
Mark Woolley, Mark Woolley Gallery, Portland
Photographic Image Gallery, Portland
Pulliam Deffenbaugh Gallery, Portland

(This information furnished by Michael Powell, No Censorship - No on Measure 87 Committee.)

(This space purchased for \$500 in accordance with ORS 251.255.)

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Measure No. 88

Senate Bill 535—Referred to the Electorate of Oregon by the 1999 Legislature to be voted on at the General Election, November 7, 2000.

BALLOT TITLE

88 INCREASES MAXIMUM DEDUCTIBLE IN OREGON FOR FEDERAL INCOME TAXES PAID

RESULT OF "YES" VOTE: "Yes" vote increases maximum deductible on Oregon income tax returns for federal income taxes paid.

RESULT OF "NO" VOTE: "No" vote retains current cap on amount deductible in Oregon for federal income taxes paid.

SUMMARY: Under current Oregon law, taxpayers may deduct up to \$3000 on their Oregon Income tax returns for federal income taxes paid; spouses filing their Oregon tax returns separately may deduct up to \$1,500. Measure would increase those amounts to \$5,000 and \$2,500, respectively. Applies to tax years beginning on or after January 1, 2002. Requires cost of living adjustment for calendar years beginning on or after January 1, 2003. Provides no replacement funds and reduces revenues available for general government expenditures.

ESTIMATE OF FINANCIAL IMPACT: By allowing a larger subtraction of federal personal income taxes from Oregon income, this measure would reduce state revenue by approximately \$47 million in fiscal year 2001-02, \$120 million in fiscal year 2002-03 and approximately \$130 million per year thereafter. This impact will grow according to growth in overall income tax revenue.

There is no financial effect on local government expenditures or revenues.

TEXT OF MEASURE

AN ACT

Relating to taxation; creating new provisions; amending ORS 316.687 and 316.695; and providing that this 1999 Act shall be referred to the people for their approval or rejection.

Be It Enacted by the People of the State of Oregon:

SECTION 1. ORS 316.695 is amended to read:

316.695. (1) In addition to the modifications to federal taxable income contained in this chapter, there shall be added to or subtracted from federal taxable income:

(a) If, in computing federal income tax for a taxable year, the taxpayer deducted itemized deductions, as defined in section 63(d) of the Internal Revenue Code, the taxpayer shall add the amount of itemized deductions deducted (the itemized deductions less an amount, if any, by which the itemized deductions are reduced under section 68 of the Internal Revenue Code).

(b) If, in computing federal income tax for a taxable year, the taxpayer deducted the standard deduction, as defined in section 63(c) of the Internal Revenue Code, the taxpayer shall add the amount of the standard deduction deducted.

(c)(A) From federal taxable income there shall be subtracted the larger of (i) the taxpayer's itemized deductions or (ii) a standard deduction. Except as provided in subsection [(9)] (8) of this section, for purposes of this subparagraph, "standard deduction" means the sum of the basic standard deduction and the additional standard deduction.

(B) For purposes of subparagraph (A) of this paragraph, the basic standard deduction is:

(i) \$3,000, in the case of joint return filers or a surviving

spouse;

(ii) \$1,800, in the case of an individual who is not a married individual and is not a surviving spouse;

(iii) \$1,500, in the case of a married individual who files a separate return; or

(iv) \$2,640, in the case of a head of household.

(C) For purposes of subparagraph (A) of this paragraph, the additional standard deduction is the sum of each additional amount to which the taxpayer is entitled under subsection [(8)] (7) of this section.

(D) As used in subparagraph (B) of this paragraph, "surviving spouse" and "head of household" have the meaning given those terms in section 2 of the Internal Revenue Code.

(E) In the case of the following, the standard deduction referred to in subparagraph (A) of this paragraph shall be zero:

(i) A husband or wife filing a separate return where the other spouse has claimed itemized deductions under subparagraph (A) of this paragraph;

(ii) A nonresident alien individual;

(iii) An individual making a return for a period of less than 12 months on account of a change in his or her annual accounting period;

(iv) An estate or trust;

(v) A common trust fund; or

(vi) A partnership.

(d) For the purposes of paragraph (c)(A) of this subsection, the taxpayer's itemized deductions are the sum of:

(A) The taxpayer's itemized deductions as defined in section 63(d) of the Internal Revenue Code (reduced, if applicable, as described under section 68 of the Internal Revenue Code) minus the deduction for Oregon income tax (reduced, if applicable, by the proportion that the reduction in federal itemized deductions resulting from section 68 of the Internal Revenue Code bears to the amount of federal itemized deductions as defined for purposes of section 68 of the Internal Revenue Code); and

(B) The amount that may be taken into account under section 213(a) of the Internal Revenue Code, not to exceed seven and one-half percent of the federal adjusted gross income of the taxpayer, if the taxpayer has attained the following age before the close of the taxable year, or, in the case of a joint return, if either taxpayer has attained the following age before the close of the taxable year:

(i) For taxable years beginning on or after January 1, 1991, and before January 1, 1993, a taxpayer must attain 58 years of age before the close of the taxable year.

(ii) For taxable years beginning on or after January 1, 1993, and before January 1, 1995, a taxpayer must attain 59 years of age before the close of the taxable year.

(iii) For taxable years beginning on or after January 1, 1995, and before January 1, 1997, a taxpayer must attain 60 years of age before the close of the taxable year.

(iv) For taxable years beginning on or after January 1, 1997, and before January 1, 1999, a taxpayer must attain 61 years of age before the close of the taxable year.

(v) For taxable years beginning on or after January 1, 1999, a taxpayer must attain 62 years of age before the close of the taxable year.

(2)(a) There shall be subtracted from federal taxable income any portion of the distribution of a pension, profit-sharing, stock bonus or other retirement plan, representing that portion of contributions which were taxed by the State of Oregon but not taxed by the Federal Government under laws in effect for tax years beginning prior to January 1, 1969, or for any subsequent year in which the amount that was contributed to the plan under the Internal Revenue Code was greater than the amount allowed under this chapter.

(b) Interest or other earnings on any excess contributions of a pension, profit-sharing, stock bonus or other retirement plan not permitted to be deducted under paragraph (a) of this subsection shall not be added to federal taxable income in the year earned by the plan and shall not be subtracted from federal taxable income in the year received by the taxpayer.

(3)(a) Except as provided in paragraph (b) of this subsection

Measure No. 88

and [subsections (4) and (5)] **subsection (4)** of this section, in addition to the adjustments to federal taxable income required by ORS 316.680, there shall be added to federal taxable income the amount of any federal income taxes in excess of [~~\$3,000~~] **\$5,000**, accrued by the taxpayer during the taxable year as described in ORS 316.685, less the amount of any refund of federal taxes previously accrued for which a tax benefit was received.

(b) In the case of a husband and wife filing separate tax returns, the amount added shall be in the amount of any federal income taxes in excess of [~~\$1,500~~] **\$2,500**, less the amount of any refund of federal taxes previously accrued for which a tax benefit was received.

(c)(A) For a calendar year beginning on or after January 1, 2003, the Department of Revenue shall make a cost of living adjustment to the federal income tax threshold amount described in paragraphs (a) and (b) of this subsection.

(B) The cost of living adjustment for a calendar year is the percentage by which the U.S. City Average Consumer Price Index for the average of the monthly indexes for the second quarter of the calendar year exceeds the average of the monthly indexes of the second quarter of the calendar year 2002.

(C) As used in this paragraph, "U.S. City Average Consumer Price Index" means the U.S. City Average Consumer Price Index for All Urban Consumers (All Items) as published by the Bureau of Labor Statistics of the United States Department of Labor.

(D) If any adjustment determined under subparagraph (B) of this paragraph is not a multiple of \$50, the adjustment shall be rounded to the next lower multiple of \$50.

(E) The adjustment shall apply to all tax years beginning in the calendar year for which the adjustment is made.

[(4)(a) If federal income taxes are paid or determined, due to additional assessments as described in ORS 316.685 (2), on income for a taxable year beginning on or before December 31, 1986, there shall be added to federal taxable income that portion of the federal income tax due to additional assessments which, when added to federal income tax previously paid and deducted for that prior taxable year on the taxpayer's Oregon return, exceeds \$7,000.]

[(b) In the case of a husband and wife filing separate tax returns, the amount to be added to federal taxable income under this subsection shall be that portion of the federal income tax due to additional assessments which, when added to federal income tax previously paid and deducted for that prior year on the taxpayer's Oregon return, exceeds \$3,500.]

[(5)(a)] **(4)(a)** In addition to the adjustments required by ORS 316.130, a full-year nonresident individual shall add to taxable income a proportion of any accrued federal income taxes as computed under ORS 316.685 in excess of [~~\$3,000~~, or ~~\$7,000~~ if subsection (4)(a) of this section is applicable,] **\$5,000** in the proportion provided in ORS 316.117.

(b) In the case of a husband and wife filing separate tax returns, the amount added under this subsection shall be computed in a manner consistent with the computation of the amount to be added in the case of a husband and wife filing separate returns under subsection (3) [or (4)] of this section[, whichever is applicable]. The method of computation shall be determined by the Department of Revenue by rule.

[(6)] **(5)** [Subsection (3)(b), subsection (4)(b) and subsection (5)(b)] **Subsections (3)(b) and (4)(b)** of this section shall not apply to married individuals living apart as defined in section 7703(b) of the Internal Revenue Code.

[(7)(a)] **(6)(a)** For tax years beginning on or after January 1, 1981, and prior to January 1, 1983, income or loss taken into account in determining federal taxable income by a shareholder of an S corporation pursuant to sections 1373 to 1375 of the Internal Revenue Code shall be adjusted for purposes of determining Oregon taxable income, to the extent that as income or loss of the S corporation, they were required to be adjusted under the provisions of ORS chapter 317.

(b) For tax years beginning on or after January 1, 1983, items of income, loss or deduction taken into account in determining

federal taxable income by a shareholder of an S corporation pursuant to sections 1366 to 1368 of the Internal Revenue Code shall be adjusted for purposes of determining Oregon taxable income, to the extent that as items of income, loss or deduction of the shareholder the items are required to be adjusted under the provisions of this chapter.

(c) The tax years referred to in paragraphs (a) and (b) of this subsection are those of the S corporation.

(d) As used in paragraph (a) of this subsection, an S corporation refers to an electing small business corporation.

[(8)(a)] **(7)(a)** The taxpayer shall be entitled to an additional amount, as referred to in subsection (1)(c)(A) and (C) of this section, of \$1,000:

(A) For himself or herself if he or she has attained age 65 before the close of his or her taxable year; and

(B) For the spouse of the taxpayer if the spouse has attained age 65 before the close of the taxable year and an additional exemption is allowable to the taxpayer for such spouse for federal income tax purposes under section 151(b) of the Internal Revenue Code.

(b) The taxpayer shall be entitled to an additional amount, as referred to in subsection (1)(c)(A) and (C) of this section, of \$1,000:

(A) For himself or herself if he or she is blind at the close of the taxable year; and

(B) For the spouse of the taxpayer if the spouse is blind as of the close of the taxable year and an additional exemption is allowable to the taxpayer for such spouse for federal income tax purposes under section 151(b) of the Internal Revenue Code. For purposes of this subparagraph, if the spouse dies during the taxable year, the determination of whether such spouse is blind shall be made immediately prior to death.

(c) In the case of an individual who is not married and is not a surviving spouse, paragraphs (a) and (b) of this subsection shall be applied by substituting "\$1,200" for "\$1,000."

(d) For purposes of this subsection, an individual is blind only if his or her central visual acuity does not exceed 20/200 in the better eye with correcting lenses, or if his or her visual acuity is greater than 20/200 but is accompanied by a limitation in the fields of vision such that the widest diameter of the visual field subtends an angle no greater than 20 degrees.

[(9)] **(8)** In the case of an individual with respect to whom a deduction under section 151 of the Internal Revenue Code is allowable for federal income tax purposes to another taxpayer for a taxable year beginning in the calendar year in which the individual's taxable year begins, the basic standard deduction (referred to in subsection (1)(c)(B) of this section) applicable to such individual for such individual's taxable year shall equal the lesser of:

(a) The amount allowed to the individual under section 63(c)(5) of the Internal Revenue Code for federal income tax purposes for the tax year for which the deduction is being claimed; or

(b) The amount determined under subsection (1)(c)(B) of this section.

SECTION 2. ORS 316.687 is amended to read:

316.687. There shall be added to federal taxable income of a parent who makes an election under section 1(g)(7)(B) of the Internal Revenue Code any amount in excess of the standard deduction allowed for a child under ORS 316.695 [(9)] **(8)** but not in excess of the amount described in section 1(g)(7)(B)(i) of the Internal Revenue Code (twice the amount in effect for the taxable year under section 63(c)(5)(A) of the Internal Revenue Code). The addition under this section shall be made for each child whose income is included in the taxable income of the parent under section 1(g)(7)(B) of the Internal Revenue Code.

SECTION 3. The amendments to ORS 316.687 and 316.695 by sections 1 and 2 of this 1999 Act apply to tax years beginning on or after January 1, 2002.

SECTION 4. This 1999 Act shall be submitted to the people for their approval or rejection at the next regular general election held throughout this state.

NOTE: **Boldfaced** type indicates new language; [brackets and *italic*] type indicates deletions or comments.

Measure No. 88

EXPLANATORY STATEMENT

Ballot Measure 88 amends Oregon state statutes to increase from \$3,000 to \$5,000 the maximum amount that may be deducted on Oregon personal income tax returns for federal income taxes paid.

Under current law, personal income taxpayers may deduct their federal income tax liability for a tax year from their Oregon taxable income for that year, up to a maximum amount of \$3,000. If a personal income taxpayer has a federal tax liability of more than \$3,000, the amount of federal taxes in excess of \$3,000 is not deductible for Oregon tax purposes.

Ballot Measure 88 increases to \$5,000 the maximum amount of federal income taxes that a personal income taxpayer may deduct from Oregon taxable income. Under Ballot Measure 88, only a taxpayer's federal taxes that are greater than \$5,000 would remain nondeductible for Oregon tax purposes.

For married individuals who file separate tax returns, current law contains a special rule that limits to \$1,500 the maximum amount of federal taxes that each spouse may deduct from Oregon taxable income. Ballot Measure 88 would continue the special rule for married individuals who file separate returns, but would increase to \$2,500 the maximum amount of federal taxes that each spouse could deduct from Oregon taxable income.

Under Ballot Measure 88, the maximum amount of federal taxes that could be deducted from Oregon taxable income would be adjusted up or down each year by a cost of living factor that is based on the Consumer Price Index. Under current law, the \$3,000 maximum deduction for federal income taxes (or \$1,500 maximum deduction in the case of married individuals filing separate returns) is not subject to cost of living adjustments.

Ballot Measure 88 would apply to income tax years beginning on or after January 1, 2002. Cost of living adjustments would be made annually, starting in 2003. The Legislative Revenue Office estimates that this measure would reduce revenue to the general fund by \$168 million in the 2001-03 biennium and \$259 million in the 2003-05 biennium.

Committee Members:

Senator Eileen Qutub
 Representative Ken Strobeck
 Senator Verne Duncan
 Representative Jeff Merkley
 Fred Miller

Appointed By:

President of the Senate
 Speaker of the House
 Secretary of State
 Secretary of State
 Members of the Committee

(This committee was appointed to provide an impartial explanation of the ballot measure pursuant to ORS 251.215.)

Measure No. 88 Arguments

LEGISLATIVE ARGUMENT IN SUPPORT

A “yes” vote on Measure 88 increases the maximum Oregon personal income tax deduction for federal income taxes paid from \$3,000 to \$5,000.

This measure will reduce the amount of state income tax individuals pay - without harming schools, public safety or other essential state government services.

The amount of personal income tax that Oregonians pay is among the highest in the nation - usually in the top three, along with New York and Washington D.C.

Measure 88 will reduce the tax burden of Oregonians by an estimated \$47 million in its first year and by approximately \$120 million per year thereafter. This will have the effect of lowering taxes and reducing the overall size of government, but still permitting essential state-supported services to be adequately funded.

Current Oregon law permits taxpayers to deduct their federal income taxes when calculating their state income taxes. The current limit for this deduction is \$3,000 - the same level it has been since 1987.

Measure 88 will cut the amount of income tax most Oregonians pay by allowing a larger subtraction of federal personal income taxes from Oregon income - raising the maximum deduction amount from \$3,000 to \$5,000. In addition, the \$5,000 amount will be adjusted up or down by a cost-of-living factor based on the Consumer Price Index. Under current law, the deduction amount is not adjusted for inflation.

Measure 88 will also allow married individuals who file separate returns an increase from \$1,500 to \$2,500 as the highest amount of federal taxes that each spouse can deduct from Oregon taxable income.

Measure 88 is a reasonable, responsible tax reduction measure which will benefit Oregon taxpayers. Coupled with the fact that Oregon has **no sales tax**, and recent ballot measures and legislative actions have **reduced property taxes**, this measure further reduces the tax burden of Oregonians by effectively **cutting the state income tax**.

Committee Members:

Senator Eileen Outub
 Representative Leslie Lewis
 Representative Ken Strobeck

Appointed By:

President of the Senate
 Speaker of the House
 Speaker of the House

(This Joint Legislative Committee was appointed to provide the legislative argument in support of the ballot measure pursuant to ORS 251.245.)

ARGUMENT IN FAVOR

Associated Oregon Industries, representing 19,000 businesses, urges a YES VOTE ON MEASURE 88.

Did you know that Oregon law requires you to pay a tax on a tax? That's right.

And while Measure 88 does not completely eliminate this ridiculous situation, it does move in the right direction by reducing some of the tax burden. And it does so in a fiscally responsible manner.

As Oregon's largest and oldest business Association it has long been our aim to promote tax policies that provide necessary public services and at the same time make all Oregonians more prosperous.

Measure 88 will do just that.

By reducing this double taxation:

- Oregonians can save and invest more of what they earn.
- More dollars will be available to entrepreneurs who regenerate the economy and improve job growth and wealth formation.
- Necessary public services such as K-12, higher education and the Oregon Health Plan are protected from severe cuts.

Tax policies need to be moderate and sensible.

It is sensible that Oregonians ought not to pay a tax on a tax. It is moderate to change such a law in a manner that is fiscally responsible.

Measure 88 meets those requirements. Vote YES on Measure 88.

(This information furnished by Richard M. Butrick, Associated Oregon Industries.)

(This space purchased for \$500 in accordance with ORS 251.255.)

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Measure No. 88 Arguments

ARGUMENT IN OPPOSITION

THE OREGON PTA ASKS YOU TO VOTE NO ON MEASURE 88.

Measure 88 is a bad deal for Oregon. It won't benefit most taxpayers at all. But it WILL cost our children dearly.

In a state where our legislature has to struggle every session to find enough money in the budget to adequately fund education, health care, public safety, roads, and services for children and the elderly, it is irresponsible to talk about drastically cutting revenue for the state.

This measure would cost \$167 million in the next two years and \$260 million in the two years after that. To illustrate, \$260 million dollars is over three times the 1999-2000 formula revenue budget for the North Clackamas School District, over 3.5 times the budgets for the Bend/La Pine and Medford School Districts, and over 17 times the budget for the North Bend School District.

It is inconceivable to even think about such an enormous loss of funds. A loss that will make it even harder for our school districts to reduce class size, or focus on teacher training. A loss that would mean even fewer children will receive health care benefits, and fewer struggling families will receive critical help.

As with other proposed "tax cuts" it is the wealthy who benefit. Sixty percent of Oregon taxpayers will not get any tax cut at all. A family of four with an income of \$45,000 will get nothing. The same family with an income of \$47,000 would get \$2 a month.

OUR CHILDREN SIMPLY CAN'T AFFORD THIS MEASURE.

VOTE NO ON MEASURE 88

(This information furnished by Kathryn Firestone, President, Lisa Laursen Thirkill, VP for Legislation; The Oregon PTA (Oregon Congress of Parents and Teachers).)

(This space purchased for \$500 in accordance with ORS 251.255.)

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ARGUMENT IN OPPOSITION

GOVERNOR JOHN KITZHABER URGES A "NO" VOTE ON MEASURE 88 MOST OREGONIANS GET NO TAX BENEFIT AT ALL

Dear Fellow Oregonians:

Measure 88 would give no help to 60% of Oregon taxpayers. But it would hurt all Oregonians.

Measure 88 would not give a tax cut to most taxpayers. For instance, a family of four making \$40,000 would get nothing at all. It would give only a minimal benefit to many other middle-class families; a family of four making \$47,000 would receive \$2 a month.

But Measure 88 would reduce resources available for State General Fund services – by over \$150 million in 2001-2003, and by over \$250 million in the next budget cycle.

The vast majority of the State's General Fund dollars go to just a few programs. Education – including K-12 public schools, community colleges, and state universities. The Oregon Health Plan. The State prison system. Services to seniors and the disabled. Those are the services that would suffer if this measure passes. Measure 88 would make it impossible to avoid real cuts in services Oregonians care about.

Please join me in voting "No" on Measure 88.

(This information furnished by John A. Kitzhaber, M.D.)

(This space purchased for \$500 in accordance with ORS 251.255.)

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Measure No. 88 Arguments

ARGUMENT IN OPPOSITION

Oregon Seniors Oppose Measure 88

Measure 88 is a particularly raw deal for Oregon seniors. Most seniors would see no tax relief. But, more importantly, the measure would hurt services that many seniors and people with disabilities depend on.

Measure 88 gives no benefit to most taxpayers – and gives 57% of the benefits to the highest-income 20%. There aren't that many seniors in that top 20%.

But Measure 88 would cut over \$167 million in State resources in the first two years, and \$260 million in the two years after that -- reducing the State's ability to pay for services seniors depend on.

Measure 88 threatens funding for:

- Community care options such as in-home care, adult foster homes, and assisted living facilities.
- Senior centers.
- Senior and disability transportation.
- Meals on Wheels.
- The Oregon Health Plan.

Please join the Oregon State Council of Senior Citizens, United Seniors of Oregon and the Portland Gray Panthers in opposing Measure 88.

(This information furnished by Jim Davis, Oregon State Council of Senior Citizens; United Seniors of Oregon; Portland Gray Panthers.)

(This space purchased for \$500 in accordance with ORS 251.255.)

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ARGUMENT IN OPPOSITION

The Working Men and Women of Organized Labor Oppose Measure 88

The Legislature's Measure 88 gives no tax relief at all, or very little, to Oregon's working families. But it will hurt the quality of services that working families rely on – from education to public safety to services for seniors and people with disabilities.

If Measure 88 passes, a family of four making \$45,000 or less will get nothing. A family making \$50,000 might get a few dollars a month.

But the measure will cost hundreds of millions of dollars – dollars that will come out of a wide variety of public services.

Public schools; the Oregon Health Plan; state universities; community colleges; community-based care for the elderly; child abuse prevention services and foster care; economic development for rural communities; the State prisons; the State Police; the Department of Forestry ... those are the services that rely on Oregon state funds. The harm to many far outweighs the benefit to a few.

It's not worth it. Please join the working men and women of organized labor in voting "NO" on Measure 88.

This voters statement brought to you by the
American Federation of Teachers - Oregon
Oregon AFL-CIO
Oregon State Council of Service Employees International Union
Oregon Public Employees Union, SEIU Local 503
Oregon School Employees Association
Pacific Northwest Regional Council of Carpenters

(This information furnished by Richard H. Schwarz, AFT-Oregon; Terry Cavanagh, Oregon Public Employees Union, SEIU, Local 503; Arthur Towers, Oregon State Council, Service Employees Int'l Union; Edward John Glad, Pacific Northwest Reg'l Council of Carpenters; Ed Edwards, Oregon School Employees Assoc.)

(This space purchased for \$500 in accordance with ORS 251.255.)

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Measure No. 88 Arguments

ARGUMENT IN OPPOSITION

Ecumenical Ministries of Oregon Opposes Measure 88

Ecumenical Ministries of Oregon recommends a NO vote on Measure 88. It will benefit only those who least need the benefit, while it hurts those among us who are most at risk.

Measure 88 lowers the effective tax rate for wealthier Oregonians while at the same time providing no material tax relief to low- and moderate- income Oregonians. Meanwhile Oregon ranks second in the nation for widening the gulf over the last decade between the top 20% of earners and the bottom 20% of earners in the state.

EMO has consistently called for a restructuring of Oregon's tax system to meet the criteria of adequacy, ability to pay, fairness, efficiency, competitiveness, flexibility, and consumer responsibility. This measure meets none of those standards and is irresponsible.

Please vote "No" on Measure 88.

Note: The Roman Catholic Archdiocese of Portland and the Greek Orthodox Church abstained from EMO's deliberations regarding the November ballot measures. The Roman Catholic Archdiocese releases all public policy statements for the Archdiocese through the Oregon Catholic Conference.

(This information furnished by Enid Edwards, Ecumenical Ministries of Oregon.)

(This space purchased for \$500 in accordance with ORS 251.255.)

The printing of this argument does not constitute an endorsement by the State of Oregon, nor does the state warrant the accuracy or truth of any statement made in the argument.

ARGUMENT IN OPPOSITION

Reject Measure 88: It's All Pain, No Gain!

Measure 88 costs too much.

Measure 88 will cost the state of Oregon \$260 million every two years in lost programs. That's more than double what the state spends on state parks, nearly 30 times what we spend on children's health insurance programs, and more than the state spends on child abuse prevention and related services like foster care.

Measure 88 doesn't help many Oregonians.

60% of Oregonians will receive absolutely no tax savings from Measure 88. That's right...**nothing**. Even upper income and wealthy taxpayers, the folks this measure is designed to benefit, receive a relatively small tax cut. The most anyone will see his or her tax bill reduced is \$15 a month. That's the maximum benefit anyone will receive from Measure 88.

Measure 88 increases Oregonians' federal taxes.

To make matters worse, those Oregon taxpayers whose state tax bill is reduced as a result of Measure 88 will then have lower Oregon tax payments to deduct from their Federal income taxes. The net result: Oregonians who receive this tax break will owe more in Federal taxes. This foolish measure would slash our State's budget while fattening Federal coffers.

Measure 88 is a bad idea.

Measure 88 will cut state programs that help children and families. It will provide the majority of Oregonians with absolutely no tax relief. Even the upper income Oregonians who benefit from this cut will get only \$15 a month. Worse, much of the "tax cut" is no cut at all...it just foolishly redirects our state tax money to the Federal Government.

Vote No on Measure 88!

- Peggi Timm, Baker County
- Commissioner Mike McArthur, Sherman County
- David Fuks, Multnomah County
- Commissioner Gina Furman, Tillamook County
- Normie Wright, Jackson County
- Audrey Jacobs, Malheur County
- Chuck Clemans, Clackamas County

**Because We Care About Oregon PAC
Beverly Stein, Chair**

(This information furnished by Beverly Stein, Because We Care About Oregon PAC.)

(This space purchased for \$500 in accordance with ORS 251.255.)

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Measure No. 88 Arguments

ARGUMENT IN OPPOSITION

The Oregon AFL-CIO Opposes Measure 88: The Harm To Many Far Outweighs The Benefit To A Few

The Legislature's Measure 88 gives no tax relief at all, or very little, to Oregon's working families. But it will hurt the quality of services that working families rely on – from education to public safety to services for seniors and people with disabilities.

If Measure 88 passes, a family of four making \$45,000 or less will get nothing. A family making \$50,000 might get a few dollars a month.

But the measure will cost hundreds of millions of dollars – dollars that will have to be cut from the funding that supports a wide variety of public services:

- Public schools
- The Oregon Health Plan
- State universities
- Community colleges
- Community-based care for the elderly
- Child abuse prevention services and foster care
- Economic development for rural communities
- State prisons
- The State Police
- The Department of Forestry

The harm to many far outweighs the benefit to a few.

It's not worth it. Please join the working men and women of the Oregon AFL-CIO in voting "NO" on Measure 88.

Tim Nesbitt, President
Brad Witt, Secretary-Treasurer
Oregon AFL-CIO

(This information furnished by Tim Nesbitt, Oregon AFL-CIO Committee on Political Education.)

(This space purchased for \$500 in accordance with ORS 251.255.)

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ARGUMENT IN OPPOSITION

Two wrongs don't make a right.

When Oregon legislators felt backed into a corner by Bill Sizemore's impending federal tax deductibility measure (now Measure 91), they referred to the ballot their own somewhat watered-down version of the same idea. They sought to wash their hands of Measure 91 by offering this alternative, Measure 88. It may be "Sizemore Lite," as it's become known, but it's still a bad idea.

Unfortunately, not much changes between Measures 88 and 91. Capping federal deductibility at \$5,000 rather than \$3,000 still causes many of the same problems as Measure 91. A cut this large necessarily impacts the state General Fund. You cannot "belt tighten" \$200 million — it's a drastic cut.

Most importantly, such cuts can only be accomplished through the General Fund's largest programs:

- **K-12 Education** — Oregon's schools take up 42 percent of the General Fund. Very few Oregonians believe that education funding is too high, but Measure 88 will force substantial cuts in current funding levels. There's simply no way around it.
- **Higher Education** — Oregon's colleges and universities account for another 16 percent of the General Fund. Enrollment has leveled in recent years due to high tuition costs, so raising rates is not an answer.
- **Human Services** — Programs aimed at public health, senior citizens, the poor and the mentally retarded/developmentally disabled are in place to help the neediest Oregonians. Measure 88 would take money from the neediest in order to benefit those Oregonians who are already better-off.
- **Public Safety** — The budgets for the Oregon State Police, the Department of Corrections and other public safety agencies accounts for 15 percent of the General Fund. This one is simple: Do you want less money spent on public safety?

Oregon cannot afford these kinds of cutbacks. Join me and Vote NO! on Measure 88 (and Measure 91).

Gordon O'Brien, Salem
AFSCME Local 896 (State Police Forensics)

(This information furnished by Don Loving, Oregon AFSCME Council 75.)

(This space purchased for \$500 in accordance with ORS 251.255.)

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Measure No. 88 Arguments

ARGUMENT IN OPPOSITION

OREGON EDUCATORS ASK YOU TO CONSIDER THE FOLLOWING POINTS REGARDING MEASURE 88:

- Measure 88 reduces funding for Oregon's public schools at a time when our children are facing some of the most overcrowded classrooms in the nation.
- Measure 88 cuts resources to school children at a time when the legislature spends less for student achievement than schools received a decade ago.
- Measure 88 exacerbates the public school funding shortage at a time when Oregonians are experiencing unprecedented prosperity.
- Measure 88 cuts state funding by shrinking resources even though most voters think public schools and other vital services aren't funded adequately as it is.

WHAT'S WRONG WITH THIS PICTURE?

Written by the Oregon Legislature, Measure 88 reduces General Fund revenues by \$168 million the first year it takes effect. Because Oregon's public schools are the single largest responsibility of state government, passage of this measure would likely result in devastating cuts to school districts across Oregon.

THAT'S UNFAIR TO STUDENTS. IT'S UNNECESSARY. IT WILL HURT OREGON'S RECORD OF EDUCATIONAL EXCELLENCE BY CUTTING STAFF AND SWELLING CLASS SIZES EVEN MORE.

Oregon's Constitution directs the Legislature to fund its public schools. Citizens expect them to be funded adequately, to prepare students to compete successfully in the 21st century economy. Oregon students have already suffered a decade of disinvestment in public schools. This has resulted in large class sizes, outdated textbooks, shortages of materials, deteriorating facilities, and program cutbacks. Measure 88 only exacerbates the problem. Don't shortchange Oregon's kids!

VOTE "NO" ON BALLOT MEASURE 88 – IT'S A CUT SCHOOLS CAN'T AFFORD.

(This information furnished by James Sager, Oregon Education Association.)

(This space purchased for \$500 in accordance with ORS 251.255.)

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Measure No. 89

House Bill 2007—Referred to the Electorate of Oregon by the 1999 Legislature to be voted on at the General Election, November 7, 2000.

BALLOT TITLE

89 DEDICATES TOBACCO SETTLEMENT PROCEEDS TO SPECIFIED HEALTH, HOUSING, TRANSPORTATION PROGRAMS

RESULT OF "YES" VOTE: "Yes" vote creates fund from tobacco settlement proceeds dedicated to specified health, housing, transportation programs.

RESULT OF "NO" VOTE: "No" vote rejects creating fund from tobacco settlement dedicated to specified health, housing, transportation programs.

SUMMARY: Measure creates fund using Oregon's share of tobacco litigation settlement. Requires annual distribution, in specified amounts, of fund's investment earnings only to specified programs, including elderly and disabled transportation fund; low income, disabled housing programs; tobacco use prevention programs; Oregon Health Sciences University's medical researcher recruitment; nonprofit organizations providing women's shelter care; county public and mental health programs. Legislature may appropriate principal to programs only with 2/3 vote and specified negative economic conditions, to federal government only when required by court order or settlement agreement.

ESTIMATE OF FINANCIAL IMPACT: The state estimates that it will receive \$339 million under the Tobacco Master Settlement Agreement by June 30, 2003. The measure allocates an estimated \$8.8 million for specified health, housing and transportation programs during state fiscal year 2001 (July 1, 2000 - June 30, 2001). Estimated revenue for state fiscal years 2002 and 2003 are \$11.2 and \$16.4 million respectively. Of these amounts, local governments would receive an estimated \$5.3 million in 2001, \$6.7 million in 2002 and \$9.9 million in 2003.

There is no financial effect on local government expenditures.

TEXT OF MEASURE

AN ACT

Relating to the Health Security Fund; appropriating money; and providing that this 1999 Act shall be referred to the people for their approval or rejection.

Be It Enacted by the People of the State of Oregon:

SECTION 1. (1) As used in this section, "health programs" means programs for transportation of the elderly and disabled, programs for housing for persons with disabilities and for low and very low income families and individuals and any other programs established or defined by law as programs eligible for financing with moneys from the Health Security Fund established under this section.

(2) The Health Security Fund is established in the State Treasury, separate and distinct from the General Fund. All earnings on moneys in the fund shall be appropriated continuously and expended only for the purpose of financing health programs.

(3) The Health Security Fund shall consist of all moneys paid to this state by United States tobacco products manufacturers under the Master Settlement Agreement of 1998.

(4) Moneys in the fund shall be invested as provided in

ORS 293.701 to 293.790 and the earnings from such investments shall be credited to the Health Security Fund.

(5) Earnings on moneys in the Health Security Fund shall be distributed annually.

SECTION 2. The programs listed in this section are health programs eligible for financing with moneys in the Health Security Fund, and earnings on moneys in the Health Security Fund shall be expended on the programs in the following amounts:

(1) Forty percent of the earnings, but not more than \$7 million in each fiscal year, to counties for public health programs and services and mental health programs and services as provided in section 4 of this 1999 Act.

(2) Twenty percent of the earnings, but not more than \$5 million in each fiscal year, to the Elderly and Disabled Special Transportation Fund for expenditure as other moneys in the Elderly and Disabled Special Transportation Fund are expended.

(3) Twenty percent of the earnings, but not more than \$5 million in each fiscal year, to the Housing and Community Services Department for programs that provide housing for persons with disabilities or for low and very low income families and individuals.

(4) Ten percent of the earnings to fund tobacco use prevention, education and cessation programs administered by the Health Division.

(5) Seven percent of the earnings, but not more than \$10 million, to Oregon Health Sciences University as provided in sections 6 and 7 of this 1999 Act.

(6) Three percent of the earnings, but not more than \$1.5 million in each fiscal year, to the Department of Human Resources to fund the department's shelter care grant program as provided in section 8 of this 1999 Act.

SECTION 3. (1) Notwithstanding section 1 (2) of this 1999 Act, the Legislative Assembly, upon approval by two-thirds of the members elected to each house of the Legislative Assembly, may appropriate moneys from the Health Security Fund principal when the following economic conditions present or predicted in this state indicate the presence or likelihood of an economic recession:

(a) The seasonally adjusted rate of nonfarm payroll employment declines for two or more consecutive quarters; and

(b) A quarterly economic and revenue forecast projects a negative ending balance that is greater than one percent of General Fund appropriations for the biennium for which the forecast is being made.

(2) Notwithstanding section 1 (2) of this 1999 Act, the Legislative Assembly may also appropriate moneys from the Health Security Fund principal when any judicial order or decree or any settlement agreement to which this state is a party requires the State of Oregon to pay any portion of the fund principal to the federal government.

(3) Appropriations made under subsection (1) or (2) of this section must be for the purpose of financing those health programs established or defined by law as programs eligible for such financing.

(4) The Legislative Assembly may by law prescribe the procedures to be used and identify the persons required to make the forecasts and projections described in subsection (1)(b) of this section.

(5) The Legislative Assembly may not use moneys in the Health Security Fund for a purpose other than financing health programs or under conditions other than those described in subsection (1) of this section unless the electors of this state approve a measure referred to the electors by the Legislative Assembly that authorizes the use of moneys in the Health Security Fund without regard to economic conditions or for a purpose specified in the measure. When the electors of this state approve the use of moneys in the fund for a purpose other than financing health programs, moneys may be appropriated from the Health Security Fund under this subsection only for the purpose approved by the electors.

Measure No. 89

SECTION 4. (1) The following health programs are eligible to receive financial assistance from the Health Security Fund established under section 1 of this 1999 Act:

(a) Public health programs and services required under ORS 431.416; and

(b) Mental health programs and services required under ORS 430.630.

(2) In each fiscal year, the counties in this state shall receive not more than \$7 million in financial assistance from the Health Security Fund for the programs described in subsection (1) of this section. If in any fiscal year there are insufficient moneys available for the distribution to counties of the amount specified in this subsection, earnings from the Health Security Fund shall be reduced proportionately among all counties eligible to receive earnings from the fund.

(3) Each county shall receive a share of the moneys distributed to counties under subsection (2) of this section in such proportion as the population of the county bears to the total population of all the counties in this state. However, when the full amount specified in subsection (2) of this section is distributed to counties, a county shall not receive less than \$50,000 in the fiscal year. Allocation plans and policies adopted by the Department of Human Resources under subsection (4) of this section may establish other criteria for distribution of moneys under this subsection.

(4) The Department of Human Resources shall develop allocation plans and policies to be followed by counties when spending moneys received under this section. The allocation plans and policies shall require a county to allocate the moneys received under this section equally between public health programs and services and mental health programs and services. However, the plans and policies may allow a county governing body to change the allocation ratio to meet local conditions and needs. The department may also establish reporting requirements for counties relating to the use of moneys received under this section.

SECTION 5. Section 6 of this 1999 Act is added to and made a part of ORS chapter 353.

SECTION 6. (1) The Oregon Health Sciences University Board of Directors shall enter into an agreement with a community foundation, as defined in ORS 348.580, in Oregon to create an Oregon Health Sciences University Medical Research Partnership. The partnership may be used to recruit and retain faculty who are national quality investigators who conduct bench-to-bedside research in emerging clinical areas such as cancer, gene therapy, vaccine development, women's health issues and cardiovascular disorders.

(2) The board shall transfer moneys appropriated to, allocated to, transferred to or otherwise received by the university for the purposes of the partnership to the community foundation to be placed in the partnership.

(3) Any agreement entered into between the board and a community foundation under this section shall include a requirement that the partnership be invested by the community foundation and that moneys in the partnership be distributed to the Oregon Health Sciences Foundation as follows:

(a) For each \$2 million of private matching funds raised by the Oregon Health Sciences Foundation, the community foundation shall release \$1 million from the partnership to the Oregon Health Sciences Foundation for the purpose of recruiting and retaining intellectual capital at the university, if such funds are available.

(b) For each \$3 million increment raised and released under paragraph (a) of this subsection, the Oregon Health Sciences Foundation may use no more than \$1 million for recruitment, relocation and capital expenses for each faculty recruitment and a minimum of \$2 million to establish an income-producing endowment to support the faculty position.

(4) In addition to the requirements of subsection (3) of this section, the agreement shall include a requirement that the community foundation, in partnership with the university,

submit an annual report to the Legislative Assembly or the appropriate interim legislative committees about the key faculty recruitments that have been funded through the Oregon Health Sciences University Medical Research Partnership and the resulting return to Oregon's economy and quality of life.

SECTION 7. In each fiscal year, there is transferred to the Oregon Health Sciences University public corporation seven percent of all earnings on moneys in the Health Security Fund until \$10 million has been transferred. The moneys transferred under this section may be expended for the Oregon Health Sciences University Medical Research Partnership created under section 6 of this 1999 Act.

SECTION 8. (1) In each fiscal year, the Department of Human Resources shall receive not more than \$1.5 million from the Health Security Fund to finance a grant program under which the department awards grants to nonprofit organizations that provide shelter care or temporary supervised housing accommodations for pregnant women, mothers of newborn children and their newborn children or women who are victims of domestic violence.

(2) To be eligible for a grant, a nonprofit organization must have been organized and operating shelter care programs or facilities prior to January 1, 1999. A nonprofit organization may use grant moneys from the Health Security Fund only for maintenance and expansion of existing program activities and may not use grant moneys for the establishment of new facilities or programs. However, a nonprofit organization may use grant moneys to change the location of existing facilities.

(3) A grant made to any single nonprofit organization may not exceed 25 percent of the organization's income in the fiscal year immediately preceding the fiscal year in which the grant is received.

(4) In any fiscal year, a nonprofit organization may receive a \$25,000 grant for each shelter or housing facility operated by the organization, but may not receive more than \$75,000 in any fiscal year.

(5) Not less than 25 percent of the total amount of grants awarded by the Department of Human Resources in a fiscal year shall be awarded to nonprofit organizations that in the fiscal year immediately preceding the fiscal year in which the grant is awarded received more than 50 percent of operating revenues from sources other than federal, state or local government agencies.

SECTION 9. When the earnings on moneys in the Health Security Fund in any fiscal year exceed the amount necessary for distribution of the maximum amounts to health programs as provided in section 2 of this 1999 Act, the Legislative Assembly may provide for the distribution of the excess earnings in amounts greater than those specified in section 2 of this 1999 Act or to health programs other than those specified in section 2 of this 1999 Act.

SECTION 10. The first distribution of moneys from the Health Security Fund shall be made not later than one year after the effective date of this 1999 Act.

SECTION 11. This 1999 Act shall be submitted to the people for their approval or rejection at the next regular general election held throughout this state.

Measure No. 89

EXPLANATORY STATEMENT

Ballot Measure 89 enacts a law that establishes the Health Security Fund. All moneys paid to Oregon by the United States tobacco products manufacturers under the Master Settlement Agreement of 1998 will be deposited into the fund. Except as authorized by the voters, all expenditures and appropriations from the fund earnings are limited to financing health programs. Currently, expenditure of the interest earnings and principal of the fund is unrestricted. For purposes of this measure, "health programs" includes transportation of the elderly and disabled, housing for disabled persons and low income families and other programs established or defined by law as being eligible for financing from the fund.

Ballot Measure 89 requires that the moneys in the Health Security Fund be invested according to statutory guidelines. Commencing in 2001, earnings from the fund must be made available for annual distribution as follows:

(1) 40 percent, up to \$7 million, to counties for public health programs and services and for mental health programs and services.

(2) 20 percent, up to \$5 million, to the Elderly and Disabled Special Transportation Fund.

(3) 20 percent, up to \$5 million, to the Housing and Community Services Department for housing for the disabled and for low and very low income families and individuals.

(4) 10 percent for tobacco use prevention, education and cessation programs administered by the Health Division.

(5) 3 percent, up to \$1.5 million, to the Department of Human Services for shelter care grant programs.

In addition, an annual payment of 7 percent, up to a maximum of \$10 million over the life of the fund, is available to the Oregon Health Sciences University for the Oregon Health Sciences University Medical Research Partnership.

If the fund earnings exceed the maximum dollar amounts specified, the measure authorizes the Legislative Assembly to expend the additional amounts for the specified programs or for other health programs.

Ballot Measure 89 specifies economic conditions that must be present for expenditure of the principal of the fund to be authorized by the Legislative Assembly. It also authorizes payments to the Federal Government from the principal under court order. All such expenditures from principal must be for health care programs.

The measure also authorizes voters voting on a measure referred by the legislature to expend the fund for purposes other than specified in Ballot Measure 89 or without regard to economic conditions but only for a purpose approved by the voters.

Ballot Measure 89 specifies the methods by which programs become eligible for funding and the methods of fund distribution.

Oregon election law provides that when two ballot measures conflict, as Measure 89 and Measure 4 do, the measure receiving the highest number of yes votes will prevail.

Committee Members:

Senator Ted Ferrioli
 Representative Bruce Starr
 Representative Richard Devlin
 Senator Joan Dukes
 Kathleen Beaufait

Appointed By:

President of the Senate
 Speaker of the House
 Secretary of State
 Secretary of State
 Members of the Committee

(This committee was appointed to provide an impartial explanation of the ballot measure pursuant to ORS 251.215.)

89

Measure No. 89 Arguments

LEGISLATIVE ARGUMENT IN SUPPORT

Oregon will receive roughly 2.2 billion dollars over the next 25 years as the result of a legal settlement with the United States tobacco companies. Measure 89 guarantees that those funds will not be simply absorbed into ongoing government programs, but will instead be dedicated to providing financial resources to specific programs which improve health care and assist the elderly and disabled members of our communities. This is done through the Health Security Fund, established by Measure 89.

Measure 89 requires that the Health Security Fund can be used only for health-related programs, unless approved by voters. The measure prevents the legislature from expending any principal of the fund unless there is a two-thirds majority vote of each house of the legislature. Measure 89 also establishes a balanced process for distribution of any earnings generated by this fund.

A yes vote on Measure 89 ensures that tobacco settlement funds are distributed among appropriate programs, including county public and mental health programs, housing for the disabled and persons with low income, transportation for the elderly and disabled, tobacco use prevention programs, and shelter for women who are pregnant, with young children, or suffering abuse.

Measure 89 represents a positive and productive way to use the proceeds of the tobacco settlement.

Measure 89 represents sound financial planning and a commitment to positive action to help those Oregonians who are most in need - without taking any money from taxpayers' pockets. Measure 89 will reduce the burden on taxpayers by providing a sure source of funding for these important programs, thereby reducing the pressure to impose taxes to pay for these programs.

Measure 89 is a win for taxpayers and a win for Oregonians who are most in need. Please Vote Yes on this important measure.

Committee Members:

Senator Ted Ferrioli
 Representative Kevin L. Mannix
 Representative Bruce Starr

Appointed By:

President of the Senate
 Speaker of the House
 Speaker of the House

(This Joint Legislative Committee was appointed to provide the legislative argument in support of the ballot measure pursuant to ORS 251.245.)

ARGUMENT IN FAVOR

Ballot Measure 89, An Argument in Support Of

Healthy communities are communities in which residents and visitors are assured

- Safe drinking water, food, and air
- No infectious diseases such as tuberculosis and meningitis in schools and daycare centers
- Influenza and pneumonia vaccines are available to seniors
- Families and individuals in crisis can receive mental health services
- Senior citizens can remain independent and self-sufficient with transportation available for doctor appointments and grocery shopping
- Safe, affordable housing is available for the disabled and very low income
- Activities to prevent cancer and chronic diseases are underway

Ballot Measure 89 provides funding forever for healthy communities.

Passage will guarantee that interest from the tobacco settlement (Health Security Trust Fund) will provide (1) local public health and mental health services; (2) elderly and disabled transportation; (3) housing for the disabled and low/very low income; (4) tobacco prevention activities; (5) shelter care. With payments coming from the interest – not the principal – you, the voter, are making a long-term investment in the health of your communities..

Public Health doctors, nurses, health educators, and sanitarians support activities for healthy communities. Support Ballot Measure 89.

Submitted by
 DaNES (Doctors and Nurses, Educators, Sanitarians) for Healthy Communities
 Linda K. Fleming, Treasurer
 108 W. First St.
 Fossil, Oregon 97830

(This information furnished by Linda K. Fleming, DaNES (Doctors and Nurses, Educators, Sanitarians) for Healthy Communities.)

(This space purchased for \$500 in accordance with ORS 251.255.)

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Measure No. 89 Arguments

ARGUMENT IN FAVOR

Measure 89 Is the Oregon Health Security Fund.

Measure 89 Is a Great Investment in Oregon's Health!

Measure 89 Sends Oregon's tobacco settlement dollars to the places they need to go:

- **Prevention of Smoking**
- **Health Support and Maintenance**

Measure 89 is a Health Support Measure. In addition to Tobacco Use Prevention:

- Provides Low-Income Affordable Housing for the Elderly, Disabled, and Low-Income Families. **Housing is Fundamental to Health!**
- Provides Transportation for Elderly and Disabled. Transportation gets people to the Doctor.
- Provides County **Public and Mental Health Services**.
- Provides **Shelter for Battered Women**.

Measure 89 Sets up a Trust Fund so that the Limited Tobacco Settlement Dollars will last Oregon for Generations to come. Only the Interest on the Fund will be spent. Will smooth out annual funding and allow better planning.

Measure 89 Is Oregon's Best Bet for critically needed Low-Income Housing Development Dollars. The State General Fund cannot adequately support Education, Health, and Housing. The need for housing assistance has continued to grow for 15 years. Measure 89 provides a rare way to help solve the problem.

The Housing Lobby Coalition urges you to Vote Yes on Measure 89 because Housing is Fundamental to Health!

(This information furnished by Jim Markee, Housing Lobby Coalition.)

(This space purchased for \$500 in accordance with ORS 251.255.)

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ARGUMENT IN FAVOR

If you've ever seen the movie "The Insider" this is how the ending makes sense.

The Creation of the Health Security Fund from OREGON'S TOBACCO SETTLEMENT ALLOCATION is a GOOD IDEA. It makes good sense and does not stem from greed which seem to earmark other measures wanting to use the tobacco settlement allocation. This measure will protect the principle amount of the fund for use during economic downturns while using the interest to protect our public health and safety, provide needed funding for housing and senior transportation, Oregon Health Sciences University and funding for tobacco prevention and cessation programs.

WE MUST INVEST in protecting our communities and their citizens. The ability of local programs to provide needed prevention, early intervention and protective programs is in a state of serious disrepair. Our mental health system cannot adequately provide necessary services for our children as well as crisis services for adults and local health departments are left with little ability to address communicable diseases.

TOBACCO SETTLEMENT DOLLARS ARE THE ANSWER.

The local programs you will be funding with this measure were established to protect and ensure the health of us all. These SERVICES ARE IN SERIOUS NEED OF SUPPORT. WITHOUT OUR SUPPORT, AND THE REVENUE PROVIDED IN THIS BALLOT MEASURE, THE ABILITY OF THESE SERVICES TO PROTECT YOU AND YOUR COMMUNITY WILL BE GREATLY REDUCED. Preventive mental health care, protection against food born illnesses such as E. coli, and prevention efforts against dangerous communicable diseases are examples of such services that protect the health of each community in our state.

WE NEED YOUR SUPPORT! PLEASE READ ALL OF THE MEASURES ON THE BALLOT CAREFULLY. MEASURE 89 IS A MEASURE WE CAN ALL SUPPORT.

THANK YOU

(This information furnished by Gina Firman, Settlement Funds For Healthy Oregonians and Communities.)

(This space purchased for \$500 in accordance with ORS 251.255.)

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Measure No. 89 Arguments

ARGUMENT IN FAVOR

Community protective health and mental health services are unlike personal health care services, and are undertaken in order to protect the overall health and safety of communities. Examples include infectious disease control, immunizations, maternal and child health clinics, mental health crisis and commitment services and case management of former state hospital patients.

With all of the pressures on the state General Fund, these critical local health and mental health programs have fallen behind in receiving adequate state funding to provide these essential public and mental health services. Local revenues to support these needed programs have seriously declined due to property tax limitations and reduced timber receipts.

Measure 89 creates the "Oregon Health Security Fund". Funded by the Tobacco Settlement Dollars (not our tax dollars), approximately \$75 million a year for at least 20 years will be put into this trust fund. The interest will be spent for critical services including your local public and mental health system. It won't take long for the principal to build and the interest to be a substantial boon to the services that protect you and your community.

Ballot Measure 89 calls for the interest to be spent on six areas:

1. Prevention of smoking and treatment of tobacco related disease
2. Local public and mental health services
3. Low-income housing development
4. Transportation for the elderly and disabled
5. Emergency shelter for battered women
6. Services for Oregon Health Sciences University

PLEASE SUPPORT THE CREATION OF THE HEALTH SECURITY FUND FOR THE HEALTH AND SAFETY OF ALL OREGONIANS

(This information furnished by Gina Firman, Coalition of Concerned Community Mental Health Professionals.)

(This space purchased for \$500 in accordance with ORS 251.255.)

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ARGUMENT IN OPPOSITION

The American Heart Association

BALLOT MEASURE 89 FAILS TO DEVOTE ENOUGH TO PREVENTION

The National Tobacco Agreement will bring hundreds of millions of dollars to Oregon. It would be a big mistake not to devote enough of the settlement money to tobacco-prevention to make a real difference. This is an historic opportunity that will not come to Oregon again anytime soon. Let's not make a mistake that we will be **paying for**, for the rest of our lives.

BALLOT MEASURE 89 FAILS TO REDUCE COSTS TO TAXPAYERS

It's been estimated that diseases caused by tobacco use cost Oregonians over \$1 billion dollars a year in economic and health costs. Just over \$300 million a year in taxpayer dollars are spent in Oregon on public health care. The only way we can really reduce these costs, over the long haul, is to invest in tobacco prevention today.

BALLOT MEASURE 89 FAILS TO PROTECT OUR KIDS

The overwhelming majority of smokers began smoking as children or teens. Smoking has devastating health consequences. For instance, 21% of all heart disease deaths are caused by smoking. Tobacco prevention is critical to keeping our kids healthy now, and in the future.

That's Why...

THE AMERICAN HEART ASSOCIATION

is Opposed to Measure 89

Tobacco Settlement Money Should Make a Real Commitment to Tobacco Prevention!

TO ENSURE THE FUTURE HEALTH OF OREGON

VOTE NO on BALLOT MEASURE 89

(This information furnished by John Chism, American Heart Assoc.)

(This space purchased for \$500 in accordance with ORS 251.255.)

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Measure No. 89 Arguments

ARGUMENT IN OPPOSITION

**The AMERICAN LUNG ASSOCIATION of Oregon
Opposes Measure 89**

Tobacco Settlement Dollars Should be Used to Make a Real Commitment to Tobacco Prevention

**MEASURE 89 FAILS TO DEVOTE ENOUGH MONEY TO
TOBACCO USE REDUCTION FOR OUR KIDS**

And, there are a few things we think you should know before you vote. We're opposing this Measure 89 because it would not make a REAL commitment to tobacco prevention in Oregon. Millions and millions of Tobacco Settlement dollars are flowing into Oregon right now. But Measure 89 doesn't devote enough of the Settlement to fund the very programs we need most to keep our kids safe and healthy...and that's just wrong.

We're the American Lung Association of Oregon. We've spent nearly a century in Oregon promoting and providing programs to prevent devastating tobacco-related diseases like lung cancer and emphysema. You can trust us to put the health of Oregonians first and foremost, we always have.

**We Believe the Settlement Money Should be Used as it
was Intended, to Make a REAL Commitment to
Reduce Tobacco Use.**

FACT: Implementing effective youth-targeted programs, combined with community and media activities, can prevent or postpone the onset of smoking among 20% to 40% of U.S. adolescents.

FACT: 90% of new smokers are children and teens. According to the Centers for Disease Control (CDC), comprehensive tobacco prevention programs are the most effective in reducing tobacco use.

FACT: Nationwide public health studies indicate more than one-third (36.4%) of high school students are current smokers. In Oregon, over 60,000 children already use tobacco.

**We believe you should know who is behind
Measure 89...Special Interests.**

FACT: Measure 89 is just another example of the Legislature giving in to Special Interests.

FACT: Measure 89 diverts the Tobacco Settlement to pay for the Legislature's Pet Projects.

FACT: Measure 89 is just one more measure that says one thing, but does another.

**The AMERICAN LUNG ASSOCIATION of Oregon Urges You
to**

Vote "No" on MEASURE 89

(This information furnished by David J. Delvree, American Lung Association of Oregon.)

(This space purchased for \$500 in accordance with ORS 251.255.)

The printing of this argument does not constitute an endorsement by the State of Oregon, nor does the state warrant the accuracy or truth of any statement made in the argument.

ARGUMENT IN OPPOSITION

**American Cancer Society of Oregon Opposes Measure 89
Measure 89 Fails to Commit to Tobacco Prevention**

Oregonians have put their trust in the Cancer Society for more than 54 years to give them the facts on lung cancer and tobacco-related illness. We are opposing Measure 89 because it devote enough money to prevention.

**Measure 89 Doesn't Meet Oregon's Needs for
Tobacco Reduction**

Ballot Measure 89 is pork barrel politics at it worst. It's just another example of the legislature kowtowing to a litany of special interests. Measure 89 would divert the tobacco settlement money to a whole host of pet projects. This goes against the original intent of the settlement – to help reduce the financial burden of tobacco use.

Measure 89 Won't Help Save Oregon Taxpayers Money
Oregon taxpayers spend nearly \$400 dollars a year on public health costs linked to illnesses caused by tobacco use. Investments in anti-smoking efforts will pay major dividends through better public health and a reduction in health care costs by reducing the expensive illnesses associated with tobacco.

Measure 89 Won't Help Improve Health Down the Road

And here are the facts:

- Tobacco use is one of the leading causes of cancer in this country
- Tobacco kills more than 1 in 5 Oregonians
- Tobacco is already used by over 60,000 Oregon children
- Tobacco is the most preventable threat to our nation's health

You can trust us when we say, "**Prevention Works.**" Funding tobacco prevention saves lives and reduces illness—then we could spend those funds other ways. Measure 89 doesn't do enough to fund tobacco prevention—and that's what the Tobacco Settlement was all about.

The Cancer Society Urges You to Vote NO on 89

Use the tobacco settlement funds to fight tobacco addiction, and reduce the toll tobacco takes on our state!

(This information furnished by Nancy Bennett, American Cancer Society.)

(This space purchased for \$500 in accordance with ORS 251.255.)

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Measure No. 89 Arguments

ARGUMENT IN OPPOSITION

WHO CAN YOU TRUST TO GIVE YOU HONEST INFORMATION ABOUT ISSUES THAT EFFECT OREGONIAN'S FUTURE HEALTH?

Measure 89 doesn't devote enough of the Tobacco Settlement money to tobacco prevention, and that's why...

The Following Groups ALL Oppose Measure 89

AMERICAN CANCER SOCIETY

AMERICAN HEART ASSOCIATION

AMERICAN LUNG ASSOCIATION OF OREGON

OREGON FEDERATION OF NURSES AND HEALTH PROFESSIONALS

AMERICAN COLLEGE OF CARDIOLOGY, OREGON CHAPTER

OREGON ADVOCACY COALITION OF SENIORS & PEOPLE WITH DISABILITIES

AMERICAN ASSOCIATION OF UNIVERSITY WOMEN OF OREGON

OREGON ALLIANCE OF CHILDREN'S PROGRAMS

OREGON STATE COUNCIL OF SENIOR CITIZENS

OREGON HEALTH CARE ASSOCIATION

OREGON CENTER FOR ASSISTED LIVING

HUMAN SERVICES COALITION OF OREGON

PORTLAND GRAY PANTHERS

OREGON ADVOCACY CENTER

OREGON CONSUMER LEAGUE

UNITED SENIORS OF OREGON

WHO'S BEHIND MEASURE 89?

Measure 89 Funds a Litany of Special Interest Group's Pet Projects...It's Just Politics as Usual

And that's bad for Oregon's health because Measure 89 fails to devote enough money to prevention of tobacco-use!

The People You Can Trust to Put Oregon's Health First

Urge You to: VOTE NO ON MEASURE 89

(This information furnished by John Valley, American Cancer Society.)

(This space purchased for \$500 in accordance with ORS 251.255.)

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ARGUMENT IN OPPOSITION

Oregonians Have Trusted Us to Protect Your Health For 190 Years

AMERICAN LUNG ASSOCIATION, est. in Oregon 1915

AMERICAN HEART ASSOCIATION, est. in Oregon 1948

AMERICAN CANCER SOCIETY, est. in Oregon 1946

And, we are opposed to Measure 89 because...

Measure 89 Doesn't Spend enough of the Tobacco Settlement on Tobacco Prevention

THE US CENTERS FOR DISEASE CONTROL AND PREVENTION, the "CDC" says...

The following are excerpts from the US Surgeon General and the Centers for Disease Control and Prevention Report "Healthy People 2010." Emphasis Added.

"The most important advance in comprehensive programs has been the emergence of **statewide tobacco control efforts**"

"Evidence shows that these multi-faceted, **state-based tobacco control programs are effective** in reducing tobacco use"

THE US CENTERS FOR DISEASE CONTROL AND PREVENTION, the "CDC" is Right...Prevention Does Work!!!

But, In Order for Prevention TO Work

Oregon Needs to Make a REAL Commitment

That Means Defeating Measures, Like 89, which Fails to Adequately Fund Prevention

Oregon's Heart, Lung and Cancer Organizations are Opposed to Measure 89

Measure 89 falls short because it just doesn't do enough to Fund Prevention from Settlement Dollars

WE URGE YOU to VOTE NO on MEASURE 89

(This information furnished by John Valley, American Cancer Society.)

(This space purchased for \$500 in accordance with ORS 251.255.)

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Measure No. 89 Arguments

ARGUMENT IN OPPOSITION

OREGON NURSES & HEALTH CARE PROFESSIONALS REJECT BALLOT MEASURE 89

Because it doesn't do enough for tobacco prevention!

VOTE NO ON MEASURE 89...

because it fails to devote enough of the Tobacco Settlement money to tobacco-prevention.

VOTE NO ON MEASURE 89...

because prevention programs to ensure the future health of Oregon's kids deserve a real commitment.

VOTE NO ON MEASURE 89...

because the huge costs associated with treating tobacco-related illnesses are breaking the "financial" backs of Oregon taxpayers.

VOTE NO ON MEASURE 89...

As nurses and health care providers, we can tell you first hand, diseases caused by tobacco take a real toll, both on people's health and on scarce healthcare dollars. The Tobacco Settlement was, in great part, about decreasing the future costs associated with nicotine addiction and smoking. We're opposing Measure 89 because doesn't devote enough of the Tobacco Settlement for tobacco prevention in Oregon.

The Facts-

1. Everyday in America, nearly 3,000 children start to smoke;
2. Nearly every adult smoker today, started smoking as a kid (90%);
3. The greatest tobacco use increase in youth occurs between 7th and 9th grade.

The Costs-

1. It costs Oregon taxpayers more than **\$300 million dollars** a year on average, for public health costs associated with tobacco use
2. It costs Oregon taxpayers, about **\$100 million dollars** in indirect costs associated with 1 million lost work days associated with tobacco use
3. It costs Oregon more than **\$400 million dollars** a year on average, for private health costs associated with tobacco use

**Measure 89 Doesn't Devote Enough to Prevention
Measure 89 Won't Do One Thing to Reduce
Future Health Care Costs**

**Please Join the Oregon Federation of NURSES
and Health Professionals**

in

Voting NO on Measure 89!

(This information furnished by Katherine R. Schmidt, Oregon Federation of Nurses and Health Professionals.)

(This space purchased for \$500 in accordance with ORS 251.255.)

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ARGUMENT IN OPPOSITION

Oregon Nurses Say "No" to Ballot Measure 89 Because... It fails to Make a Commitment to Tobacco Prevention

- **It's Time to Make a Real Commitment to Tobacco Prevention in Oregon**

Measure 89 does not allocate a reasonable amount of the Tobacco Settlement dollars for Tobacco Prevention. The Tobacco Settlement was about recovering money for the damage the tobacco industry has done to our health. The money should be spent on programs to keep them from doing more of the same in the future. The money should be spent on tobacco prevention.

- **Measure 89 Fails to Fund Prevention Adequately**

Oregon's smoking prevention programs have made a big difference...but it's not enough. The Tobacco Settlement was about preventing future tobacco addiction. This measure just doesn't cut it—there is not a reasonable amount for tobacco prevention for the youth of Oregon.

- **Measure 89 Won't Help Our Kids**

What we need are programs to help kids before they start smoking. Research shows that most smokers begin when they are in their teens. If we can help our kids get through their teen years without starting to smoke, they're likely to never smoke. Tobacco prevention efforts are critical in keeping kids from starting to smoke in the first place.

- **Measure 89 is Designed to Fund Special Interests**

This measure is just another example of the legislature caving into special interests and trying to divert the Tobacco Settlement money for its pet projects. Measure 89 is pork barrel politics at its worst.

Oregon NURSES Ask You to Join Us in

Voting NO on Measure 89

Tobacco Prevention from Tobacco Settlement Money

Natalie Rasmussen, Registered Nurse

Lisa K. Hansen, Registered Nurse

Carolyn Carter, Registered Nurse

Anne Rosenfeld, Registered Nurse

Jean R. Moseley, Registered Nurse

Sara Crivellone, Registered Nurse

Maryanne Bletscheu, Registered Nurse, MSN

(This information furnished by Maryanne Bletscheu, RN, MSN.)

(This space purchased for \$500 in accordance with ORS 251.255.)

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Measure No. 89 Arguments

ARGUMENT IN OPPOSITION

Former Surgeon General C. Everett Koop Urges No Vote on Measure 89

Dear Oregon Families,

Ballot Measure 89 is a lost opportunity. Ballot Measure 89 takes tobacco settlement dollars designed for preventing tobacco use and spends it on special interest projects that have nothing to do with preventing kids from starting smoking or helping smokers quit. That is why I join with Oregon's leading public health advocates including the American Cancer Society, the American Lung Association and the American Heart Association to oppose Measure 89. I strongly urge voters to protect Oregonian's health, lives and pocketbooks by voting **NO** on Measure 89.

The tobacco settlement is an historic opportunity—not only to send a message to tobacco companies that we recognize their products for what they are—agents of death—but also to put in place programs that will improve public health in the future by reducing tobacco use. Using the tobacco settlement money for what it was intended -to provide smoking prevention programs, especially for kids and to help smokers stop smoking, is the wisest use of these funds.

As former Surgeon General, I know tobacco use is the nation's number one preventable cause of premature death and disease. The devastating effects of smoking are clear—thousands of lives have been lost and billions paid to provide health services to persons with tobacco-related illness. Despite this, tobacco companies continue to addict thousands of new smokers every year. After a drop in the number of new youth smokers, smoking is again on the rise among young people for most of the last decade. We need to make investments in smoking prevention efforts— and to use the settlement for what it was intended: to reduce the damage that tobacco use inflicts on Oregon. Measure 89 fails to do that.

I strongly urge you to vote **NO** On Measure 89.

Sincerely,

C. Everett Koop, M.D., Sc.D

(This information furnished by Dr. C. Everett Koop.)

(This space purchased for \$500 in accordance with ORS 251.255.)

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ARGUMENT IN OPPOSITION

Oregon Physicians Oppose Measure 89 Because...

Tobacco Settlement Dollars Should be Spent on Tobacco-related Problems!

And, Measure 89 Fails to Do This!

As physicians, we see patients every day with serious tobacco-related illnesses. These diseases are often life threatening, and may include lung cancer, emphysema, and mouth and throat cancers. Measure 89 squanders Oregon's chance to effectively address tobacco-use reduction.

That's Why Doctors OPPOSE Ballot Measure 89

The tobacco settlement monies should be used for smoking prevention efforts and to help smokers stop smoking. Measure 89 does not dedicate a reasonable amount of the Settlement dollars coming into Oregon for tobacco-use prevention and instead gives the money away to a long list of pork barrel projects and special interests.

Tobacco-related illnesses are not only devastating for the patient, they are extremely expensive, costing Oregonians \$1.5 billion in medical expenses and lost productivity in 1996 alone.

Smoking among youth is increasing. Unless efforts are made now to intervene, the cycle of addiction will continue—driving up future medical costs and cutting short the lives of productive citizens.

Measure 89 Doesn't Help Solve the Problem

We are opposing Measure 89 because if we don't commit to prevention, we won't solve the problem. Measure 89 fails to do the job. Measure 89 fails to adequately support tobacco-use reduction in Oregon.

Join DOCTORS from Around the State in Voting NO on MEASURE 89

Join Us in Supporting Tobacco Settlement Dollars for Tobacco Prevention

Andrea Kielich, MD

David Kliever, MD

Bruce Thomson, MD

Mark Rampton, MD

Gary Goby, MD

Donald Austin, MD

Tom Becker, MD

Jay Kravitz, MD

Bernard Kliks, MD

Bruce McLellan, MD

David Gilmour, MD

(This information furnished by Donald F. Austin, MD.)

(This space purchased for \$500 in accordance with ORS 251.255.)

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Measure No. 89 Arguments

ARGUMENT IN OPPOSITION

**The OREGON HEALTH CARE ASSOCIATION:
Caring for the Frail and Elderly**

Urges a NO Vote on Measure 89 Because...

It Fails to Devote Enough of the Tobacco Settlement Money
to Tobacco Prevention

&

We Should Stop the Special Interest Money Grab!

The Funding Does NOT Go to the Right Places

Nearly 50% of all tobacco related illnesses end up in Long Term Care facilities across the state of Oregon. The funding from Measure 89 is not enough to help any State program AND it's inadequate to properly fund tobacco prevention—the long-term solution to tobacco related disease. Measure 89 short-changes Oregon's frail, elderly and disabled citizens.

Stop the SPECIAL INTEREST Money Grab

Measure 89, designed by special interest groups, will take the millions of Tobacco Settlement dollars to fund a grab-bag of pet projects. Now we have to fight to get it back, or Oregon seniors will be seriously hurt. Tobacco costs the Oregonians hundreds of millions of tax dollars every year in medical costs, lost wages, and productivity. The Tobacco Settlement was SUPPOSED to help this problem by funding areas most impacted by tobacco use. And, instead Measure 89 is just another measure that promises one thing, but delivers something else.

NOT Enough funding for TOBACCO PREVENTION

Not only does this measure fail to direct money where it should go, but it hardly funds tobacco prevention – the REAL purpose of the settlement money. Oregon should be concentrating on stopping smoking through prevention, not through funding a litany of non-related programs. Reports from the US Centers for Disease Controls AND former Surgeon General C. Everett Koop promote prevention as being key. Measure 89 does NOT provide enough money for tobacco use reduction.

Show the Legislature their MONEY GRAB is WRONG!

**Show the Legislature that TOBACCO SETTLEMENT
DOLLARS Should be Used to make a
Genuine Commitment to TOBACCO PREVENTION!**

VOTE NO! on MEASURE 89

Please join with the Oregon Health Care Association
in defeating this Measure

(This information furnished by Jonathan Eames, Oregon Center For Assisted Living, Oregon Health Care Association.)

(This space purchased for \$500 in accordance with ORS 251.255.)

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ARGUMENT IN OPPOSITION

HUMAN SERVICES COALITION OF OREGON

**Opposes Measure 89 because...
It Doesn't Devote Enough of the Tobacco Settlement
to Tobacco Prevention**

The Human Services Coalition of Oregon (HSCO) is comprised of organizations who are dedicated to advocating for low-income Oregonians access to health care and social services. Yet, HSCO is opposed to Measure 89.

Why is that?

Measure 89:

Would prevent **any significant funding**, from the Tobacco Settlement, from going to tobacco prevention programs in Oregon.

Measure 89:

Is constructed in a way that provides so little funding, **it won't really help the programs Oregon cares about.** And, we know the importance of making a real investment in human services.

Measure 89:

Doesn't make good sense. If we would spend a responsible amount of the Tobacco Settlement on tobacco prevention now, we would save Oregon tax dollars and Oregon lives. **After all, decreasing future tobacco use was a key element of the Tobacco Settlement.**

Please join HSCO in Opposing this Measure!

**VOTE NO ON MEASURE 89
Tobacco Settlement Dollars for Tobacco Prevention**

(This information furnished by Gina Mattioda, co-chair of HSCO.)

(This space purchased for \$500 in accordance with ORS 251.255.)

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Measure No. 89 Arguments

ARGUMENT IN OPPOSITION

GOVERNOR KITZHABER RECOMMENDS A NO VOTE ON MEASURE 89.

I oppose Measure 89 because I believe funds from the tobacco settlement should pay for health-related programs.

Oregon legislators had a good idea when they decided to invest Oregon's windfall from the national tobacco settlement in a trust fund and only spend the earnings from the trust, rather than spend the money as fast as it's received. But in drafting Measure 89, legislators sabotaged their good idea by divvying up trust fund earnings among a variety of programs.

The programs Measure 89 would fund are worthy and I sought and got funding for most of them in the current state budget. But I believe tobacco settlement funds should be used to finance low-income health care. After all, the costs paid by the state to treat low income Oregonians for tobacco related illnesses was the basis for the state's law suit against the tobacco companies. That should be our first priority for using tobacco settlement receipts.

Unfortunately, Measure 89 does not spend a penny of tobacco settlement funds on the Oregon Health Plan.

But another Measure on the ballot, Measure 4, does. It takes the legislature's idea of investing tobacco settlement dollars in a trust fund and directs all earnings from the trust to Oregon Health Plan Programs. Measure 4 will help provide for these important programs.

None of the programs Measure 89 would fund qualify for federal matching funds. But nearly every dollar of funding for health care provided by Measure 4 will be matched by almost two dollars from the federal government.

Measure 4 uses tobacco settlement revenues for appropriate priorities. Measure 89 does not. I urge you to compare the measures and join me in voting NO on Measure 89 and yes on Measure 4.

John Kitzhaber
Governor

(This information furnished by John A. Kitzhaber, M.D.)

(This space purchased for \$500 in accordance with ORS 251.255.)

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ARGUMENT IN OPPOSITION

Measure 89 does nothing to expand healthcare coverage for uninsured Oregon children.

The Oregon Pediatric Society opposes Measure 89.

There's simply no good reason any child in Oregon should be without healthcare. Yet legislators who passed Measure 89 failed to include needed funding to pay for low-income children's health-care coverage – or any other Oregon Health Plan program.

Through the Oregon Health Plan, Oregon has expanded health-care coverage to thousands of low-income Oregon children. Because the federal Children's Health Insurance Program matches state dollars on a nearly three-to-one basis, children's healthcare is a cost-effective investment. However, limited state funds last year left more than 61,000 Oregon children without healthcare.

The programs included in Measure 89 do not qualify for federal matching funds. That misses the opportunity to use tobacco settlement funds to leverage additional benefits for Oregon.

There is a better alternative. The Oregon Pediatric Society supports Measure 4. It provides a stable base of long-term funding for Oregon Health Plan programs. Measure 4 specifically requires the legislature to use earnings from the Oregon Health Plan Trust Fund to "maximize funding for expanding children's health coverage under the Children's Health Insurance Program."

The Oregon Pediatric Society believes Measure 4 wisely invests the state's share of tobacco settlement funds where it can do the most good for most Oregonians. Measure 4 puts the first priority for healthcare on Oregon's children and it maximizes matching funds available through federal healthcare programs, including the federal Children's Health Insurance Program.

Measure 89 puts funds into legislators' pet programs and fails to maximize settlement dollars. The Oregon Pediatric Society urges you to vote NO on Measure 89 and vote YES on Measure 4.

(This information furnished by James K. Lacey, M.D., F.A.A.P., Oregon Pediatric Society.)

(This space purchased for \$500 in accordance with ORS 251.255.)

The printing of this argument does not constitute an endorsement by the State of Oregon, nor does the state warrant the accuracy or truth of any statement made in the argument.

Measure No. 89 Arguments

ARGUMENT IN OPPOSITION

Oregon Association of Hospitals and Health Systems Opposes Measure 89 Because It Fails to Direct Any Tobacco Settlement Funds to Oregon Health Plan Programs

The state's share of the national tobacco settlement provides Oregon a unique chance to secure stable, long-term funding for Oregon Health Plan programs. The settlement resulted from the state's lawsuit seeking reimbursement of its expenses paid to cover treatment of tobacco-related illnesses for low-income Oregonians. So it's logical to use the settlement to pay for low-income health care

Yet Measure 89 provides not a penny to Oregon Health Plan programs

Measure 89 distributes earnings from a tobacco settlement trust fund to a wide range of programs - many with little connection to the lawsuit that led to the settlement. Yet it fails to provide any funding for the Oregon Health Plan. The Oregon Health Plan has worked to expand coverage and keep health care costs in Oregon among the lowest in the nation. While nationally the number of uninsured has risen to 18 percent, the number of Oregonians without health insurance has been reduced to 10 percent - thanks in large part to the Oregon Health Plan. Since the Oregon Health Plan was implemented, the rate of uninsured children in Oregon has been cut from 20 percent to just 6 percent.

But the Oregon Health Plan is in risk. The current state budget left 61,000 children in Oregon without health care - despite the fact that the federal government will pay 72 cents of every dollar it costs to cover uninsured children. None of the programs supported by Measure 89 qualifies for similar federal matching funds.

Examine Measure 4, an alternative to Measure 89, that directs tobacco settlement trust fund earnings to Oregon Health Plan programs. It makes better use of tobacco settlement funds.

The OAHHS urges you to vote NO on Measure 89 and YES on Measure 4

(This information furnished by Kenneth M. Rutledge, Oregon Association of Hospitals and Health Systems.)

(This space purchased for \$500 in accordance with ORS 251.255.)

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ARGUMENT IN OPPOSITION

Two Legislators Explain Why They Recommend a NO Vote on Measure 89

We are a Republican and a Democrat, an urban legislator and one from rural Oregon. We oppose Measure 89 and encourage you to take a close look why. We think you'll agree Measure 89 is not the best investment Oregon can make with its share of the national tobacco settlement.

Estimates are that Oregon will get more than \$2 billion over 25 years under terms of the settlement. Last year, most legislators agreed that it's wiser to invest tobacco settlement funds in a trust and just spend the interest rather than pay out all the money as fast as we get it. A trust fund will continue to produce revenues for the state long beyond the 25 years tobacco companies will be making payments.

Measure 89 creates that kind of trust fund. But it spends trust fund earnings on programs that, while laudable, don't make best use of the newfound funds.

Measure 89 fails to invest any of the trust fund's earnings on Oregon Health Plan programs for low-income Oregonians.

We are chief petitioners on another measure, Measure 4. It also creates a trust fund with tobacco settlement revenues. However, our measure uses earnings for Oregon Health Plan programs - programs that qualify for federal matching funds. Nearly every dollar Measure 4 generates will be matched by two or more dollars from the federal government.

None of the programs funded by Measure 89 qualifies for federal matching funds.

Since it's inception, Oregon Health Plan funding has been threatened by budget limits. Our measure puts settlement dollars to work forever, providing a guaranteed base of support for health care programs helping Oregon's most vulnerable citizens. Measure 89 neglects that priority and it fails to maximize federal funds available to help pay for health care for low-income Oregonians.

VOTE NO ON MEASURE 89!

Senator Eugene Timms (R-Burns)

Senator Lee Beyer (D-Springfield)

(This information furnished by State Senator Lee Beyer, State Senator Eugene Timms.)

(This space purchased for \$500 in accordance with ORS 251.255.)

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Measure No. 90

Proposed by referendum petition to be voted on at the General Election, November 7, 2000.

BALLOT TITLE

90 AUTHORIZES RATES GIVING UTILITIES RETURN ON INVESTMENTS IN RETIRED PROPERTY

RESULT OF "YES" VOTE: "Yes" vote authorizes rates giving utilities return on undepreciated investments in certain retired utility property.

RESULT OF "NO" VOTE: "No" vote rejects authorizing rates giving utilities return on undepreciated investments in certain retired property.

SUMMARY: Current law prohibits public-utility rates derived from rate base that includes any property not presently used for providing service; Public Utility Commission may authorize rates that return to utilities amounts representing undepreciated investments in utility plants that have been retired for specified reasons. Measure authorizes Commission to allow public and telecommunications utilities to set rates at levels giving utilities return on their undepreciated investments in property retired from service (including Trojan) for specified reasons. Applies to property retired before, on, or after effective date.

ESTIMATE OF FINANCIAL IMPACT: There is no financial effect on state or local government expenditures or revenues.

TEXT OF MEASURE

AN ACT

Relating to recovery of investment in retired utility property; creating new provisions; and amending ORS 757.140 and 759.135.

Be It Enacted by the People of the State of Oregon:

SECTION 1. ORS 757.140 is amended to read:

757.140. (1) Every public utility shall carry a proper and adequate depreciation account. The Public Utility Commission shall ascertain and determine the proper and adequate rates of depreciation of the several classes of property of each public utility. The rates shall be such as will provide the amounts required over and above the expenses of maintenance, to keep such property in a state of efficiency corresponding to the progress of the industry. Each public utility shall conform its depreciation accounts to the rates so ascertained and determined by the commission. The commission may make changes in such rates of depreciation from time to time as the commission may find to be necessary.

(2) **Notwithstanding ORS 757.355**, in the following cases the commission may allow in rates, directly or indirectly, **the return of and a return on** amounts on the utility's books of account which the commission finds represent undepreciated investment in [a] utility [*plant, including that which*] **property that** has been retired from service:

(a) When the retirement is due to ordinary wear and tear, casualties, acts of God, acts of governmental authority; or

(b) When the commission finds that the retirement is in the public interest.

SECTION 2. ORS 759.135 is amended to read:

759.135. (1) Every telecommunications utility shall carry a proper and adequate depreciation account. The Public Utility Commission shall ascertain and determine the proper and

adequate rates of depreciation of the several classes of property of each telecommunications utility. The rates shall be such as will provide the amounts required over and above the expenses of maintenance, to keep such property in a state of efficiency corresponding to the progress of the industry. Each telecommunications utility shall conform its depreciation accounts to the rates so ascertained and determined by the commission. The commission may make changes in such rates of depreciation from time to time as the commission may find to be necessary.

(2) **Notwithstanding ORS 757.355**, in the following cases the commission may allow in rates, directly or indirectly, **the return of and a return on** amounts on the utility's books of account which the commission finds represent undepreciated investment in [a] utility [*plant, including that which*] **property that** has been retired from service:

(a) When the retirement is due to ordinary wear and tear, casualties, acts of God, acts of governmental authority; or

(b) When the commission finds that the retirement is in the public interest.

SECTION 3. The amendments to ORS 757.140 and 759.135 by sections 1 and 2 of this 1999 Act apply to public utility and telecommunications utility property retired from service before, on or after the effective date of this 1999 Act.

SECTION 4. The amendments to ORS 757.140 and 759.135 by sections 1 and 2 of this 1999 Act apply to orders of the Public Utility Commission entered before, on or after the effective date of this 1999 Act.

NOTE: **Boldfaced** type indicates new language; [*brackets and italic*] type indicates deletions or comments.

06

Measure No. 90

EXPLANATORY STATEMENT

Measure 90 would change Oregon law to allow regulated utilities (electric, phone, gas, water) to charge rates high enough to give the utilities profits on "retired" plants and property no longer providing service, including plants that have stopped working. The Measure is retroactive and would allow rates giving utilities profits on the Trojan nuclear plant, which shut down permanently in 1992.

Measure 90 would have these effects:

1. It would reinstate a 1995 order of the Oregon Public Utility Commission (Commission) giving Portland General Electric Co. (PGE) profits on the closed Trojan nuclear plant by allowing PGE to charge ratepayers approximately \$304 million for "return on investment" or profit on Trojan.
2. It would nullify the decision of the Oregon Court of Appeals that present law (enacted by voters by initiative in 1978) prohibits utilities from charging rates giving them profits for retired plants, including Trojan.
3. It would allow utilities to charge rates high enough to receive, at the same time, profits on retired plants and also profits on the plants the utilities build to replace them.

Measure 90 would apply to all public utilities regulated by the Oregon Commission.

Measure 90 seeks to bypass, as to retired plants, the existing statute, enacted by Oregon voters in 1978, which states:

No public utility shall, directly or indirectly, by any device, charge, demand, collect or receive from any customer rates which are derived from a rate base which includes within it any construction, building, installation or real or personal property not presently used for providing utility service to the customer.

Measure 90, however, would authorize the Oregon Commission to allow utilities to receive profits on plants, including those which have stopped working or are otherwise retired before the end of their expected lives.

Measure 90 is retroactive and would apply to all utility plants and property retired in the past. The Trojan nuclear plant was permanently closed in 1992, 19 years before the end of its expected life. In 1995, the Oregon Commission allowed PGE to charge ratepayers approximately \$304 million to give PGE stockholders a "return on investment" or profit on Trojan. (This assumes no future change to the rate of return the Oregon Commission approved for PGE.)

By the end of 1999, PGE ratepayers had paid approximately \$150 million to PGE for Trojan profits.

In 1998, the Oregon Court of Appeals reversed the 1995 Oregon Commission order, concluding that present law (the 1978 ballot measure) prohibits utilities from charging rates to receive profits on plants not providing service, including Trojan. While the Oregon Supreme Court was reviewing this decision, the 1999 Oregon Legislature passed HB 3220. PGE then asked the Supreme Court to reverse the earlier Court decision, on the basis of HB 3220. Oregon citizens then submitted 53,489 valid signatures to subject HB 3220 to a statewide referendum. Measure 90 is the referendum on HB 3220. Measure 90 is not an initiative.

Committee Members:

Bob Jenks
 Daniel W. Meek
 Jay Dudley*
 Representative Jim Hill*
 Charles Davis

Appointed by:

Chief Petitioners
 Chief Petitioners
 Secretary of State
 Secretary of State
 Secretary of State

*Member dissents (does not concur with explanatory statement)

(This committee was appointed to provide an impartial explanation of the ballot measure pursuant to ORS 251.215.)

90

Measure No. 90 Arguments

ARGUMENT IN FAVOR

Portland General Electric (PGE), the Citizens' Utility Board of Oregon (CUB) and the staff of the Oregon Public Utility Commission (OPUC) have resolved a major cost issue involving the retired Trojan plant. The plan, if approved by the Commission, will save PGE customers a \$10.2 million in the first year.

The agreement provides a way to take all of the remaining Trojan investment off the books, so that consumers will no longer pay for PGE's investment in Trojan through their monthly electric bills.

Trojan was closed in January 1993 for economic reasons. Although the plant is closed, a portion of customers' electric bills goes toward recovering PGE's initial investment in Trojan, and to paying a return on that investment – the "interest" customers pay on the amount remaining on PGE's books. The issue of return on investment became the center of the debate. It is pending in a court case and is affected by the November 2000 Ballot Measure 90.

The new agreement addresses the issue by retiring the investment and ending the return on investment.

To retire this investment, PGE would apply amounts it has on its books as credits to customers over time, plus a substantial contribution from its shareholders, to the remaining Trojan balance. PGE's credits to customers include settlements of contracts with other utilities and benefits from the 1997 merger with Enron. Ongoing decommissioning costs at Trojan are not affected by the agreement.

Ballot Measure 90 will remain on the November ballot but has less significance with the Trojan investment removed from prices.

(This information furnished by Cindy M. Finlayson, Portland General Electric.)

(This space purchased for \$500 in accordance with ORS 251.255.)

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ARGUMENT IN OPPOSITION

AARP URGES OREGONIANS TO VOTE "NO" ON MEASURE 90

MEASURE 90 IS UNFAIR TO OREGONIANS

In 1978, Oregon voters passed a ballot initiative to prohibit utility companies from charging customers for facilities that are not presently being used to provide service to customers. Measure 90 seeks to overturn the established position of Oregon voters. If enacted, Measure 90 would allow a utility to impose charges on customers for facilities that have been shut down and are no longer being used to provide service.

MEASURE 90 WILL RAISE ELECTRICITY RATES

Measure 90 will allow Portland General Electric (PGE) to recover **\$304 million** in profits on the Trojan nuclear plant which is no longer in operation. PGE closed the plant in January, 1993. The company then asked the Oregon Public Utility Commission (PUC) to allow it to continue to charge customers for Trojan's expenses and the profits it would have earned had the plant continued to operate. The PUC granted PGE's request.

MEASURE 90 OVERTURNS SUCCESSFUL COURT CHALLENGES

The PUC's decision was successfully challenged in district court and the court of appeals. Both the Marion County Circuit Court and the Oregon Court of Appeals upheld the position of Oregon voters. Nevertheless, in the spring of 1999, PGE decided to side-step Oregonians and persuaded the legislature to validate the company's previous request. In so doing, the legislature passed House Bill 3220 (now known as Measure 90) which legalized the Trojan profits.

A law already exists in the state which allows utility companies, like PGE, to recover certain costs related to shutting down utility plants. This is not at issue. What is at issue is Measure 90 which will allow any utility company to raise rates and collect ongoing profits on a facility which has been closed and is no longer providing service to customers.

OREGON VOTERS MUST SEND A MESSAGE TO THE LEGISLATURE

BY VOTING "NO" ON MEASURE 90

(This information furnished by Lois Smith, AARP Advocacy Representative, AARP Oregon.)

(This space purchased for \$500 in accordance with ORS 251.255.)

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Measure No. 90 Arguments

ARGUMENT IN OPPOSITION

**You didn't build it! You didn't break it!
You shouldn't have to pay for it!**

- In 1978, Oregonians overwhelmingly passed a statutory initiative prohibiting electric and telephone utilities from charging ratepayers for utility plant or equipment not providing service to customers. **Measure 90 repeals this law and allows private utility rates to include profits on retired utility property not providing service.**

Vote No on 90

- Oregon state courts have interpreted the 1978 statutory initiative as prohibiting private utility rates that include a "return on" or profit on plants or equipment not providing service. **Measure 90 would overturn these state court decisions and allow Enron/PGE to collect from ratepayers \$304 million in profit on the abandoned Trojan Nuclear Plant.**

Vote No on 90

- **Measure 90 would apply retroactively to all retired utility property. It would enable the Public Utility Commission to reward electric and telephone utilities for failure by forcing ratepayers to pay for utility property no longer in service, just like Trojan.**

Vote No on 90

- When stockholders invest in utility common stock, they elect management and share in the rewards of good decision making and the costs of bad decision making. That's the way it's supposed to be. **Measure 90 turns this on its head by forcing utility ratepayers to pay for mismanagement while rewarding stockholders for failure. Measure 90 forces ratepayers to become stockholders against their will.**

Vote No on 90

- For far too long electric utilities have had their way with the Legislature and the Public Utility Commission. Again and again, public interest groups have had to turn to the courts and Oregon's initiative and the referendum process to protect ratepayers. **The buck stops with you! The bottom line is simple: You didn't build it! You didn't break it! You shouldn't have to pay for it!**

Just say NO on 90

Don't Waste Oregon
<http://www.teleport.com/~dwoc>

Lloyd Marbet
Candidate for Secretary of State
www.marbet.org
(503) 637-3549

(This information furnished by Lloyd Marbet, Don't Waste Oregon.)

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ARGUMENT IN OPPOSITION

VOTE NO ON 90

In 1978 over 60% of Oregon voters enacted Ballot Measure 9, preventing private utilities from charging ratepayers for utility plant which does not provide service.

Unfortunately 22 years later, voters of Oregon have to protect themselves all over again because the state legislature and our Governor decided that its more important to enrich stockholders than protect you.

In the last legislative session, Measure 90 was passed, and signed into law by Governor Kitzhaber, so Portland General Electric could charge ratepayers, out to the year 2011, \$304,000,000 in profits for the dead Trojan Nuclear Plant. This is in addition to ratepayers paying for Trojan's decommissioning, clean up and replacement power costs.

If that's not bad enough, Measure 90 sends a message to all privately run electric and telephone utilities in Oregon that they too won't have to worry about being financially accountable for mismanagement. They too can be rewarded for failure!

No one asked you whether you wanted to build, operate and decommission the Trojan Nuclear Plant. Those decisions were made by PGE's management. In the private sector, if a corporation screws up, shareholders are supposed to bear the cost, not its customers. **Measure 90 is the goose which lays the golden egg, for it not only does it reward PGE for failure by bailing out its shareholders but it makes them rich at your expense!**

Measure 90 opens a pandora's box. Utilities will no longer have to be concerned about whether an asset provides service, as ratepayers will get to pay for it regardless of whether it works or not; and the corporate icing on the cake is that ratepayers get no voice in decision making at all.

Rewarding utility shareholders for bad decision making is bad for the ratepayers. If you didn't build it - you didn't break it, - you shouldn't have to pay for it.

Just say NO on 90!

(This information furnished by Andrew V. Reid.)

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Measure No. 90 Arguments

ARGUMENT IN OPPOSITION

RALPH NADER URGES "NO" ON 90

The \$304 Million Trojan Nuclear Ripoff Continues the Cheating of Utility Ratepayers

Measure 90 is a fraud on Oregon ratepayers, sponsored by the Oregon Legislature. Its immediate effect will be to charge ratepayers \$304 million to give profits to Portland General Electric Co. (PGE) stockholders for the abandoned Trojan nuclear plant, which broke down in 1992.

The Explanatory Statement adopted by the impartial committee appointed by the Oregon Secretary of State, states:

"Measure 90 would change Oregon law to allow regulated utilities (electric, phone, gas, water) to charge rates high enough to give the utilities profits on "retired" plants and property no longer providing service, including plants that have stopped working. The Measure is retroactive and would allow rates giving utilities profits on the Trojan nuclear plant, which shut down permanently in 1992.

Measure 90 would have these effects:

1. It would reinstate a 1995 order of the Oregon Public Utility Commission (PUC) giving Portland General Electric Co. (PGE) profits on the closed Trojan nuclear plant by allowing PGE to charge ratepayers approximately \$304 million for "return on investment" or profit on Trojan.
2. It would nullify the decision of the Oregon Court of Appeals that present law (enacted by voters by initiative in 1978) prohibits utilities from charging rates giving them profits for retired plants, including Trojan.
3. It would allow utilities to charge rates high enough to receive, at the same time, profits on retired plants and also profits on the plants built to replace them."

The way for a utility to maximize profits under Measure 90 is to build plants that break, then replace them with more plants that break. This is not free enterprise. This is welfare for monopoly corporations, paid for in your utility bills.

Ralph Nader and the Pacific Green Party say:

VOTE "NO" ON 90

(This information furnished by Daniel Meek, Utility Reform Project (www.utilityreform.com).)

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ARGUMENT IN OPPOSITION

UTILITY REFORM PROJECT

LLOYD MARBET and DAN MEEK

say

"NO" ON 90

Don't be fooled by the alleged "settlement" on Trojan profits trumpeted by PGE and the newspapers.

**We are full parties in the lawsuits.
We did not settle anything!**

We are fighting the \$304 Million Trojan Ripoff!

Measure 90 is the Legislature's billion dollar gift to the utilities, bought with nearly \$1 million in utility campaign contributions to legislative candidates in 1998.

A 69-31% statewide vote in 1978 adopted an initiative (Measure 9) that prohibited utilities from charging ratepayers for plants that do not work. Measure 90 destroys that initiative.

The Explanatory Statement, adopted by the impartial committee appointed by the Oregon Secretary of State, explains:

In 1995, the Oregon PUC allowed PGE to charge ratepayers approximately \$304 million to give PGE stockholders a 'return on investment' or profit on Trojan."

and

"In 1998, the Oregon Court of Appeals reversed the 1995 PUC order, concluding that present law (the 1978 ballot measure) prohibits utilities from charging rates to receive profits on plants not providing service, including Trojan."

We won in the courts, upholding the 1978 initiative. So the utilities pulled out their wallets, bought their candidates, and had the Legislature pass HB 3220 to:

- destroy the 1978 initiative
- allow PGE to charge ratepayers an additional \$304 million for profits on the Trojan nuclear plant
- allow other electric, gas, phone, and water utilities to charge ratepayers for profits on plants that don't work.

We, OSPIRG, and the Citizens Utility Board (CUB) then collected over 53,000 valid signatures to put this to the voters.

On August 24, PGE and CUB announced a "settlement" of the Trojan case, which would allow PGE to keep \$240 million in Trojan profits it has already collected (which includes interest) and to continue charging ratepayers for Trojan in the future. We did not agree to this.

Don't be fooled by the press coverage.

More Information:

www.voters.net
www.marbet.org

Contacts:

dan@meek.net
marbet@mail.com

(This information furnished by Daniel Meek, Utility Reform Project (www.utilityreform.com).)

(This space purchased for \$500 in accordance with ORS 251.255.)

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Measure No. 90 Arguments

ARGUMENT IN OPPOSITION

CIVIC GROUPS URGE OREGONIANS TO VOTE NO ON MEASURE 90

The 1999 legislature made a big mistake passing HB 3220. The bill, pushed by Portland General Electric (PGE), allowed the utility to charge \$304 million in profits on the closed Trojan nuclear plant. HB 3220 was passed despite a voter-approved law prohibiting utilities from charging for facilities not providing service. Over 2,000 volunteers collected signatures to refer the bill to the ballot as Measure 90 to stop it from becoming law.

MEASURE 90 IS UNFAIR

The legislature passed HB 3220 to short-circuit the courts. After Trojan closed, the Public Utility Commission (PUC) decided that PGE could charge profits it would have earned had the plant remained open. The Citizens' Utility Board, the Utility Reform Project and Lloyd Marbet sued, arguing the decision was not lawful. The Oregon Circuit Court and the Oregon Court of Appeals agreed. But PGE got the legislature to pass HB 3220, retroactively giving the PUC authority the courts said it did not have. It's not fair for the legislature to pass a retroactive law to benefit special interests.

MEASURE 90 IS UNNECESSARY

After consumers won in court, PGE was purchased - twice. Enron and Sierra Pacific both bought PGE knowing that, under current interpretation of state law, they cannot earn a profit on Trojan.

MEASURE 90 IS UNFRIENDLY TO CONSUMERS

If HB 3220 becomes law, every utility will have a perverse incentive to make bad investments knowing they will be able to collect profits anyway. Utilities should not be able to charge to collect profits on bad investments.

VOTE NO ON MEASURE 90.

- ALLIANCE FOR DEMOCRACY, PORTLAND
- CITIZENS' UTILITY BOARD OF OREGON
- DON'T WASTE OREGON CAUCUS
- ECUMENICAL MINISTRIES OF OREGON
- GRAY PANTHERS, PORTLAND
- OREGON AARP
- OREGON COMMON CAUSE
- OREGON CONSUMERS LEAGUE
- OREGON LEAGUE OF CONSERVATION VOTERS
- OREGON PEACEWORKS
- OREGON STATE COUNCIL OF SENIOR CITIZENS
- OREGON STATE PUBLIC INTEREST RESEARCH GROUP
- PACIFIC GREEN PARTY
- UNITED SENIORS OF OREGON
- UTILITY REFORM PROJECT

(This information furnished by Jeff Bissonnette, No on 90 Committee.)

ARGUMENT IN OPPOSITION

PROTECT CONSUMERS VOTE NO ON MEASURE 90

In 1995, the PUC approved allowing PGE to charge customers millions of dollars in profits on the closed Trojan nuclear power plant. The Citizens' Utility Board (CUB), a non-profit organization supported by thousands of ratepayers, opposed that decision. We believed a 1978 ballot measure prevented utilities from earning profits on plants not producing electricity.

We exercised our rights. We sued. Oregon citizens have the right to challenge decisions by state agencies that are not consistent with the law.

We won -- first in Oregon Circuit Court and then in the Oregon Court of Appeals. The courts ruled that the PUC did not have the authority to allow Trojan profits after the plant closed.

PGE went to the legislature and changed the law -- retroactively. PGE lobbied the 1999 legislature to pass a bill that gave the 1995 PUC the authority to allow Trojan profits. We were surprised. We did not know that the 1999 legislature could change the authority of a state agency in 1995. We always thought that government agencies had to comply with the law as written when they make a decision.

More than 2000 volunteers stopped that law from going into effect and referred it to voters as Measure 90. This gives Oregonians a chance to say no to retroactive lawmaking.

Recently CUB settled our lawsuit with PGE. If the PUC approves, customers will see rates decrease by \$10.2 million this year. If the 1999 legislation had become law, we would have had no court case to settle and rates would be higher.

A separate lawsuit challenging Trojan profits, but not involving CUB, has not been settled. The citizens behind it deserve their day in court. Measure 90 would take it away.

JOIN CUB AND VOTE NO ON 90!

(This information furnished by Bob Jenks, Citizens' Utility Board of Oregon.)

(This space purchased for \$500 in accordance with ORS 251.255.)

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Measure No. 91

Proposed by initiative petition to be voted on at the General Election, November 7, 2000.

BALLOT TITLE

91 AMENDS CONSTITUTION: MAKES FEDERAL INCOME TAXES FULLY DEDUCTIBLE ON OREGON TAX RETURNS

RESULT OF "YES" VOTE: "Yes" vote makes federal income taxes fully deductible on Oregon personal, corporate income tax returns.

RESULT OF "NO" VOTE: "No" vote retains current system limiting federal income tax deduction on Oregon income tax returns.

SUMMARY: Amends Constitution. Under current Oregon law, personal income tax payers, including individuals, may deduct money paid in federal income tax; deduction generally limited to \$3000. Currently, corporations paying Oregon income tax get no deduction for federal income tax. Measure makes all federal income tax paid by personal and corporate income taxpayers a deduction on the taxpayers' Oregon income tax returns. Applies only to federal income taxes on income subject to Oregon taxation. Measure effective in tax years starting on or after January 1, 2000.

ESTIMATE OF FINANCIAL IMPACT: It is unclear when this measure would take effect. If the measure applies to the 2000 tax year, state revenues will be reduced by approximately \$870 million in fiscal year 2000-01 (the second half of the current budget period).

It is unclear whether this measure applies to corporate excise taxpayers. If it does, state revenues will be reduced by an additional \$66 million for 2000-01 (the second half of the current budget period).

State revenues will be reduced \$800 million to \$1 billion per year beginning in 2001-02, depending upon growth in personal income and federal tax liability, and whether the measure applies to corporate excise taxpayers.

The measure may result in a reduction of state-shared revenues to local governments.

TEXT OF MEASURE

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OREGON:

Section 1. No Oregon taxpayer shall be required to pay to the state, a local government, or other taxing district, income taxes on money paid to the federal government as federal income taxes. All federal income taxes paid against a taxpayer's federal income tax obligation for tax years beginning on or after January 1, 2000, shall be fully deductible against income on the taxpayer's Oregon income tax return for the year in which the taxes were paid. This section applies only to federal income taxes on income subject to tax in Oregon.

Section 2. This Act supersedes any Oregon law with which it conflicts.

Section 3. If any phrase, clause, or part of this Act is determined to be invalid by a court of competent jurisdiction, the remaining phrases, clauses and parts shall remain in full force and effect.

EXPLANATORY STATEMENT

This measure amends the Oregon Constitution to remove from statute the limitation on the amount of federal taxes that individual income taxpayers can deduct in computing Oregon taxable income and to allow corporate income taxpayers to deduct federal taxes in computing Oregon taxable income.

Under current statutory law, Oregon personal income taxpayers, including individuals, may deduct up to \$3,000 of their federal income tax liability on their state income tax return. A deduction is not allowed for any amount of federal income taxes that is in excess of \$3,000. Oregon corporate income taxpayers are not currently allowed to deduct any amount of their federal income taxes from Oregon taxable income.

This measure would allow a personal income taxpayer or a corporate income taxpayer to deduct from Oregon taxable income the entire amount of federal income taxes the taxpayer has paid on income subject to Oregon income tax. This measure also would prohibit local governments or other taxing districts from requiring Oregon taxpayers to pay income taxes on federal income tax payments.

This measure would apply to tax years beginning on or after January 1, 2000.

Committee Members:

- Becky Miller
- Bill Sizemore
- Senator Verne Duncan*
- Representative Jeff Merkley*
- Fred Miller

Appointed by:

- Chief Petitioners
- Chief Petitioners
- Secretary of State
- Secretary of State
- Members of the Committee

*Member dissents (does not concur with explanatory statement)

(This committee was appointed to provide an impartial explanation of the ballot measure pursuant to ORS 251.215.)

91

Measure No. 91 Arguments

ARGUMENT IN FAVOR

Four compelling reasons why common sense Oregonians should vote "YES" on Measure 91

1) Double taxation is wrong. Plain and simple. **No one should be forced to pay income taxes on their income taxes.** Currently, Oregon taxpayers can only deduct \$3,000 of their federal income taxes on their state tax returns. Everything over \$3,000 is double taxed by the state of Oregon. Even the federal government does not levy income taxes on our income taxes, but allows us to deduct all our state income taxes on our federal tax returns. The Oregon legislature, however, raises hundreds of millions of dollars every year double taxing our incomes.

2) The timing of Measure 91 is perfect. For the last decade, state spending has been growing at about four times the rate of inflation. State spending is growing much faster than our incomes. **In fact the current budget grew so much this cycle that, if Measure 91 passes, the state budget for this biennium will still be hundreds of millions of dollars greater than the last budget.** Measure 91 would not actually reduce state spending, but only slow the rate at which it is growing.

3) Oregonians have already voted on this issue three times. Each time, voters voted overwhelmingly to make federal income taxes fully deductible on their state income tax returns. So why is there currently a \$3,000 cap? Because the state legislature decided to overrule the voters and impose a cap anyway because they wanted to increase state revenue. **In fact, the legislature imposed the cap only a few months after the people last voted not to have a cap.** Measure 91 sends a clear message to the state legislature. Don't ignore the clearly expressed will of the people! It places a prohibition against double taxation in the state Constitution where the legislature can't overrule the will of the people.

Don't be fooled by the other side's scare tactics.

Vote "YES" on Measure 91.

(This information furnished by Bill Sizemore.)

(This space purchased for \$500 in accordance with ORS 251.255.)

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ARGUMENT IN FAVOR

CONGRATULATIONS! YOU'RE RICH!

If you're like most working and retired Oregonians, the news that you're rich may come as quite a surprise. Looking at your bank account, you probably had no idea that you are one of those "rich" people, who will benefit from Measure 91.

How do Measure 91's opponents justify calling so many everyday people rich? Easy. They call pretty much everybody with a paycheck "rich." Truth is, hundreds of thousands of individuals and couples with taxable incomes exceeding \$20,000 will receive a tax break under Measure 91. Since when does a \$21,000 taxable income make you rich?

IT'S EASY TO CALCULATE HOW MUCH YOU'LL SAVE

Opponents are saying that the Measure 91 tax break will be tiny. See for yourself. Total the amount of federal income taxes you and, if applicable, your spouse pay. Your savings under Measure 91 equals nine percent of all your federal income taxes above the \$3,000 you can currently deduct. Do the math and you'll see. Double taxation is taking quite a bite out of your income, isn't it?

THE POLITICS OF ENVY

Tax and spenders decided they needed a new strategy for fighting tax cutting measures. Voters are no longer fooled by the old "sky is falling" rhetoric of the past. Fear isn't working anymore, so they are trying envy.

The goal of this new "envy strategy" is to pit groups of taxpayers against each other - to persuade each voter to reject his or her own tax cut because someone else, who is paying more taxes, might get a larger tax break.

Don't be fooled. At a time when the state has more money than at any time in our history, and can easily afford a tax cut, Measure 91 will permanently remove the artificial limit the legislature has placed on the deductibility of federal income taxes, and end the evil of double taxation. And you don't have to be rich to benefit from that.

(This information furnished by Tony Nathalia.)

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Measure No. 91 Arguments

ARGUMENT IN FAVOR

MEASURE 91 IS NOT RETROACTIVE

Opponents of Measure 91 are saying that ending double taxation is a good idea, but doing it retroactively will be too tough for the state to handle.

However, Measure 91 is not retroactive.

In February of this year, the U.S. Supreme Court officially decided that federal income taxes are considered "paid" on the due date of the tax return for that year. Regardless of when the tax was withheld from your paycheck, or when you sent in your estimated tax payment to the IRS, it is not considered "paid" until the due date of the return.

Measure 91 says that you may deduct all of your federal income taxes on your state income tax return. **This deduction may be taken for the year in which the taxes were paid.**

So, if you pay taxes through withholding, your 2000 taxes will be considered "paid" on April 15, 2001. You will have "paid" them in 2001. You will, then, under Measure 91, be able to deduct those taxes for the year in which they were paid, which was 2001. You will deduct them on your 2001 tax return when it is due on April 15, 2002.

Had the Supreme Court not officially stated that taxes were "paid" on the date they are due, Measure 91 would still not be retroactive because tax returns for the year 2000 aren't even due until five months after the election.

On your 2000 state tax return, you will be able to deduct up to \$3,000 of your federal taxes, as the law currently allows. Under Measure 91, federal income taxes for the year 2000 will be fully deductible on your 2001 tax return.

(This information furnished by Becky Miller, Oregon Taxpayers United.)

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ARGUMENT IN FAVOR

MEASURE 91 DOES NOT ELIMINATE THE KICKER

Opponents of Measure 91 have falsely claimed that the measure would eliminate the kicker, the income tax refund taxpayers receive if state income tax revenue exceeds projections. Their claims are on one hand laughable, and on the other hand patently false.

If Measure 91 affects the kicker at all, it would only be because taxpayers would receive, instead of the kicker, an income tax break about four times as large as the kicker.

That's why claiming that Measure 91 would eliminate the kicker is laughable. Opponents of Measure 91 are really saying: Taxpayers won't receive the kicker income tax cut because they will receive instead a tax cut four times as big as the kicker. The question is, therefore, this year do taxpayers want the kicker or a tax break four times as large as the kicker?

In subsequent years, Measure 91 would not affect the kicker at all. Here's why: Projections of revenue coming into the state are calculated based on a set of economic assumptions. If Measure 91 passes, its requirement that federal income taxes be fully deductible for all Oregon taxpayers would simply be one of those assumptions. Therefore, the kicker would be triggered in future years just like it currently is.

The hypocritical thing about claims that Measure 91 will eliminate the kicker is that they are primarily coming from those groups that lobby hardest for the legislature to not return the kicker to the taxpayers, but to keep it and spend it.

Don't be fooled. Claims that Measure 91 will eliminate the kicker are designed to scare uninformed voters. The kicker will not go away if Measure 91 passes. In fact, the sponsors of Measure 91 have worked hard to insure that kicker refunds are always returned to the taxpayers.

If Measure 91 passes, federal income taxes will be fully deductible and the kicker will remain in place for future years!

(This information furnished by Leesa Beaudoin.)

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Measure No. 91 Arguments

ARGUMENT IN FAVOR

WHOSE AGAINST MEASURE 91?

When sorting through all that campaign literature and evaluating all those TV and radio ads, sometimes it's helpful to consider the source of the information. Sometimes, it's quite revealing to discover whose paying for all those very expensive ads.

Measure 91 is no exception. A lot of money is being spent to persuade Oregonians that they should continue to allow the state legislature to double tax their incomes. Where's that money coming from?

Here's your answer: **Public employee unions, government regulated utilities, and very large corporations are all throwing big money into the anti-Measure 91 pot.**

Predictably, the public employee unions are major opponents of Measure 91. Public employee unions have a vested interest in higher taxes. The more taxes everyone else pays, the more money they have to divide among their members.

PGE also donated big bucks to the campaign to defeat Measure 91. PGE is a government regulated utility, and therefore must be very careful to not tick off the government. **PGE management routinely joins the big government coalition to oppose tax cuts for PGE customers.** It's not like you're going to get mad and buy your electricity somewhere else.

Huge corporations like INTEL have donated tens of thousands of dollars to the campaign opposing Measure 91. Yes, this is the same INTEL that demanded a huge tax break for itself, tens of millions of dollars, in fact, to build a plant here in Oregon. INTEL has quite the gall. **INTEL demands a huge multi-million dollar corporate tax break for itself, then opposes a tax break for everyday working Oregonians.**

It's interesting to note that very few individuals and very few small businesses contributed money to the campaign against Measure 91. Mostly public employee unions and large corporations.

On the other hand, thousands of everyday people and small businesses contributed money to the campaign to pass Measure 91 and end double taxation. Makes you wonder, doesn't it?

(This information furnished by Mary Nathalia.)

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ARGUMENT IN FAVOR

“And he will take the tenth of your seed, and of your vineyards, and give to his officers, and to his servants...And you shall cry out in that day because of your king which you shall have chosen you; and the LORD will not hear you in that day.” (1 Sam. 8:15-18)

Since the federal income tax was initiated in 1913, the percentage of our income that goes to taxes has gone from roughly 10 percent (which it was for decades) to around 45 or 50 percent. Some of this increase seems justified by the increase in population density, and resultant increased administration costs of urban areas. But most of this increase is because civil government now performs many functions once delegated to families, local communities, churches, and voluntary associations.

The Bible is the standard by which all men's actions must be properly evaluated and governed. This standard tells us that civil government's job is to restrain certain sins by punishing evildoers (Rom. 13:4) and to praise the righteous (2 Pet. 2:14). Some taxation is necessary for the various layers of civil government to do these jobs. But the Bible describes a government that takes more than 10% of the people's income in taxation as oppressive and tyrannical (see above quote).

Two things will happen as taxes are lowered. First, the population will have more money to do the tasks it should not have given over to the State. These tasks include most education, health care and welfare. Second, the State will no longer be able to afford to do those tasks. It's a win-win scenario, and that's why we support Measure 91.

A man once said that giving money and power to politicians is like giving whiskey and car keys to teenage boys. Its time to put these boys on the wagon.

Prepared by the **Parents** Education Association, a family-based, Biblical alternative to the National Education Association.

(This information furnished by Dennis R. Tuuri, Parents Education Association.)

(This space purchased for \$500 in accordance with ORS 251.255.)

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Measure No. 91 Arguments

ARGUMENT IN OPPOSITION

VOTE NO ON MEASURE 91!

According to Measure 91's Fiscal Impact Statement....

"The measure may result in a reduction of state-shared revenues to local governments."

WHAT FUNDS MAY BE LOST?

- **RURAL FIRE PROTECTION & EMERGENCY MEDICAL SERVICE** providers are currently eligible to receive state grants for the purchase of emergency medical equipment such as Jaws of Life, ambulances, defibrillators and training for emergency services personnel.
- **9-1-1 EMERGENCY COMMUNICATIONS** currently receive state funds to ensure the operation of a statewide 9-1-1 system. Statewide 56 primary public safety answering points rely on this state funding to provide 9-1-1 service.
- **RURAL HEALTH DISTRICTS** that operate hospitals in rural communities currently receive state cost based reimbursement for Medicaid clients.
- **TRANSPORTATION FOR SENIORS AND PERSONS WITH DISABILITIES** to medical appointments and grocery stores.
- **LIBRARIES** currently receive state grants to establish, develop or improve public library services for children; 117 out of 124 libraries applied for grants in 1999-2000, and 109 grants were awarded.
- **WATER & SEWER** providers currently receive state grants to construct public infrastructure such as water treatment, storage and distribution, and wastewater collection.

DON'T TAKE THE RISK THAT STATE BUDGET CUTS WON'T TRICKLE DOWN TO LOCAL GOVERNMENT PROGRAMS!

VOTE NO ON MEASURE 91!

(This information furnished by Greg Baker, Executive Director, Special Districts Association of Oregon.)

(This space purchased for \$500 in accordance with ORS 251.255.)

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ARGUMENT IN OPPOSITION

At our clinic we take care of over 8000 patients, nearly 6000 of whom have no health insurance. Many of the other 2000 patients are covered by the Oregon Health Plan. We are one of ten so-called "safety net clinics" in Oregon (technically "Federally Qualified Community Health Centers"). These clinics do their very best to stay in business and thereby serve many of the roughly 400,000 Oregonians who have NO coverage. **WE ARE NOT A FREE CLINIC.** Every patient is expected to pay what they can, and our patient revenue is a substantial part of our over-all budget.

But without public funding we would not be able to help the folks, mostly women and children, who have the most need.

Those public dollars include federal and state health care funds. A significant portion of the federal funding depends on matching state dollars, usually one state dollar for three federal dollars.

My concern is that if Oregon voters pass Measure 91, a considerable amount of our funding will be lost including substantial federal matching dollars. Since our clinic has already stretched private funding sources, where do we go to continue operating? What kind of cutbacks will we face? Do we discontinue prenatal care? Do we drop our diabetes treatment program? Do we just close the doors earlier each day? **One sure thing**, those cutbacks will be substantial. And that will happen at the very time when health care costs are again going up dramatically!

Please consider all the ramifications of this measure when you vote.

Marcus Simantel, Board Chair
Virginia Garcia Memorial Health Center, Cornelius, OR

(This information furnished by Marcus Simantel, Virginia Garcia Memorial Health Center.)

(This space purchased for \$500 in accordance with ORS 251.255.)

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Measure No. 91 Arguments

ARGUMENT IN OPPOSITION

**Associated Oregon Industries,
representing 19,000 businesses, urges a
NO vote on Ballot Measure 91.**

Associated Oregon Industries has lived by a set of Guiding Principles for nearly one hundred and six years. One of these Principles is:

“To promote the health of Oregon’s economy and business community by keeping taxes low and simple.”

We believe that people work harder and invest more when they can retain a larger portion of what they earn. We believe government should promote work; savings and private investment; and stable, sensible policies to facilitate the efficient exchange of goods and services.

Knowing this one might ask why we oppose Measure 91. The answer is easy. This measure, while appealing, goes too far.

Here’s why:

- We believe the 18% cut in programs such as K-12, higher education and the Oregon Health Plan will damage Oregon’s economy.
- We believe the elimination of \$1.5 billion from the State’s General Fund will destabilize the State and damage the quality of life we enjoy.
- We believe the fiscal uncertainty and economic instability created by this measure is poor tax policy.
- We believe Measure 91 will make it more difficult for entrepreneurs to take risks and create jobs and wealth.

Measure 91 may be appealing. But it goes too far.

Good tax policy promotes balance between livability and livelihood.

Say NO to economic instability.

Say NO to fiscal uncertainty.

Say NO to Measure 91!

(This information furnished by Richard M. Butrick, Associated Oregon Industries.)

(This space purchased for \$500 in accordance with ORS 251.255.)

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ARGUMENT IN OPPOSITION

Dear Friend,

As members of the Explanatory Statement Committee for Measure 91, we cast dissenting votes against the statement selected for the Voter’s Pamphlet because the facts you need to know were excluded.

These facts include the following:

- **New Corporate Deduction:** the measure creates a new deduction for corporations that reduces corporate income tax by a third;
- **Retroactive:** the measure is designed to be retroactive, requiring dramatic service cuts over a few months to balance 18 months of revenue cuts;
- **Regressive:** the measure makes Oregon’s tax system more regressive: a family of four earning \$50,000 saves 18 cents a day; a similar family earning \$200,000 saves \$10.47 a day. Also, in the first year families earning \$50,000 or less actually pay higher taxes because they lose the “kicker” refund. (Source: *The Oregonian*).
- **Uncle Sam gains at Oregon’s expense:** Because Oregon taxes are deductible on a federal return, Oregonians will pay more in federal taxes under this measure.
- **Oregon is already a low-tax state:** It surprised us and might surprise you to learn that Oregon’s per capita state tax burden (from all sources) is one of the lowest in the country and is lower than in adjoining states. Oregon ranks 38th, Washington 8th, California 9th, and Idaho 24th. (Source: the nonpartisan, nonprofit Tax Foundation)
- **Huge Service Cuts:** This measure cuts about a billion dollars per year from the State’s General Fund. This necessitates huge cuts in K-12 education, health care, transportation and public safety programs that comprise the bulk of the General Fund. With this measure, the state’s per capita revenue would drop to 48th in the nation, down in the ditch with low-service states like Louisiana, Texas, South Dakota, and New Hampshire.

If you, like us, value a state with quality public schools, parks, good roads and safe communities, please join us to defeat this measure.

Sincerely,

Representative Jeff Merkley and Senator Verne Duncan

Vote “No” on Measure 91

(This information furnished by Sen. Verne Duncan, Rep. Jeff Merkley.)

(This space purchased for \$500 in accordance with ORS 251.255.)

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Measure No. 91 Arguments

ARGUMENT IN OPPOSITION

Measure 91 is a Threat to Oregon's Public Higher Education

The signers of this statement are teachers in the Oregon University System. We work hard to help Oregonians to a future that is richer culturally and economically and that contributes to the well-being of all Oregonians.

For the past twenty years, our work has been made harder - first by recession and then by tax-cut measures.

- Students and their families have had to pay much higher tuition, so that access to higher education has been made more difficult for working- and middle-class families.
- Low salaries have made it harder to attract and retain the best scholars and teachers.
- Buildings and facilities have deteriorated because of a lack of money to maintain them.

At last, in 1999, the Legislature passed and the Governor approved a budget to repair the damage of Measures 5 and 47. However, Measure 91 threatens to damage Oregon's public universities far beyond anything we have seen before.

Access to higher education is critical to Oregon and its citizens. Higher education is vital to the state's economy. Although Oregonians spend less through taxes on public higher education than the citizens of eight out of ten states do, Oregonians have inherited a system well worth preserving and developing. But that will not be possible if Measure 91 passes.

In the interests of the future of the state, we urge a NO vote on Measure 91.

- Colleen F. Johnson, Professor of Economics, Eastern Oregon University*
- Maureen Sevigny, Associate Professor of Management, Oregon Institute of Technology*
- Ann B. Tedards, Associate Professor of Music, the University of Oregon*
- Gary H. Tiedeman, Professor of Sociology, Oregon State University,* President, Interinstitutional Faculty Senate*
- Robert S. Turner, Associate Professor of Biology, Western Oregon University*
- Craig Wollner, Professor of Social Science, Portland State University*

*Institutions are named for identification purposes only and do not represent positions on the measure by the institutions. This statement was paid for by the signers.

(This information furnished by Colleen F. Johnson, Maureen Sevigny, Gary H. Tiedeman, Ann B. Tedards, Associate Professor of Music, University of Oregon, Robert S. Turner, Jr., Craig Wollner, Professor, Social Science; Professors United to Save Higher Education.)

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ARGUMENT IN OPPOSITION

The Coalition of Oregon Adoption Agencies (COAA) is comprised of 24 licensed adoption agencies, many of whom assist in the placement of Oregon's special needs children. COAA is extremely concerned that if Measure 91 passes there would be devastating effects for Oregon's children. Presently there are more children in the foster care and adoption systems than current funding can adequately serve. There are 6500 children in foster care on any given day in Oregon. This measure would severely cut crucial funding for caseworkers resulting in children languishing in foster care rather than finding permanent homes. Abused and neglected children must go through the court system before they can safely return home or move onto another family.

Research shows that children have a better chance of succeeding and avoiding the juvenile or mental health systems when they are expediently placed into a loving, permanent home. Last year 922 Special Needs children were placed into adoptive homes. It is well known that preventative services cost taxpayers less in the long run. This process of insuring children's safety requires many resources, including expertise, time and money.

Another area impacted by Measure 91 is services for foster and adoptive families. With the increasing number of children in foster care, Oregon must consider foster and adoptive families as precious resources. In order for an adoptive placement to be successful, families require education, training, support and supervision. With decreased funding, these services will be significantly reduced. The result will be fewer families, less-prepared families, and more failed adoptions. Oregon families wanting to become foster or adoptive parents will endure delays and increased frustrations in trying to achieve the goal of bringing children into their home. Ultimately this further hurts Oregon's children.

- Oregon's foster and adoptive families need our continued support.
- Oregon's abused and neglected children have suffered enough, let's not let them down. They deserve the best we can offer.
- Measure 91 Hurts Children...please Vote NO!

(This information furnished by Kathie Stocker, Co-President, Coalition of Oregon Adoption Agencies (COAA).)

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Measure No. 91 Arguments

ARGUMENT IN OPPOSITION

Commissioner Sorenson Urges a No Vote on Measure #91

Dear Oregon Voter,

My name is Peter Sorenson and I live in Eugene. I'm an elected Lane County Commissioner and former elected Oregon State Senator. I also served as an elected volunteer board member and Chair of the Board of Education at Lane Community College. My two children attend Eugene public schools.

When I was in the Legislature, I served on the Education Committee, which has jurisdiction over schools, colleges and universities.

Measure 91 would be a wrecking ball on Oregon's public schools.

This proposal would shift dollars from Salem to Washington DC.

For individuals who itemize their deductions, any increased state income tax refund which might result from Measure 91 may be taxable as income for federal taxes. As a result, our investment in government would move away from Oregon. This would devastate schools and do nothing to help family or personal income.

This Bill Sizemore proposal is a regressive income tax. The figures speak for themselves.

Who loses:

With a family of four and an income of \$30,000, your combined taxes would increase by \$72.

With an income of \$50,000 and a family of four, your combined taxes would increase by \$86.

Who benefits:

With a family of four and an income of \$100,000 per year, combined federal and state taxes would be cut \$797.

A family of four with an income of \$200,000 per year, would get a combined tax cut of \$1627.

This measure is complicated. If you'd like more information, I want to personally invite you to contact me at 541-485-6726, sorenson@efn.org, or P.O. Box 10836, Eugene, Oregon 97440.

Thanks,

Peter Sorenson

This is the most recent of a long list of bad legislation favored by special interests. IT MUST BE DEFEATED.

(This information furnished by Peter Sorenson.)

(This space purchased for \$500 in accordance with ORS 251.255.)

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ARGUMENT IN OPPOSITION

Most Oregon taxpayers get no benefit from Measure 91!

According to the calculations of the legislative revenue office, most Oregon taxpayers will receive zero reduction in their state taxes from Measure 91.

Based on Measure 91's original intention and its likely interpretation, it will actually raise the taxes of most Oregonians in its first year! Here is what would happen for the average Oregon family of 4:

YEARLY INCOME	TAX IMPACT
\$20,000	\$25 tax increase
\$30,000	\$72 tax increase
\$50,000	\$86 tax increase

SOURCE: *The Oregonian*, July 23, 2000

After the first year, here is how it would work for the average family of 4:

YEARLY INCOME	YEARLY TAX "SAVINGS"
\$20,000	\$0
\$30,000	\$0
\$40,000	\$0
\$47,000	\$24
\$50,000	\$65
\$100,000	\$1,175
\$200,000	\$3,820
\$500,000	\$13,625

SOURCE: LEGISLATIVE REVENUE OFFICE

And if you own your own home and deduct your mortgage interest, you would get even less!

But even though most Oregon taxpayers will see no benefit, it will cut over \$2 billion from Oregon's General Fund every two-year budget cycle. That will translate into an approximate 20% cut in things that all Oregonian count on and care about, such as:

- K-12 public schools
- Health care
- Public safety
- Services for seniors and disabled
- Public colleges and universities

Measure 91 is unfair to Oregon's middle class, and will have a serious impact on the future of our state and communities.

**Vote NO on Measure 91!
Too Little Benefit. Too Great a Cost.**

www.ouregon.org

(This information furnished by Shannon Floyd, The Committee for Our Oregon.)

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Measure No. 91 Arguments

ARGUMENT IN OPPOSITION

The League of Women Voters of Oregon Urges a No Vote on Measure 91

The League of Women Voters of Oregon is a grassroots, nonpartisan organization which encourages the informed and active participation of citizens in government. Since 1920, the League has worked to inform voters, improve our political process and strengthen our Democracy.

Unfair to Most Taxpayers, Who Would Get No Benefit

Measure 91 is a change in Oregon's tax system that is unfair to the vast majority of Oregon's taxpayers. It would reduce resources to the state by over \$1 billion every year, yet most Oregon taxpayers would receive nothing in tax reductions. The bulk of the benefit is at the highest income levels. In fact, this measure may even increase taxes for many middle and lower income taxpayers. This violates the most basic value of our tax system: fairness to the average Oregonian.

Harming Services All Oregonians Count On

Measure 91 would force an approximate 20% reduction in Oregon's General Fund. Public schools and higher education, health care, services such as those for the elderly and disabled and public safety makes up 96% of the General Fund. This extreme and sudden cut severely impacts services Oregonians count on for the future of our state, our economy and our citizens.

Damaging Oregon's Constitution

A basic mission of the League of Women Voters is to defend the constitution, the basic framework of our democracy. Measure 91 would amend our Constitution, placing in it a measure that is not only poor public policy, but one that is poorly drafted, confusing and unclear in its effect.

Please Join the Oregon League of Women Voters in Voting NO on 91

(This information furnished by Paula Krane, President, League of Women Voters of Oregon.)

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ARGUMENT IN OPPOSITION

Organizations in Every Part of Oregon, From Every Walk of Life, Have Joined Together to Say:

VOTE NO ON MEASURE 91

This is a small sample of those who have joined in opposition to Measure 91:

League of Women Voters of Oregon
 Eugene Area Chamber of Commerce
 Oregon Catholic Conference
 Senator Ron Wyden
 University of Oregon Alumni Association
 Christian Church (Disciples of Christ)
 Roseburg Police Employees Association
 Bend Chamber of Commerce
 Reverend William R. Ellis, Jr.
 Eugene Police Employee's Association
 Jewish Federation of Portland Community Relations Committee
 Oregon Education Association
 Portland Gray Panthers
 Children First for Oregon
 Oregon Consumer League
 Tigard United Methodist Church
 The American Jewish Committee, Oregon Chapter
 Coalition for School Funding Now
 Oregon Health Care Association
 Oregon Farm Bureau Federation
 Oregon AFL-CIO
 Rabbi Daniel Isaak
 Oregon School Boards Association
 Confederation of Oregon School Administrators
 Oregon Public Employees Union, SEIU Local 503
 Alzheimer's Association, Oregon Trail Chapter
 Oregon Council of Police Associations
 Oregon State Police Officers' Association
 Oregon Building Officials Association
 Oregon Council, American Electronics Association
 Human Services Coalition of Oregon
 Oregon Advocacy Coalition of Seniors and People With Disabilities
 United Seniors of Oregon
 Oregon AFSCME Council 75
 Oregonians for Public Safety
 Oregon State Fire Fighters Council

Too Little Benefit. Too Great a Cost. Vote NO on Measure 91

www.ouroregon.org

(This information furnished by Shannon Floyd, The Committee for Our Oregon.)

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Measure No. 91 Arguments

ARGUMENT IN OPPOSITION

**OREGON BUSINESS AND LABOR AGREE:
MEASURE 91 IS BAD FOR ALL OREGON!**

Many might think it unusual to see leaders of the business community and organized labor joining together in Oregon's Voters Pamphlet. But while there are issues we may differ on, we are united in opposing Measure 91 as a bad deal for all of Oregon.

Measure 91 sounds simple. When you look a little deeper, however, it becomes clear that this is unfair and damaging to business and working people alike.

As tax relief, it leaves out most Oregon taxpayers, especially the middle class. In fact, most Oregon taxpayers get nothing at all.

That's not fair to our members and our employees – the working families of Oregon.

Measure 91 is also bad for Oregon business. To succeed, compete and provide Oregonians with good jobs, businesses large and small depend on a strong education system, safe communities, a strong health care system and a state that functions well. The 20% reduction in funding forced by Measure 91 would mean unavoidable harm to those critical services, to our state and our future.

**Hurting Oregon's ability to do business hurts all of us.
And that's just what Measure 91 would do.**

Perhaps seeing who has joined together to sign this statement surprises you. But with its unintended consequences and hidden unfairness, that is nothing compared to the unpleasant surprise you will get if Measure 91 passes.

**Please join Oregon's businesses and
Oregon's hardworking families:
VOTE NO ON 91**

Mike Salsgiver INTEL	Tim Nesbitt Oregon AFL-CIO
Harold Pollin Portland Airport Sheraton	Nancy Padilla Oregon Public Employees Union
	Bob Shiprack Oregon State Building and Construction Trades

(This information furnished by Nancy Padilla, Oregon Public Employees Union, SEIU Local 503; Michael Salsgiver; Harold Pollin; Tim Nesbitt, Oregon AFL-CIO; Bob Shiprack, Oregon State Building and Construction Trades.)

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ARGUMENT IN OPPOSITION

AN URGENT MESSAGE FROM OREGON'S ENTIRE SCHOOL COMMUNITY

So many work hard for good schools.

- Students
- Parents
- School Board members
- Seniors who volunteer
- Teachers
- Educational support employees

And all of us have a stake in them.

- Businesses who count on schools for a strong economy
- Neighborhoods that count on schools for healthy communities
- Oregonians who count on schools as the most critical element of a successful future.

Oregon's public schools have endured a difficult decade. For some, there is finally the prospect of progress.

But Measure 91 will stop our schools dead in their tracks. With a 20% cut in state funding, there is no way to avoid it. Larger class sizes. Outdated books. Lost programs like art and music. Lost opportunities for every student in Oregon.

**And all for a Measure that offers not a penny
to most taxpayers.**

Oregon's school community is made up of very different groups. But every one of them want you to know that Measure 91 is unfair, and will strike a harsh blow to our schools, our kids and our future. And that's not in anyone's best interest.

VOTE NO ON 91

- Coalition for School Funding Now!
- Oregon Education Association
- Confederation of Oregon School Administrators
- Oregon School Boards Association
- Oregon School Employees Association
- American Federation of Teachers

(This information furnished by John Marshall, Oregon School Boards Association; James K. Sager, Oregon Education Association; Debbi Covert, President, American Federation of Teachers-Oregon; Carol Turner, Coalition for School Funding Now!; Ozzie Rose, Confederation of Oregon School Administrators; Ed Edwards, Oregon School Employees Association.)

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Measure No. 91 Arguments

ARGUMENT IN OPPOSITION

Newspapers throughout Oregon Talk About Measure 91

"According to calculations by the Legislative Fiscal Office, the measure would cut about \$2 billion out of the projected \$11 billion general fund for 2001-2003. Figuring inflation, that would leave the state 22 percent below what it needs to support today's services. Which 22% of Oregon's teachers and troopers don't you like?"

The Sunday Oregonian, 8/27/2000

"The worst of the lot would cut state revenue by about \$1 billion a year by making federal taxes fully deductible on Oregon income tax returns. The current limit for federal deductibility on Oregon returns is \$3,000. Eliminating that limit, as Measure 91 proposes will primarily benefit the wealthy; more than half of all Oregonians already deduct less than the \$3,000 cap."

Eugene Register Guard, 7/23/2000

"This regressive measure is a bad deal for a majority of Oregonians. That much is clear. But the wording of the initiative itself is vague...The one certainty is this measure would make a mess of budgets and Oregon's progressive tax system."

Salem Statesman Journal, 8/4/2000

"The Bill Sizemore tax measure would put the state, especially education, in serious financial trouble."

Grants Pass Daily Courier, 7/20/2000

"If it passes, the courts, not Sizemore, will decide what the measure says. And what it says is not clear. That is no way to write tax law."

Russell Sadler, Medford Mail Tribune, 8/6/2000

"Maybe the passage of this measure wouldn't make the sky fall. But it would definitely cause the Oregon sky -- and the Oregon quality of life and opportunity and fairness -- to drop a lot lower."

The Sunday Oregonian, August 27, 2000

www.oureregon.org

(This information furnished by Shannon Floyd, The Committee for Our Oregon.)

ARGUMENT IN OPPOSITION

MEASURE 91: UNFAIR TO OREGON'S SENIORS

Measure 91 Leaves Oregon's Seniors Behind

Many Oregon seniors -- especially those on fixed incomes -- are concerned about taxes. But the tax "cut" in Measure 91 provides **LITTLE OR NO** financial relief to these seniors. The way Measure 91 works leaves most seniors out, while giving billions in tax breaks to those making over \$100,000 a year and corporations.

In fact, in it's first year Measure 91 could actually RAISE the total tax bill for many seniors!

Measure 91 Threatens Things Oregon's Seniors Count On

Measure 91 means over \$2 billion in cuts to Oregon's General Fund every budget cycle. This will include services such as:

- Health care and the Oregon Health Plan
- Programs like Project Independence, which help seniors stay in their homes instead of having to enter nursing homes
- Public safety programs

Oregon seniors are the foundation of our society. These men and women have worked hard their entire lives to provide for their families and communities. The last thing they need is a measure that is so unfair to them.

United Seniors of Oregon
Oregon State Council of Senior Citizens
Portland Gray Panthers
Oregon Advocacy Coalition of Seniors and
People with Disabilities
And the Alzheimer Association, Oregon Trail Chapter
All Urge:
Vote No on Measure 91

(This information furnished by Jim Davis, Oregon Advocacy Coalition of Seniors and People with Disabilities, Alzheimer Assoc., Oregon Trail Chapter, Oregon State Council of Senior Citizens, United Seniors of Oregon, Portland Gray Panthers.)

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Measure No. 91 Arguments

ARGUMENT IN OPPOSITION

United States Senator Ron Wyden Urges Oregonians to Vote NO on Measure 91

To the People of Oregon:

We share basic values. A strong work ethic. A fair shake for all, and not just the privileged few. Respect for the elderly who have done much to make Oregon special.

My support for these values is behind this request to join me in voting NO on Measure 91.

I know that Measure 91 sounds attractive, but I believe it's just not fair to Oregon's hard-working middle class families and seniors.

As far as I can tell, most Oregon taxpayers will see very little tax benefit from Measure 91. That's not my idea of tax reform. It is just the same old political shell game that Oregonians are tired of.

What we definitely know about Measure 91 is that it will significantly reduce critically needed funds for public safety, schools, and more affordable health care. There is no program that cannot be made more efficient, but these cuts go way beyond trimming fat.

Having devoted much of my life to working on behalf of older Americans, I am particularly disturbed by the impact of Measure 91 on the elderly. Seniors on a fixed income get little tax relief under Measure 91, but this measure will cut needed services like Project Independence that keep seniors out of nursing homes.

My bottom line on Measure 91: It offers little benefit at too great a cost.

Please join me in voting NO on Measure 91

(This information furnished by Senator Ron Wyden.)

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ARGUMENT IN OPPOSITION

A MESSAGE FROM THE OREGON PTA PLEASE VOTE NO ON MEASURE 91!

How much do we value our children's future?

Is it worth nothing?

If this measure passed, that's what most Oregon taxpayers will get. Nothing.

Is it worth \$24 a year?

If this measure passed, that's what a family of 4 making \$47,000 will get. \$24.

That is what Oregon's middle class will get from Measure 91. Little or nothing.

Is that worth what Measure 91 will cost?

Measure 91 could mean hundreds of millions in cuts to in the current school year, and a \$2 billion cut in the next state budget. That's about 20%.

Is little or nothing to most Oregon taxpayers worth schools opening next fall with an increase in size of three to four children? Is it worth the loss of school counselors? Is it worth your school district being unable to afford to make necessary repairs to school buildings? Is it worth schools having to close earlier in the year?

Is it worth putting thousands of children in Oregon at risk of losing their health care benefits? Is it worth reducing protection for children in abusive homes?

The Oregon PTA is dedicated to helping our schools, working for our children and protecting Oregon's future. We believe that Measure 91 is not worth it. We hope you agree.

Vote no on Measure 91

Little benefit. Too great a cost.

Kathryn Firestone, President

Lisa Laursen Thirkill, Vice President for Legislation

The Oregon PTA

(This information furnished by Kathryn Firestone, President, Lisa Laursen Thirkill, VP Legislation; Oregon Congress of Parents and Teachers.)

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Measure No. 91 Arguments

ARGUMENT IN OPPOSITION

BUSINESSES THROUGHOUT OREGON OPPOSE MEASURE 91

What is your vision of a successful Oregon future?

Whatever that vision is, it is a successful economy that enables us to achieve it.

All businesses -- large and small, big city and small town -- depend on a number of things if Oregon is to prosper:

- A well-trained workforce;
- Healthy, safe communities;
- A business environment that attracts investment, talent and customers.

Measure 91 threatens those things. It is a risky cut to vital services that will damage our economic future. It is also unclear: there are unanswered questions of when the measure will actually be effective, and whom its provisions will cover. A yes vote would place a measure filled with unintended consequences into our Constitution.

That is why businesses throughout Oregon urge you to vote NO on Measure 91.

**Bad for business. Bad for Oregon
VOTE NO on 91**

Associated Oregon Industries

Bend Chamber of Commerce

Eugene Area Chamber of Commerce

(This information furnished by Terry S. Connolly, Eugene Area Chamber of Commerce; Gary Peters, Bend Chamber of Commerce; Richard Butrick, Associated Oregon Industries.)

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ARGUMENT IN OPPOSITION

THE OREGON HUMAN SERVICES COALITION OPPOSES MEASURE 91

Measure 91: A Terrible Deal for Oregon

Measure 91 is a bad deal for all of us. It does little or nothing for middle-class Oregonians. Almost all of the benefits of this increased tax deduction go to the wealthy or to corporations. Yet all Oregonians will feel the effects, with significant impacts on services, like education, that all Oregonians depend on.

But some will feel the effects even more than others.

If cuts were made across the board, it would mean a cut of about 20% in "human services." What are "human services"? Here are some examples:

- Helping seniors lead independent lives through programs like Project Independence, Meals on Wheels, and in-home care.
- Investigating reports of child abuse and neglect, and, when necessary, placing children in foster care -- or helping them find adoptive homes.
- Providing health insurance to 330,000 children, seniors, pregnant women, and working families at or near the poverty line.

Would Measure 91 mean the end of the world? No, it wouldn't.

But it would mean a lot to over 80,000 people who would lose health care coverage; to over 12,000 seniors and people with disabilities who would lose assistance; to children who need the hundreds of child protective workers who would be laid off; and to foster parents whose already low reimbursement payments would be cut.

That's a high price to pay for a measure that gives no tax cut to most Oregon taxpayers.

**Oregon's Human Services Coalition Urges You to
Vote "NO" on Measure 91.**

(This information furnished by Gina Mattioda, co-chair of HSCO.)

(This space purchased for \$500 in accordance with ORS 251.255.)

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Measure No. 91 Arguments

ARGUMENT IN OPPOSITION

**Should Middle and Lower Income Oregonians
Pay a Higher Tax Rate than the Wealthy?
That's Just What Measure 91 Would Do!**

**By Jim Edelson, Licensed Tax Preparer
and Small Businessman**

As a small business person and a middle class Oregonian, I am like most of my neighbors: when it comes to taxes, I am willing to pay my fair share. But I want to make sure that it is fair.

I am also a licensed tax preparer, so I took a close look at Measure 91 to see if it was a good deal for me, and if it was a good deal for the average Oregonian. And it isn't – not even close.

Because of the way it works, Measure 91 would mean that middle and lower income Oregon taxpayers would be taxed at an effective rate that is higher than those Oregonians making the most money. The "official" tax rate for people making more than \$11,800 is 9%. But most Oregon taxpayers will get no tax reduction. And because higher income taxpayers get huge tax reductions from Measure 91 the real tax rate they would pay is lower than the real tax rate most of us will pay.

In fact, the effective tax rate for income over \$285,000 would be reduced to only 5.44%. Who would have ever thought that, in Oregon, the working poor's income could be taxed at a 40% higher tax rate than the highest incomes.

That is not only unfair. It is ridiculous.

Even those who want to see tax reductions and a limited government can agree that Measure 91 is a tax scheme that makes no sense for the Oregon taxpayer. Please join me in voting No on 91.

(This information furnished by Jim Edelson.)

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ARGUMENT IN OPPOSITION

**Educators say
Vote no on Measure 91**

As educators in schools throughout Oregon, we have the chance to help children achieve the future we all wish for them. Because we are in the public schools every day, we know how much more challenging Measure 91 will make that progress.

The budget cuts of Measure 91 are just too large to avoid a serious impact:

- **Measure 91 will increase class sizes** at a time that kids need more individual attention, not less.
- **Measure 91 will eliminate programs like art and music** that are an important part of a well-rounded education.
- **Measure 91 will make it difficult to afford up-to-date books and materials.**

And for all that, Measure 91 will not give most Oregon taxpayers any tax reduction.

Vote No on Measure 91

Larry Wolf, middle school teacher
Chenoweth

Chris Nelson, high school teacher
Albany

Marlene Payne, middle school teacher
Beaverton

Carolyn Ramey, school counselor
Seaside

Gail Rasmussen, admin. asst.
Eagle Point

Eric Nelson, high school teacher
Klamath Falls

(This information furnished by Larry Wolf, Carolyn Ramey, Marlene Payne, Gail Rasmussen, Eric Nelson, Chris Nelson.)

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Measure No. 91 Arguments

ARGUMENT IN OPPOSITION

MEASURE 91 IS NOT THE ONLY ONE TO WORRY ABOUT!

Measures 91, 93 & 8 are bad ideas for Oregon in many different ways. But there are some things they have in common:

- They all offer little or no benefit to middle class Oregon taxpayers.
- They all hurt basic values and services that all Oregonians count on and care about.
- They are all vague or misleadingly worded, and filled with unintended consequences.
- They all amend the constitution.
- They don't add up, and they certainly won't work.

**Measures 91, 93 & 8:
Far Too Little Benefit. Far Too Great a Cost.**

www.ouroregon.org

(This information furnished by Shannon Floyd, The Committee for Our Oregon.)

ARGUMENT IN OPPOSITION

THE UNIVERSITY OF OREGON ALUMNI ASSOCIATION URGES A NO VOTE ON MEASURE 91 Please help to protect Oregon's investment in higher education!

Since 1876, the University of Oregon has offered high quality education, research and public service to the people of Oregon, strengthening the state economy and helping to develop a well-educated citizenry. Measure 91 would jeopardize the University's ability to achieve these important goals for all Oregonians.

That is why the University of Oregon Alumni Association is urging all Oregonians to vote NO on Measure 91.

The 1999 Legislature reversed the trend of divestment in higher education and provided the first significant increase in public funding for Oregon's universities in a decade, beginning the process of restoring adequate support and demonstrating a commitment to the State's young people and its future. Measure 91 would halt this progress by creating a 20% reduction in the state budget, resulting in a huge loss for universities.

Oregon relies on its universities for the development of a solid workforce and financial foundation for our future. Measure 91 would harm not only the quality of higher education in Oregon, but would damage the quality of our workforce, a risk that we, as a state, cannot take. And all for a measure that offers little or no benefit for the great majority of Oregon taxpayers.

Please join us in casting a vote for Oregon's future by voting No on Measure 91.

(This information furnished by James Perry, University of Oregon Alumni Association.)

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Measure No. 91 Arguments

ARGUMENT IN OPPOSITION

No on 91

Oregon Health Care Association opposes Measure 91.

Nursing homes, assisted-living, and residential care facilities provide needed care for thousands of elderly and disabled Oregonians. Unfortunately, there is already a long term care funding crisis in Oregon. Measure 91 would not only make this crisis worse but it would destroy any hope of fixing the problem.

Oregon's seniors are at grave risk from this unfair, costly measure.

Measure 91 puts a huge hole in the budgets that sustain quality long-term care for Oregonians. Critical services for thousands of people will STOP if Measure 91 passes. Almost 15,000 Oregonians stand to lose the assistance they need from Oregon Project Independence and other essential long term care programs.

Measure 91 does NOT provide tax relief for most Oregonians.

The fact is, most Oregon taxpayers will get nothing. Even families earning nearly \$50,000 will only see a \$24 a year cut in their taxes. Corporations and wealthy taxpayers receive most of the benefits from this measure. Why would we vote for teacher cuts, less money for police, and a crippling cut in health care services for the elderly to when most taxpayers get nothing back for it?

The cost is much too high for the small benefit.

The benefit is too little to see potentially thousands of Oregon seniors and people with disabilities LOSE their services permanently. Families with elderly parents or grandparents, who are already struggling to make ends meet, will see their finances overwhelmed and the care of their loved ones severely limited.

VOTE NO ON BALLOT MEASURE 91

WE JUST CAN'T AFFORD IT!

(This information furnished by James Carlson, Oregon Health Care Association.)

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ARGUMENT IN OPPOSITION

THE OREGON FARM BUREAU FEDERATION URGES A NO VOTE ON MEASURE 91

Measure 91 Threatens Oregon's Farming Economy

As farmers, we tend to be self-reliant. We work very hard to feed not only our own families, but the world. And we are proud of our role as an important part of Oregon's economy and heritage.

We also believe in paying our fair share of taxes -- no more and no less.

But Measure 91 is not a tax cut for most Oregonians. Not only is it unfair -- it is a serious threat to Oregon's farmers.

Just like all Oregonians, we rely on strong schools, an affordable health care system and safe communities. All these will be affected. But Measure 91 could also have negative impacts on the Department of Agriculture and funding for important agricultural research done at OSU and its experiment stations. There is also the OSU Agricultural Extension Service program and the need to expand the Veterinary School to a four-year program.

These are vital to Oregon's farmers – vital to our ability to compete and survive in the world market. Many of these programs have been given short shrift through the years. The cuts Measure 91 would force could be devastating to agriculture

Measure 91 is bad for farmers and unfair to all Oregonians.

Please join the Oregon Farm Bureau Federation and Vote NO on Measure 91

(This information furnished by Andrew Anderson, Oregon Farm Bureau Federation.)

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Measure No. 91 Arguments

ARGUMENT IN OPPOSITION

FORMER JUDGES OPPOSE PLACING MEASURE 91 IN THE CONSTITUTION

It is Unfair and Unclear

Fellow citizens:

As former judges, we have a deep respect for the State's fundamental governing document – the Oregon Constitution.

That is why we hope you will join us in voting No on Measure 91.

The Constitution establishes our basic system of government and protects our fundamental rights. Unlike a simple statute, it cannot be changed by the Legislature. Only a vote of the people can change the Constitution.

We believe that the Constitution should be reserved for matters of fundamental importance. We believe it is entirely inappropriate, and dangerous, to crowd the Constitution with provisions that could easily be dealt with statutorily.

Measure 91 is a classic example of a proposal that does not belong in the Constitution. The issue of deductibility of Federal taxes is not the kind of matter of grave, permanent importance that belongs in our basic governing document. Moreover, Measure 91 is so poorly drafted that even its author has no firm opinion about the meaning of all of its provisions.

We happen to disagree with Measure 91 as a matter of tax policy. It gives nothing or very little to middle-class families, while undermining services – from education to public safety – that all Oregonians depend on.

But even if we agreed with Measure 91 as a matter of tax policy, we would oppose placing it in the Constitution.

We hope you will join us in voting “No.”

(This information furnished by The Honorable Betty Roberts, The Honorable George M. Joseph, The Honorable Jacob Tanzer.)

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ARGUMENT IN OPPOSITION

KEEP HIGHER EDUCATION AFFORDABLE & ACCESSIBLE

VOTE “NO” ON MEASURE 91

Measure 91 is an extreme measure. Taking \$65 million from the state appropriations the public universities received in the **current budget** will damage our universities. **This retroactive budget reduction** will force program cuts or tuition increases **right now.** Measure 91 will close the door to higher education for thousands of Oregonians **this year.**

Measure 91 will hurt Oregon universities for years to come. A \$175 million cut in the next Oregon University System appropriation will mean more tuition increases and program cuts next year to make up the difference. Tuition for Oregon residents is already the highest in the West. Pushing it even higher will price many people out of our universities.

Measure 91 hurts Oregon families twice. First, the bottom 53 percent of Oregon taxpayers receive no tax cut from Measure 91 but they do lose their “Kicker.” Then, our universities will be forced to hit these same families with higher tuition and fewer programs. **That makes Measure 91 a lose-lose proposition for Oregon families.**

Measure 91 hurts Oregon. Making it more difficult for public universities to help Oregonians succeed in our economy and society hurts all of us.

Vote FOR Oregon—Vote NO on Measure 91

David Frohnmayer
President, U of O *

Don VanLuvanee
President, Oregon State Board
of Higher Education *

Paul Risser
President, OSU *

Tom Imeson
Immediate Past President
Oregon State Board of
Higher Education *

Daniel Bernstine
President, PSU *

Betty Youngblood
President, WOU*

Joseph W. Cox
Chancellor
Oregon University System*

* Titles used for identification purposes only, and do not constitute a position on this measure by any institution of the Oregon University System or the Oregon State Board of Higher Education.

(This information furnished by Shannon Floyd, The Committee for Our Oregon.)

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Measure No. 91 Arguments

ARGUMENT IN OPPOSITION

OREGON'S HIGH-TECH INDUSTRY OPPOSES MEASURE 91

Unfair tax measures have no place in Oregon, especially when they do serious damage to things we all count on. **That is why the American Electronics Association urges Oregon voters to vote NO on Measure 91.**

Undermining Oregon's Success

Over the past decade, the high-tech industry in Oregon has grown to be the state's leading industry, providing 77,000 jobs, a payroll of more than \$4 billion, and a contribution of millions of dollars in taxes to state and local governments.

That is an Oregon success story that we all can be proud of. But Measure 91 would undermine that success – especially when it comes to our schools.

Undermining Oregon's Schools

Our industry's top priority in the state is to ensure a strong educational system, from kindergarten through college. The impacts of Measure 91 on state spending for schools will harm Oregon's quality of life for our companies and for our workers' families.

The most important asset any high-technology company has is its people. And we can't attract and keep good people at our companies if the educational system in Oregon begins to deteriorate. Oregon's current economic prosperity is a direct result of a growing high-tech economy in the state. Such good times are threatened if we go backwards on our commitment to education.

Strong schools + a strong high-tech economy = a strong Oregon

Measure 91 + Oregon = a future at risk

Keep Oregon on the right track- say NO to Measure 91!

(This information furnished by Jim Craven, Oregon Council, American Electronics Association.)

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ARGUMENT IN OPPOSITION

OREGON'S RELIGIOUS COMMUNITY URGES A NO VOTE ON MEASURE 91

A tax cut should be fair to all Oregonians

Regardless of the differences in our backgrounds, religions or political beliefs, Oregonians are committed to basic principals of fairness and acting in the best interest of our entire State. It is for this reason that we urge a NO vote on Measure 91.

Measure 91 promises a tax break to Oregonians by allowing for the deduction of federal income tax on state and corporate tax returns. However, this measure is unfair and only benefits the wealthiest Oregonians, while **most Oregon taxpayers would receive nothing.**

The question to ask when considering a tax cut is who gets the benefit, and who pays the cost? Does it benefit Oregon's hard working, low-income and middle-income men and women? The answer for Measure 91 is no.

And all Oregonians will pay the cost.

Measure 91 would result in a **loss of over \$2 billion dollars per budget cycle for schools, health care, and services for seniors, the disabled and those in genuine need.** In this year alone, funding could be cut by 24%. These are services that all Oregonians depend on regardless of income. To trade these away for a tax cut that few will see makes no sense for Oregon taxpayers.

Fairness is a virtue worth voting for. Please join us and vote **No on Measure 91.**

(This information furnished by The Rev. Daniel E. H. Bryant; Reverend William Ellis, Jr.; Emily Georges Gottfried, American Jewish Committee, Oregon Chapter; Pastor David Knapp; Robert Horenstein, Jewish Federation of Portland Community Relations Committee; Rabbi Daniel Isaak; Reverend Wes Taylor.)

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Measure No. 91 Arguments

ARGUMENT IN OPPOSITION

We oppose Measure 91 because it is a cruel hoax on Oregon taxpayers. As alumni of Portland State University, we believe Oregon should have a fair tax system that funds programs like higher education. **In our opinion, Measure 91 doesn't measure up.**

-It will provide tax relief for upper income households and little or no relief for middle income Oregonians.

-It will cut the State budget by an estimated 24% and that is simply too much. Imagine if your household budget were cut by 24%. Even State government can't withstand a cut that size without hurting the State's economy.

-It will hurt Oregon's colleges and universities at a time when we need to provide opportunities for all high school students to attend college.

We all were able to get a great education at PSU; one that prepared us for the world of work. While we paid our tuition, we know that part of our education was supported by tax dollars paid for by hard working Oregonians. We appreciated that support then, and we believe that today's generation of college students deserve the same support. Without a strong public higher education system, many people won't be able to afford a college education.

We urge a no vote on Measure 91. This measure isn't fair and it won't help average Oregonians.

(This information furnished by Joan C. Johnson, Denise Duncan, Roger Capps, Marjorie Terdal, Chris Groener, Gary D. Salyers, Julie Kopet; alumni of Portland State University.)

ARGUMENT IN OPPOSITION

DEMOCRATS AND REPUBLICANS AGREE: Measure 91 Benefits Too Few, Costs Too Much and Cuts Too Fast

By John Kitzhaber and Mark Hatfield

One of us is a Democrat, the other a Republican. In philosophy and on issues there are many areas where we disagree.

But no matter your philosophy, some ideas are so bad that both sides of the political spectrum can agree.

Measure 91 is one of those bad ideas.

Creating an unlimited deduction of your federal tax bill on your state taxes sounds like a fine idea, until you realize what it would really do.

It is a tax "cut" that most Oregon taxpayers won't see. A family of four making \$46,000 gets nothing. A family of four making \$500,000 would get \$13,625.

Even if you like tax cuts, a measure that leaves out the middle class isn't fair.

And it certainly isn't worth the high cost to all Oregonians. In Oregon's next budget, it will cut over \$2 billion. Common sense says you can't cut that much money out of services without adversely affecting schools, health care, public safety and the environment.

Few get the benefit. All pay the cost.

Finally, the measure is most likely retroactive and affects this year's taxes. If so, it would immediately cut about 30% out of the last six months of a 24-month budget. That would be chaos.

Why the words most likely? Because the measure is so unclear that a court will have to figure out what it means. And if this measure is passed, it will be made a part of our Constitution!

Retroactive or not, Measure 91 represents grossly unfair tax policy, terrible public policy and would leave a legacy of worse schools, higher tuition, limited economic development and greatly reduced health care for the young and vulnerable. Whether you are a Republican, Democrat or Independent, this is not our Oregon. We urge you:

VOTE NO ON 91

(This information furnished by Mark Hatfield, John A. Kitzhaber, M.D.)

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Measure No. 91 Arguments

ARGUMENT IN OPPOSITION

Vote NO on Measure 91

Measure 91 is unfair to the vast majority of Oregon taxpayers: This measure sounds like a tax cut, but most Oregon taxpayers would receive nothing at all. In fact, people earning over \$200,000 would receive nearly half the tax cut, while business would receive an entirely new tax break. On the other hand a household of four with an income of \$47,000 per year would receive only \$1.66 a month.

But while most Oregonians will see little or no tax benefit from Measure 91, all of us will feel the negative impact. It would mean a loss of \$2 billion dollars to Oregon's General Fund every budget cycle. That is about a 20% cut to programs such as public schools, health care and services to seniors, children and the disabled. These are vital services important to Oregon, its people and its future.

A measure that gives nothing to most taxpayers and takes away important things from all Oregonians is unfair, extreme and makes no sense.

Please vote No on Measure 91.

More than 1,000 Oregonians from 19 counties across Oregon Signed petitions to submit this voter's pamphlet statement, including:

Baker, Benton, Clackamas, Clatsop, Deschutes, Douglas, Jackson, Jefferson, Lake, Lane, Lincoln, Marion, Multnomah, Tillamook, Umatilla, Union, Wasco, and Yamhill and Washington Counties

**Because We Care About Oregon PAC,
Beverly Stein, Chair**

(This information furnished by Beverly Stein, Because We Care About Oregon PAC.)

(This space qualified for by a petition of 1,000 Oregon voters in accordance with ORS 251.255.)

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ARGUMENT IN OPPOSITION

MEASURE 91 SENDS MONEY OUT OF OREGON

To My Fellow Oregonians:

Like you, I am a taxpayer. I also deal with taxes for my living (no, I don't work for any government). There is a fact about Measure 91 that you need to know before you vote. **Measure 91 WOULD INCREASE FEDERAL TAXES PAID BY OREGONIANS.**

Measure 91 increases the state deduction for federal taxes. There is also a federal deduction for state income taxes. What this means is that for every \$100 you "save" on Oregon taxes, you pay between \$15 and \$40 more in federal taxes. **OREGON LOSES \$ - WASHINGTON D.C. GETS \$.**

Why should you care? **You** would pay less taxes, wouldn't you? (Well, maybe not, but let's **pretend** we are all wealthy enough to save taxes from Measure 91.) Why should you care if Washington D.C. gets money and Oregon loses money?

Think about the things that state and local government does that YOU USE ... Can't think of any? What about public schools? Ever use a park? Call the police? ... Now think about the things that YOU USE that are courtesy of Washington D.C. Not many, are there? A lot of tax dollars go to to Washington D.C. – and a lot get lost on the way back. **SHIFTING TAX \$ TO WASHINGTON D.C. TAKES VALUE AWAY FROM YOU.**

Now think about control over government. I don't agree with Measure 91, but isn't it great that in Oregon we as voters can actually decide what our government will do? When was the last time you got to vote on a federal initiative petition? **SHIFTING TAX \$ TO WASHINGTON D.C. TAKES CONTROL AWAY FROM YOU.**

KEEP VALUE AND CONTROL IN OREGON

VOTE NO ON MEASURE 91

(This information furnished by Jaime Sanders.)

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Measure No. 91 Arguments

ARGUMENT IN OPPOSITION

Somewhere, Robin Hood must be turning over in his grave.

The man made famous for "robbing the rich to give to the poor" could not fathom the likes of Ballot Measure 91, the "Welfare For The Rich" measure authored by Bill Sizemore.

Of course, that's not what supporters are saying about it. They are quick to throw out the phrase "end double taxation!" in the hopes that you'll look no further. Proponents of Measure 91 want you to believe it will save you money.

But that all depends on who "you" are. Because the facts are simple:

- **If you make in the range of \$30,000 per year or less, you save absolutely nothing.** In fact, you'll lose money under Measure 91. That's because Measure 91 will eliminate the "kicker" rebate — there won't be a surplus to divvy up — and you could end up paying more in federal income taxes because your state tax liability has been lessened.
- **If you are the "average" Oregon family — a family of four, making about \$45,000 — you will save under \$2 per month.**

So where does the **\$2 billion** per biennium savings go? It goes directly to out-of-state and foreign corporations and Oregon's wealthiest citizens, those making over \$100,000 a year.

In return, we would see large cuts in education, public safety and health care funding. Again, don't let Measure 91 proponents fool you with phrases like "a little belt tightening." Education, public safety and health care make up over 75 percent of Oregon's General Fund. It's simply not possible to make a \$2 billion cut in the General Fund without impacting those areas.

Let poor Robin Hood rest in peace. Don't steal from the poor to give to the rich. Join us and Vote NO! on Ballot Measure 91.

Merrilee Petersen, Grants Pass
AFSCME Local 2619 (Southern Oregon Head Start)

Tina Turner-Morfitt, Salem
AFSCME Local 2376 (Dept. of Corrections)

(This information furnished by Don Loving, Oregon AFSCME Council 75.)

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ARGUMENT IN OPPOSITION

Oregon State Treasurer Jim Hill
Urges you to vote NO on Ballot Measure 91

On its surface Ballot Measure 91 sounds fair, but don't be fooled. It provides tax breaks for Oregon's wealthiest individuals and corporations, and provides no real middle class tax relief. A family of four earning \$47,000 would save only \$24 a year, while those earning \$500,000 save \$13,625 a year. Large out of state corporations would pay millions less in taxes every year.

Measure 91 will have a serious impact on public services. Examples of the cuts this measure would force include closing schools early, increasing class size, taking police off our streets, and forcing thousands of women and children to lose their health-care coverage through the Oregon Health Plan. **Measure 91 reduces the state budget by \$1 billion a year, which is about 20% of the state's general fund budget. Such a drastic cut would have severe, long-term consequences.**

Currently our public schools are overcrowded and in disrepair. Our children are relying on outdated textbooks and many vital programs have been dropped from school curriculum. Oregon's four-year high school dropout rate has soared to nearly one-third of all students. **Measure 91 will further harm Oregon children by denying our public schools hundreds of millions of dollars in basic funding.**

If Measure 91 takes effect this year, it would cut the current state budget by \$870 million, forcing immediate and devastating cuts to schools and essential public services.

I have served Oregon with pride for 20 years. Recently, however, I have seen our state succumb to the power of special interests whose main objective is not to reduce government but do away with it entirely. Measure 91 is another example of this dangerous and shortsighted ideology.

I ask you to join me in voting NO on measure 91. It may be the most important vote you make this year for the future of our state.

Jim Hill
Oregon State Treasurer

(This information furnished by Jim Hill, Oregon State Treasurer.)

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Measure No. 92

Proposed by initiative petition to be voted on at the General Election, November 7, 2000.

BALLOT TITLE

92 AMENDS CONSTITUTION: PROHIBITS PAYROLL DEDUCTIONS FOR POLITICAL PURPOSES WITHOUT SPECIFIC WRITTEN AUTHORIZATION

RESULT OF "YES" VOTE: "Yes" vote prohibits payroll deductions for political purposes without specific annual written employee authorization.

RESULT OF "NO" VOTE: "No" vote retains current laws governing authorization of payroll deductions for political purposes.

SUMMARY: Amends Constitution. Under current law, payroll deductions are permitted only if authorized in writing by employee, authorized by collective bargaining agreement or required by law; unions cannot require political contributions. Measure prohibits using payroll deductions for political purposes without specific annual written employee authorization. Applies to all employees. Deductions are "used for political purposes" if any portion is spent directly/indirectly on: contributions to candidates or political committees/parties; lobbying; independent expenditures supporting/opposing candidates; ballot measures or proposed initiatives. Imposes civil penalties for violations.

ESTIMATE OF FINANCIAL IMPACT: This measure will require state government expenditures of \$396,000 annually to update the payroll system.

This measure will require local government expenditures of \$1,126,000 annually to update the payroll system.

There is no financial effect on state or local government revenues.

TEXT OF MEASURE

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OREGON:
THE CONSTITUTION OF THE STATE OF OREGON IS HEREBY AMENDED BY ADDING THE FOLLOWING SECTION:

Section 1. No money shall be deducted from an employee's paycheck and used for a political purpose without the employee's prior written permission.

(a) For purposes of this section, money shall be deemed to be used for a political purpose if any portion of the money, including in-kind contributions and pass-through contributions through an affiliated organization, is contributed to a candidate or political committee or party, or spent lobbying an elected official, or is spent, including independent expenditures, supporting or opposing a candidate for public office or a ballot measure, including efforts to collect signatures to place a measure on the ballot, and any efforts, including but not limited to direct mail and media campaigns, to solicit signatures for initiative petitions or to discourage electors from signing initiative petitions.

(b) For purposes of this section, written permission shall only be deemed to be granted by the employee, if the authorization is granted by the employee freely and renewed annually on a form which is used exclusively for this purpose. The state legislative assembly shall establish safeguards to insure that no personal information, the revealing of which might endanger the privacy or safety of an employee, is contained on the form or made available to the public.

(c) If an organization, without the employee's permission, uses for a political purpose money collected for it by means of payroll deduction from the employee's paycheck, the organization shall pay to the state treasury a civil penalty of not less than double the amount of money spent in violation of this section, and in addition shall refund to the employee double the amount of money that was taken from him or her and used for a political purpose, plus all attorney fees and costs expended to recover the funds. For purposes of this section, money also shall be deemed to have been spent for a political purpose if the money is commingled with money which is wholly or in part used for a political purpose.

(d) Nothing in this section shall be construed as authorizing payroll deduction for political purposes if doing so is prohibited in Oregon law.

(e) If any phrase, clause, or part of this section is invalidated by a court of competent jurisdiction, the remaining phrases, clauses, and parts shall remain in full force and effect.

92

Measure No. 92

EXPLANATORY STATEMENT

Ballot Measure 92 would add a new section to the Oregon Constitution prohibiting public and private employee payroll deductions if any portion of the money will be used for a political purpose, unless the employee freely gives written permission each year on a form used only for that purpose. The measure would also restrict the use of payroll-deducted funds by any organization that receives them without first obtaining the required employee authorization. Organizations that use payroll deductions include unions, charities, insurance companies and financial institutions.

Under current law, an employer may deduct wages from payroll if the deduction is either authorized in writing by the employee, or authorized by a collective bargaining agreement, or required by law. Neither unions nor any other organization can require political contributions.

Ballot Measure 92 provides that money spent on the following political activities shall be considered "money used for a political purpose:"

- Making contributions to a candidate, political committee or political party;
- Lobbying an elected official;
- Supporting or opposing a candidate or ballot measure;
- Collecting signatures to place a measure on the ballot;
- Soliciting signatures for an initiative petition or discouraging voters from signing an initiative petition.

The measure's restrictions apply to payroll-deducted funds that are:

- Used directly for a political purpose;
- Used indirectly through in-kind contributions that are used for a political purpose;
- Commingled with other money used in whole or in part for a political purpose; and/or
- Passed through to any organization that uses the money in whole or in part for a political purpose.

This measure imposes a civil penalty, payable to the state treasury, on organizations that violate the measure, of not less than double the amount of money spent for a political purpose, including any non-political funds which are commingled with political funds. In addition, the organization must refund to the employee double the amount spent in violation of this measure, plus attorneys fees and costs incurred in getting the refund.

The measure requires the Legislative Assembly to establish safeguards so that personal information (for example, addresses, and phone numbers) about the employee would not be put on the form used to authorize payroll deductions, or made available to the public if revealing the information could endanger the privacy or safety of the employee.

Ballot Measure 92 does not authorize payroll deductions for political purposes if otherwise prohibited by Oregon law.

Committee Members:

Becky Miller
 Bill Sizemore
 Tim Nesbitt
 Margaret Olney
 Representative Lane Shetterly

Appointed by:

Chief Petitioners
 Chief Petitioners
 Secretary of State
 Secretary of State
 Members of the Committee

(This committee was appointed to provide an impartial explanation of the ballot measure pursuant to ORS 251.215.)

Measure No. 92 Arguments

ARGUMENT IN FAVOR

OPPONENTS OF MEASURE 92 ARE TRYING TO FOOL VOTERS

Measure 92 stops corporations and unions from forcing workers to make political contributions against their will. Measure 92 doesn't prevent employees from contributing to any political cause they wish. It merely requires organizations to get employees' permission before extracting money from their paychecks for politics.

A few powerful labor unions oppose Measure 92 because they know most employees would not voluntarily contribute to their union's political fund, if they had a choice.

There is no doubt that what is currently going on is wrong. Extracting political "donations" without an employee's permission is immoral. It's un-American.

How could Measure 92's opponents ever hope to defeat such a good, common sense idea? They hope to convince voters that Measure 92 will have unintended consequences like hurting charities that use voluntary payroll deductions to raise money.

But this is merely a campaign ploy – an attempt to change the subject. The truth is, about the only way a charity would ever be affected by Measure 92 is if it says it is collecting money for a charitable purpose, but using it instead for politics. Otherwise, charities will not be affected by Measure 92.

In 1992, voters in Washington state overwhelmingly passed a measure similar to Measure 92, requiring employee permission before deducting money from their paychecks to run political campaigns. The result was a real eye-opener. More than 80 percent of the public employees in Washington refused to contribute part of their wages to the public employee unions' political funds, once they were given a choice.

That's why some unions in Oregon are spending millions to retain their ability to confiscate employees' money without permission. But don't be fooled. Measure 92 protects workers. It insures that no employee will be forced to contribute against his or her will to a political cause they don't personally support.

And of course, that's the way it ought to be!

(This information furnished by Becky Miller, Oregon Taxpayers United.)

(This space purchased for \$500 in accordance with ORS 251.255.)

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ARGUMENT IN FAVOR

IT'S TIME TO STOP THE SCHOOLYARD BULLY

A decade ago, the U.S. Supreme Court issued a landmark decision in Communication Workers v. Beck. In what has come to be known as Beck rights, the Court said that workers cannot be forced to pay any dues or fees beyond those necessary to perform collective bargaining.

But the decision left a giant loophole, and as a result, unions have found many creative ways to continue to confiscate money from workers' paychecks to fund the union bosses' favorite political causes.

Think of it like the schoolyard bully. Before the Beck decision, the bully would take your lunch money and not give it back. After the Beck decision, the bully can still take your lunch money, but you at least have the right to try to get it back. If you can.

Most workers do not know they can try to get their money back. Those who do, and who want their money back are often forced to resign from their union first. Such is the case with Oregon public employees. They must either belong to their union and pay political dues, or give up any involvement in their union's activities, including voting on their own contracts or receiving liability insurance coverage.

Some choice.

Adding insult to injury, the union will go on taking and spending those workers' money on politics, so the workers will have to go through the whole process of getting their money back again the next year. And the next. And the next.

It's high time we stopped the bully from stealing workers' lunch money. Vote yes on Measure 92.

(This information furnished by Becky Miller, Oregon Taxpayers United.)

(This space purchased for \$500 in accordance with ORS 251.255.)

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Measure No. 92 Arguments

ARGUMENT IN FAVOR

UNIONS PUT UP ROADBLOCKS TO EMPLOYEES EXERCISING THEIR BECK RIGHTS

If you are a union member who deeply disagrees with your union's political activities, here's a little experiment for you to try. Ask your union or the Labor Relations Board what you have to do to get back the money they took from your paycheck to pay for those political activities. Ask if you will still be part of the union if you don't allow any of your dues to be used for politics. See what they say.

You will probably be surprised to learn how difficult it is to keep your union from using your money to fund those activities. Here's what may happen:

- 1) You will probably get forced out of your union. You will still have to pay dues to the union, but you won't be allowed to participate in union activities.
- 2) Your union may tell you that money they spent to support or oppose ballot measures was part of the collective bargaining process, so you can't get it back.
- 3) You may be told you only have a two week period each year during which you may send a letter asking for your refunds. That period may have already passed. If not, your letters may be ignored.
- 4) If you do get your letter in on time, your union will likely understate the amount spent on political activities and you will have to sue to recover your own money.
- 5) Next year, you get to go through it all over again.

Sound far-fetched? It's not. These things happen all the time, and they are happening right here in Oregon. I should know. I've been a member of a labor union for 16 years and even served as vice-president.

It's high time we protected the rights of Oregon's workers by ending forced political contributions. Please join me in supporting Measure 92.

(This information furnished by Jean Nations.)

(This space purchased for \$500 in accordance with ORS 251.255.)

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ARGUMENT IN OPPOSITION

LEAGUE OF WOMEN VOTERS OF OREGON URGES A "NO" VOTE ON MEASURE 92!

Measure 92 is an unfair, unnecessary attack on the individual rights of working Oregonians. Please join us in keeping Measure 92 out of Oregon's Constitution.

- **92 takes away individual rights.** The Constitution is there to protect our rights, but 92 would take rights away. All union members in the United States have the freedom to "opt out" of their union's political contribution; even the U.S. Supreme court says so. Thousands of Oregonians already "opt out," and thousands more use their power and responsibility to change from within what they don't like about their union's political activities. This measure would use the Oregon Constitution to limit individual freedoms to make these choices and changes.
- **92 does not belong in the Constitution.** According to some legal experts, amendment 92 is unconstitutional. The highest courts in other states have rejected similar laws because they limit workers' rights to join together and participate in politics. These measures would face similar challenges in Oregon, and that means they could be in court for years. We do not need to spend millions in tax dollars to defend amendments that take away rights.

Please say "no" to 92, and keep the Constitution fair for everybody.

LEAGUE OF WOMEN VOTERS OF OREGON

(This information furnished by Paula D. Krane, President, League of Women Voters of Oregon.)

(This space purchased for \$500 in accordance with ORS 251.255.)

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Measure No. 92 Arguments

ARGUMENT IN OPPOSITION

**OREGON PTA SAYS:
DON'T LET MEASURE 92
HURT OUR CHILDREN'S EDUCATION**

If this measure passes, children and education in Oregon will suffer. It will place a tight restriction on the amount of work that charities such as Boys and Girls Clubs, Scouts organizations, and United Way agencies are able to accomplish on behalf of Oregon's children. We all need these voices to meet the living and learning needs of our kids.

Because Measure 92 restricts contributions to political work, these charities, along with teachers' unions who work for better education, will have to comply with a cumbersome annual written authorization process. This is hardly a reduction in the level of governmental bureaucracy—in fact, it is a level of paperwork that would severely affect organizations that improve education in Oregon.

The substantial amount of time required for the paperwork process would cut into the work these dedicated advocates are able to do on behalf of Oregon's children. In addition, the expense of acquiring written permission year after year would be a strain on the funds that would be better spent improving our schools and services for kids.

The Oregon PTA (Parent Teacher Association) relies on the voices of charities and teachers to join us in speaking out for all of our children. We simply can't do it alone.

We need to work together to ensure that our children's education is supported with quality curriculum, and that there is adequate funding to cover the educational needs of our children. We also work on health issues that affect our children, and on social concerns such as school safety.

**PROTECT THE VOICES THAT
SPEAK FOR OREGON'S CHILDREN!**

Vote NO on measure 92.

Kathryn Firestone, President
Lisa Laursen Thirkill, Vice President for Legislation
The Oregon PTA

(This information furnished by Kathryn Firestone, President, Lisa Laursen Thirkill, VP for Legislation; The Oregon PTA (Oregon Congress of Parents and Teachers).)

(This space purchased for \$500 in accordance with ORS 251.255.)

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ARGUMENT IN OPPOSITION

**Don't let 98 and 92 interfere with
the Firefighter-MDA partnership**

Fires aren't the only thing firefighters take on every day. We also partner with the Muscular Dystrophy Association to combat neuromuscular diseases that affect millions of Americans.

We work hard for our money. And it feels good to know that our voluntary contributions help families dealing with muscular dystrophy. But amendments 98 and 92 could end our partnership with MDA.

Through our paychecks every month, we make contributions that pay for things like research, physical therapy, support groups for families and even summer camp for kids. This partnership has been going strong since 1954.

Amendment 92 would interfere with our giving to MDA. Why? Because like many charities, MDA works to pass legislation that would help its members. For example, MDA has been successful in getting better long-term health care and better access in public facilities for people who use wheelchairs. Amendment 92 would force the MDA to collect written permission from each and every one of us every year just to use our money to continue their mission. That's a waste of the money we give them — money that could be used to help the people in need.

Please vote "no" on amendments 98 and 92.

They make giving difficult for firefighters.

They take money away from people who need it.

They don't belong in Oregon's Constitution.

Signed,

Bob Livingston
Oregon State Fire Fighters Council

Steven Kenney
Muscular Dystrophy Association, Inc.

(This information furnished by Steve Kenney, Regional Director Muscular Dystrophy Association; Bob Livingston, Oregon State Firefighters Council.)

(This space purchased for \$500 in accordance with ORS 251.255.)

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Measure No. 92 Arguments

ARGUMENT IN OPPOSITION

Measure 92 threatens programs that help seniors

When bad legislation comes along that could affect senior citizens in a negative way, we want to let you know about it. This is one of those times.

Measure 92 will hurt charities that help seniors and other people. Every pay period, thousands of working Oregonians voluntarily donate money to hospice programs, The American Red Cross, and other charities that help seniors. Amendment 92 puts limits on payroll deductions, placing millions of dollars of aid at risk.

If this measure passes, charities like senior meal programs that receive donations through payroll deductions would be limited in how they could help us with this money. If they were to use any of it to speak to their legislators on our behalf — which many of them do — these busy groups would have to obtain written permission slips from each and every contributor every year. That's thousands and thousands of permission slips. It's expensive to do all of that unnecessary work.

These non-profit groups should be spending their time helping people, not tracking down permission slips.

This measure will not even save taxpayers money. It will cost us millions of dollars. See for yourself in the Financial Impact Statement at the beginning of this section.

Please join us in opposing Measure 92. It is bad for seniors and bad for Oregon.

Signed,

Oregon State Council of Senior Citizens
United Seniors of Oregon
Gray Panthers of Oregon
Advocacy Coalition for Seniors and People with Disabilities

(This information furnished by Jim Davis, Oregon State Council of Senior Citizens, United Seniors of Oregon, Gray Panthers of Oregon, Advocacy Coalition for Seniors & People with Disabilities.)

(This space purchased for \$500 in accordance with ORS 251.255.)

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ARGUMENT IN OPPOSITION

“Measure 92 will cost taxpayers over 1.5 million dollars to fix something that isn't broken. It is a wasteful and mean-spirited attack on Oregon's working men and women.”

— Jim Hill, State Treasurer

Measure 92 is an ugly attempt to silence the voices of Oregon workers, thereby strengthening the power of special interest groups. Measure 92 is an attempt by one political faction to keep hardworking Oregonians from participating in their government. The supporters of this dangerous measure want you to think they are protecting workers' rights, but in fact the opposite is true — they see Oregon's working men and women as their political enemy.

Measure 92 will cost Oregon taxpayers 1.5 million dollars each year. The supporters of Measure 92 will tell you this is a small percentage of tax dollars, but as Oregon's Chief Financial Officer, I disagree. 1.5 million dollars could buy thousands of new schoolbooks or put many more police officers in our communities. **Measure 92 is another example of nickel-and-diming our precious resources to promote special interests. It is a waste of valuable taxpayer dollars.**

Measure 92 is an attack on privacy rights. It would require employees to inform their boss of their political and charitable donations if they participate in workplace giving. No one should have to explain to their boss which organizations they choose to support. **Measure 92 is an intrusion to the privacy we all cherish.**

The sponsors of Measure 92 are attempting to use the Oregon Constitution to further their own political interests.

Measure 92 is a waste of money. Measure 92 is an unfair and underhanded attack on Oregon's working families. Measure 92 is bad politics.

Please join me in voting “NO” on Measure 92

**Jim Hill
Oregon State Treasurer**

(This information furnished by Jim Hill, Oregon State Treasurer.)

(This space purchased for \$500 in accordance with ORS 251.255.)

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Measure No. 92 Arguments

ARGUMENT IN OPPOSITION

"I can make 50 phone calls and raise quite a lot of money very quickly."

-- Bill Sizemore, Sponsor of Measures 92 and 98
Quoted in *The Oregonian*, May 17, 1997

Our constitution should embody the highest principles of good government. These principals should be fair and apply equally to all citizens. Measures 92 and 98 are not fair, and do not apply equally to all citizens. They are meant to eliminate the voices of working people from participating in the political process.

Consider this.

- Some sponsors of measures can raise money to further their political agenda with a few phone calls to big contributors. Working people of more modest means must pool their resources in small amounts in order to be heard above the clamor of corporate and moneyed interests.
- Working people use payroll deductions for personal banking, making charitable contributions and to support their unions and professional associations. The Sizemore measures 92 and 98 are meant to eliminate these options.
- Measures 92 and 98, by attacking the use of payroll deductions, attempt to still the voices of employees, while they do nothing about the free flow of checks, cash and gifts that come from wealthy contributors and corporations.

These attempts to restrict participation of working Oregonians in the political process of their state is a betrayal of the initiative system which was established to broaden participation in government. This repeated attempt to restrict the collective voice of working people, while leaving unaffected the major sources of big money contributors, should be rejected by voters.

Don't Let Our Constitution Be Used for Unfair Politics

Vote "No" on Measures 92 and 98.

Lawrence Perry, President
Oregon Common Cause

(This information furnished by Larry Perry, Chair, Oregon Common Cause.)

(This space purchased for \$500 in accordance with ORS 251.255.)

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ARGUMENT IN OPPOSITION

Bill Sizemore's 92 and 98 will hurt Oregon workers

Special interests are using both 92 and 98 to block real reforms. Why are corporate donations not addressed by these measures? We work hard for our money — we should be able to use it for political purposes like anyone else.

Sizemore, the sponsor of 92 and 98, is singling out payroll deduction because he knows we have to gather our smaller contributions together in order to be heard in the political arena.

Sizemore's supporters can write \$50,000 checks to his campaigns, while most of us can only contribute a little at a time. Payroll deduction helps us pool our funds. Take that away, and you take away our right to be heard.

Sizemore says these measures will protect us, but we are already protected from having to make political contributions. Many of us already exercise that right. In fact, Sizemore knows we are already protected. He signed an official Explanatory Statement in this very Voters' Pamphlet that says, "Under current law ... Neither unions nor any other organization can require political contributions." (Measure 92 Explanatory Statement, second paragraph).

The real aim of this measure is to silence us — working Oregonians. Please vote "no" on 92 and 98 and preserve our freedoms.

Signed,

Veda Shook, Flight Attendant, Flight Attendants 39, Portland
Barbara Ramirez, Clerk, Teamsters 206, Eugene
Robert Stewart, City Plumbing Inspector, Plumbers and Steamfitters 290, Florence
Gayla Asanov, Custodian, Service Employees 49, Corvallis
Carol Bridges, Operator, Communications Workers of America 7904, Salem
Joseph Tam, Civil Rights Investigator, Oregon Public Employees Union 839, Portland
Dick Fisher, Wireman, Electrical Workers 280, Jefferson
Ron Lopez, Community College Instructor, State, County and Municipal Employees 3763, Ontario
Mike Sullivan, Roll Turner, Steelworkers 8378, McMinnville
Rito Sanchez, Shoemaker, United Food and Commercial Workers 555, Portland
Robert Whitehead, Bread Checker, Bakers and Grain Millers 114, Hubbard
Jim Wilson, Carpenter, Carpenters 2067, Medford

(This information furnished by Tim Nesbitt, Oregon AFL-CIO Committee on Political Education.)

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Measure No. 92 Arguments

ARGUMENT IN OPPOSITION

GOVERNOR KITZHABER URGES YOU TO VOTE "NO" ON AMENDMENT 92

Amendment 92 is being billed as a way to protect workers' rights — but it does just the opposite. I care deeply about workers' rights, and this amendment is unnecessary and unfair. I invite all Oregonians to join me in keeping 92 out of Oregon's Constitution.

Workers don't need this "protection."

Supporters of 92 say workers need this law to protect them from being forced to make a contribution to their union's political fund. This simply is untrue. All workers in the United States have the right to "opt out" of paying for their union's political activities, and courts as high as the U.S. Supreme Court have reinforced those rights. In addition to having ample legal protections, union members have the power and responsibility to change what they don't like about their union's political activities.

It's intrusive to workers' privacy.

When I look at 92, I see an amendment that is intrusive to workers' privacy. See for yourself in the Explanatory Statement: If 92 becomes part of our Constitution, every worker who makes a political contribution via payroll deduction will have to report it to his or her employer. I believe that political contributions are a deeply personal matter. Would you want to disclose your political activities to your employer? Would you want your neighbors to have to?

It's unfair to charitable organizations.

I am concerned about amendment 92's effects on charitable organizations. Hard-working Oregonians have long used payroll deduction as a simple and effective way to contribute to groups like United Way, Habitat for Humanity, and the Oregon Humane Society. Amendment 92's requirement for written permission would make that process unnecessarily cumbersome. This is unfair to charities, to the populations they serve, and to the workers who wish to keep their contributions a personal matter.

PROTECT OREGON'S WORKERS AND CHARITIES VOTE "NO" ON AMENDMENT 92

Governor John A. Kitzhaber, M.D.

(This information furnished by John A. Kitzhaber, M.D., Governor of Oregon.)

(This space purchased for \$500 in accordance with ORS 251.255.)

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ARGUMENT IN OPPOSITION

UNITED WAY ASKS FOR YOUR 'NO' VOTE ON 92: IT WILL TAKE RESOURCES AWAY FROM OREGONIANS IN NEED

The United Way is Oregon's largest human services fund-raising organization. Our agencies help seniors, children, disabled citizens, and many other people with special needs. Because many of our non-profit member agencies inform the legislature on matters that affect the people we serve, our work and theirs is considered "political" and would be seriously impacted by amendment 92.

If amendment 92 passes, it will require United Way and the individual non-profit agencies who provide services to collect a signature to approve our legislative contacts from every supporter we already have — that's thousands and thousands of redundant signatures, every year.

At best, this requirement would distract from our focus on delivering meals to senior citizens and helping children learn to read. At worst, it would make workplace giving campaigns so cumbersome and risky, that non-profits would stop using it. And that would be devastating to the people we serve.

Please vote "no" on 92.

Signed,
**Members of the Board of Directors, and Staff
The United Way of the Mid-Willamette Valley**

Russell Beck, Executive Director
Robert Ruck, Chair of the Board
Gregory Astley
Randall Franke
George Gent
Tom Golden
Carolyn Gorsuch
Judy Grant
Delillah Ginther
Stacy Hartline
George Jennings
Paul Krissel
Jennifer Larsen Morrow
Keeta Lauderdale
Kay Marikos
Ed Martin
Raquel Moore-Green
Don Myers
Lee Pelton
Bruce Rogers
Ted Stang
Betty J. Youngblood

(This information furnished by Paul Krissel, Member of the Board.)

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Measure No. 92 Arguments

ARGUMENT IN OPPOSITION

Measure 92 is a violation of my privacy, and maybe yours, too.

This law will require me to sign a form and give it to my employer every year if I want to make a political contribution through payroll deduction. Amendment 92 will force me to reveal to whom I'm donating my money. This measure may affect you, your family, and your neighbors and friends, as well.

Measures 98 and 92 are unnecessary:

I should know, I have exercised my right to "opt out" of contributing to my union's political fund, without any hassle whatsoever. This law would not protect my right to "opt out," but it would make "opting in" more difficult than ever before. That's not fair to me or to any other Oregon worker who would be targeted by this measure.

The law says my job is secure regardless of whether I contribute, and I have seen firsthand that it's true. No employee can be forced to contribute to a union's political campaign. So says the U.S. Supreme Court; so says the Official Ballot Title Summary; and so says Bill Sizemore in the Explanatory Statement he signed off on. That kind of backup is good enough for me.

Please vote "no" on 92.

It doesn't give me rights. It takes my rights away.

Sincerely,
Danielle Fischer

(This information furnished by Danielle Fischer.)

ARGUMENT IN OPPOSITION

A Teacher Speaks Out Against 92

Every Oregonian should have the right to have his or her voice heard. It's not right that only certain groups – those with big money or backed by corporations – have a voice.

Measure 92 is a poorly crafted solution for a problem that doesn't even exist. I am an elementary school teacher and I love my job. I'm also a member of the Oregon Education Association. I choose to participate to have a voice in the policies that shape my students' education.

Laws already exist that say I can't be forced to contribute to my Association's political or legislative activities. The truth is, I do participate because so much of what happens in my classroom is now based in politics — how my school is funded, what benchmarks my students must pass, and whether my students have enough to eat.

92 is cumbersome

Annual permission slips and the extra work they would require for the school administration and individual teachers would shift the focus from working together for students to working out political differences.

Measure 92 does not belong in Oregon's Constitution. It's unfair, far-reaching and inappropriate. And, it's a bad lesson to teach Oregon's students.

Please join other Oregon public school teachers and me. Vote NO on 92.

Sincerely,
Kelvin Calkins
Elementary School Teacher

(This information furnished by Kelvin Calkins.)

(This space purchased for \$500 in accordance with ORS 251.255.)

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Measure No. 92 Arguments

ARGUMENT IN OPPOSITION

DON'T WASTE PUBLIC FUNDS VOTE "NO" ON MEASURE 92

Measure 92 will set up an expensive, useless archive of paperwork. As public employers, we believe this will increase our costs and reduce our ability to serve the higher education needs of Oregonians.

Measure 92 is contrary to the Higher Education Administrative Efficiency Act. Since the passage of SB 271 in 1995, we have saved more than \$3.5 million a year by streamlining personnel, contracting, purchasing and other business functions. We have supported more than 2,000 Oregon resident undergraduate students each year with the savings. Now, Measure 92 would eat into these efficiency savings, by requiring the creation and storage of a paper form for thousands of our employees each year, and redirection of support staff from important duties to this "make-work" project.

Measure 92 is a solution without a problem. Under the labor agreement we have negotiated with our employees; any classified worker who wants to pay for representation costs only, and avoid any other expenses of union membership, can do so. Our electronic payroll system automatically makes the deduction without continuing cost. Measure 92 would replace this efficient, agreed-to process with cumbersome, old-fashioned paper forms, one for every employee, one for every year. This is exactly the kind of costly, useless program the authors of this measure say they oppose.

DON'T WASTE TAX DOLLARS VOTE "NO" ON MEASURE 92

David Frohnmayr President, U of O *	Paul Risser President, OSU *	Daniel Bernstine President, PSU *
Betty Youngblood President, WOU*	Joseph W. Çox Chancellor Oregon University System*	

* Titles used for identification purposes only, and do not constitute a position on this measure by any institution of the Oregon University System or the Oregon State Board of Higher Education.

(This information furnished by Grattan Kerans.)

(This space purchased for \$500 in accordance with ORS 251.255.)

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ARGUMENT IN OPPOSITION

Don't Silence Police Officers and the Work we do for Our Communities Say No to 98 and 92

These measures would hurt Oregon communities.

If Measures 98 and 92 pass, we will be shut out of the political process, and Oregon will lose valuable input that has made our streets safer for everybody. We have worked hard to pass laws to protect Oregon's communities, including:

- Passing legislation that broadens drunk-driving laws to include driving under the influence of inhalants;
- Making drunk driving a felony if the driver has previously been convicted of three or more drunk-driving offenses;
- Proposing legislation that would keep convicted felons from possessing body armor that could be used to shield them when they commit their next crime.

98 and 92 are unfair.

Measures 92 and 98 would single us out and threaten our freedom to participate in the political process.

These measures are unnecessary.

We already have the right not to participate. The right to "opt out" of political dues is protected under the law. We simply want to protect our right to "opt in" without a big hassle.

Every day we put our lives on the line protecting and serving Oregonians.

We are asking for your help now to protect our rights as equal citizens under the Oregon Constitution.

Help us make Oregon's communities safer for everybody.

Vote "no" on 98 and 92.

Association of Oregon Corrections Employees
Bend Police Association
Federation of Oregon Parole and Probation Officers
Hillsboro Police Officers Association
Keizer Police Association
Lane County Peace Officer's Association
Lincoln Co. Deputy Sheriff Association
Multnomah County Corrections Officers Association
Oregon Council of Police Associations
Oregonians for Public Safety
Oregon State Police Officers' Association
Portland Police Association
Redmond Police Officers Association
Roseburg Police Employees Association
Tigard Police Officers' Association
Springfield Police Association
Eugene Police Employees Association
Deschutes County Sheriff Employees Association

(This information furnished by Martin Lerner, Oregonians for Public Safety.)

(This space purchased for \$500 in accordance with ORS 251.255.)

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Measure No. 92 Arguments

ARGUMENT IN OPPOSITION

Measure 92 Unfairly Restricts Our Right to Use Payroll Deductions To Support the Organizations of Our Choice

Measure 92 is unfair to us as workers and citizens. Like Measure 98, this constitutional amendment unfairly restricts our right to use payroll deductions to support the organizations of our choice.

Through payroll deductions, we pool our resources to make our voices heard on issues that affect our lives. We use payroll deductions to support our unions and to make contributions to charities. But Measure 92 would unfairly restrict the right of these organizations continue to represent our interests and to fulfill the purposes for which we support them.

Measure 92 is so restrictive that:

- Each of us and our co-workers would have to sign separate permission slips before our union could write a letter to a legislator or even urge our own members to support or oppose a piece of legislation; or,
- Employers would have to approve separate payroll deductions for the funds we authorize for political advocacy. This would inject politics into our workplaces, breach the privacy of our political choices and give employers control over our participation in the political process.

It is unfair to single out working people and attempt to limit our right to participate in the political process by restricting our use of payroll deductions.

But Measures 92 and 98 are not only unfair; they are also unnecessary. We already have the right to opt out of paying for political expenditures with which we disagree.

Please join us in rejecting these unfair and unnecessary constitutional amendments. Protect our right to use payroll deductions to support the organizations of our choice.

Vote "No" on Measures 92 and 98.

**Cindy Sloan
Meat Wrapper**

United Food and Commercial Workers 555
Salem

**Paul Esselstyn
Fire Captain**

International Firefighters 1395
Springfield

**Oakley Taylor
Oiler-Fire Protection**

Paper, Allied, Chemical, Energy Union 8-406
Bend

**Britt Cornman
Production Worker**

Machinist Lodge 1005
Aloha

(This information furnished by Tim Nesbitt, Oregon AFL-CIO Committee on Political Education.)

(This space purchased for \$500 in accordance with ORS 251.255.)

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ARGUMENT IN OPPOSITION

Public Service Workers Say NO to Measure 92

We are the workers who provide public services throughout our state. We are proud of the work we do for you and we are proud union members.

Bill Sizemore's Measures 92 and 98 will hurt rank and file union members. They attack our rights to make small political contributions through payroll deductions. Some people may be able to write checks to candidates or for ballot measures of \$10,000, or more. We cannot. Only by setting aside a small amount each month are we able to get our story told. **Taking that right away is UNFAIR.**

In our union, members make the rules. We don't need Bill Sizemore to tell us how to operate our union.

This measure is UNNECESSARY. Many union-represented workers decide not to make political contributions through our union. That's their choice and federal law. The way this measure is written, it would deprive thousands of hard-working Oregonians a public voice.

Please VOTE NO on 92.

Ellen Jackson, Office Worker, Klamath Falls
Glenda Short, Trainer, Eugene
Charles Spray, Physician, Salem
Nancy Magill, Case Manager, Portland
Deborah Dombrowski, Library Worker, Corvallis
Melody Williamson, Office Worker, Independence
Bart Lewis, Accounting Technician, Eugene
Barbara Hopkins, Office Worker, Salem
Mike Wendel, Maintenance Worker, Bend
Mark Gronso, Electrician, Pendleton
Monty Walters, Mental Health Specialist, Ashland
Gwelda Shepardson, Case Manager, Roseburg
Karen Cummins, Child Protective Services, Coos Bay
Rosalie Pedroza, Oregon Health Plan, Salem
Sue Martinez, Cook, Eugene
Linda DeLucia, Employment Claims, Portland
Randy Davis, Maintenance Worker, Clatskanie
Alice Grimes, Retired Library Worker, Medford
Larry Williams, Apprenticeship Representative, Springfield
Rosanne Richard, Project Coordinator, Salem
Kym Lamb, Case Manager, Portland
John Ekberg, Natural Resource Specialist, Corbett
Geraldine Ruatta, Case Manager, Grants Pass
Vickie O'Reilly, Employment Specialist, Beaverton
Jesse Backman, Forestry Worker, Bay City
Elizabeth Duell, Office Worker, Salem

All members of Oregon Public Employees Union, SEIU Local 503

(This information furnished by Terrence Cavanagh, Oregon Public Employees Union, SEIU Local 503.)

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Measure No. 92 Arguments

ARGUMENT IN OPPOSITION

Democrats outline far-reaching effects of Measures 98 and 92

Because these two measures are poorly written and far-reaching, they have a broad base of opposition. A wide variety of Oregonians who may not agree on everything — Democrats, Republicans, charities, environmental groups, businesses and unions — are all supporting a “no” vote on these measures. Here’s why:

- 98 and 92 aim to block the participation of working Oregonians from the political process. Everyone has the right to be heard, no matter where they stand on the issues.
- 98 and 92 would weaken charities. By placing restrictions and the risk of penalties in the way of charities that advocate for the people they help, these measures will reduce the amount of work they can do. We need these charities to provide support for the thousands of Oregonians who benefit from them.
- 92 brings politics into the workplace. If this measure passes, all Oregonians who contribute via payroll deduction will have to tell their employer when they decide to make a political contribution. That’s a violation of privacy.

Keep the Constitution fair for everybody. Vote “no” on 98 and 92.

- Earl Blumenauer**, U.S. House of Representatives
- Bill Bradbury**, Secretary of State
- Kate Brown**, Senate Democratic Leader
- Tony Corcoran**, State Senator
- Peter Courtney**, State Senator
- Peter DeFazio**, U.S. House of Representatives
- Randall Edwards**, State Representative
- Dan Gardner**, State Representative
- Avel Gordly**, Oregon State Senator
- Gary Hansen**, State Representative
- Darlene Hooley**, U.S. House of Representatives
- Elaine Hopson**, State Representative
- Randy Leonard**, State Representative
- Kathy Lowe**, State Representative
- Jeff Merkley**, State Representative
- Hardy Myers**, Attorney General
- Barbara Roberts**, Former Oregon Governor
- Diane Rosenbaum**, State Representative
- Kurt Schrader**, State Representative
- Frank Shields**, State Senator
- Peter Sorenson**, Lane County Commissioner
- Beverly Stein**, Chair, Multnomah County Board of Commissioners
- Cliff Trow**, State Senator
- Vicki Walker**, State Representative
- David Wu**, U.S. House of Representatives
- Ron Wyden**, U.S. Senate

(This information furnished by Barbara Roberts, Former Governor of Oregon.)

(This space purchased for \$500 in accordance with ORS 251.255.)

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ARGUMENT IN OPPOSITION

Republicans Oppose Unnecessary and Unfair Constitutional Amendments

“No” on 92 and 98

Some people will be surprised at the strong Republican opposition to these measures. The truth is, the wide variety of opposition to 92 and 98 reflects the far-reaching consequences these proposed Constitutional amendments will have on Oregon.

92 and 98 are unnecessary and unfair. These measures are unnecessary because all workers already have the option to not fund their union’s political activities. They’re unfair because they single out one group and take away their ability to participate in the political process.

They hurt charitable organizations. Because many charities speak up on behalf of their members in order to be effective, their work is considered “political” by these measures would be subject to the stringent rules set forth by both amendments. For groups like the United Way and the Muscular Dystrophy Association, that means fewer funds from the generous Oregonians who have been contributing from their own paychecks for years.

If Oregonians with special needs can count less on charities for support, chances are they will need more public services to make up the difference. With our state budget constrained as it is, one wonders where the money would come from to provide these services.

No matter the politics of working Oregonians, it is not right to unfairly single them out and take away their rights.

It’s not right to make funds harder to raise for charities like the United Way, Muscular Dystrophy Association, and groups that help senior citizens. These groups provide a valuable public service and need our “no” vote on these measures.

Join us in voting NO on 98 & 92.

- Jack Roberts**, Oregon Labor Commissioner
- Mark Simmons**, Majority Leader, Oregon House of Representatives (Elgin)
- Max Williams**, State Representative (Tigard)
- Lane Shetterly**, State Representative (Dallas)
- Vic Backlund**, State Representative (Keizer)
- Tom Butler**, State Representative (Ontario)
- Jim Hill**, State Representative (Hillsboro)
- Bill Witt**, State Representative (Portland)
- Randy Franke**, Marion County Commissioner

(This information furnished by Jack Roberts, Labor Commissioner.)

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Measure No. 92 Arguments

ARGUMENT IN OPPOSITION

We, the undersigned Community Advocates, Environmentalists and Educators, urge you to vote “no” on 92.

We have offered our endorsement here because our organizations and the community we work to support all stand to lose under Measure 92. The additional paperwork, accounting practices and risk of penalties mandated by this measure would make working to fulfill our missions more difficult and in some cases nearly impossible. Please consider the valuable services we provide as you consider your vote.

Please Vote No on 92!

ENVIRONMENTAL:

Environmental Federation of Oregon
Forest Service Employees for Environmental Ethics
Friends of the Columbia Gorge
Oregon Environmental Council
Oregon League of Conservation Voters
Oregon Natural Resources Council
Oregon State Public Interest Research Group
Pacific Rivers Council
Recycling Advocates
Sierra Club

COMMUNITY ADVOCATES

Basic Rights Oregon
Coalition for a Livable Future
Community Alliance of Tenants
Eugene-Springfield Solidarity Network
Mid-Willamette Valley Jobs With Justice
Oregon Action
Oregon Common Cause
Oregon Consumer League
Portland Jobs with Justice
Portland New Party
Rural Organizing Project
Victim Offender Reconciliation Program / Community Mediation
Services of Polk County
Western States Center

EDUCATORS

Association of Oregon Faculties
Confederation of Oregon School Administrators
Oregon Education Association
Oregon School Boards Association
Portland Community College Faculty Federation
Portland State Advocates
Salem Keizer School Board
The Oregon PTA

Mark Abrams, Vice-Chair, Portland School Board
Gordon Matzke, Faculty Member, Oregon State University
Henry Sayre, Faculty Member, Oregon State University
William Smaldone, Willamette University Professor and Salem City Council Member

(This information furnished by Roger Gray, Coalition Against Unnecessary and Unfair Constitutional Amendments.)

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ARGUMENT IN OPPOSITION

MEASURE 92 IS UNNECESSARY, UNFAIR, AND A THREAT TO ALL WORKERS' PRIVACY:

VOTE “NO” ON 92!

Signed, the working men and women of:

AFSCME, Council 75
American Federation of Teachers-Oregon
Association of Engineering Employees of Oregon
Association of Western Pulp & Paper Workers OR/ID Council
Bricklayers & Allied Craftworkers Local 1
Cement Masons Local 555
Columbia Pacific Building & Construction Trades Council
Communications Workers of America Local 7901
Elevator Constructors Local 23
Heat and Frost Insulators & Asbestos Workers Local 36
IBEW Locals 48, 112, 280, 659, 932, 970
International Alliance of Theatrical & Stage Employees Local 488
International Longshore and Warehouse Union-Columbia River District Council
International Union of Painters and Allied Trades Dist. Council 5
Ironworkers Locals 29 and 516
Laborers Locals 121, 320, 483
Lane, Coos, Curry, Douglas County Building Trades Council
National Association of Letter Carriers Branch 82
Northwest Oregon Labor Council, AFL-CIO
Operating Engineers Local 701
Oregon AFL-CIO
Oregon Education Association
Oregon Machinists Council, District Lodge 24
Oregon Nurses Association
Oregon Public Employees Union, SEIU Local 503
Oregon School Employees Association
Oregon State Building and Construction Trades Council
Oregon State Fire Fighters Council
Pacific Northwest Regional Council of Carpenters
Painters and Tapers Locals 724, 1236, 1277
Pendleton Building Trades Council
Pinosos y Campesinos Unidos del Noroeste (PCUN)
Plasterers Local 82
Portland Community College Federation of Classified Employees Local 3922
Portland Fire Fighters Association
Roofers Locals 49, 156
Salem Building Trades Council
SEIU, Oregon State Council, Local 49
Sheet Metal Workers Local 16
Southern Oregon Area Local, American Postal Workers Union
Teamsters Joint Council #37
United Association of Plumbers and Steamfitters Local 290
United Food and Commercial Workers Local 555
United Steelworkers of America
WA/OR/ID State Conference of Bricklayers and Allied Craftworkers

(This information furnished by Grant Zadow, IBEW Local 48.)

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Measure No. 92 Arguments

ARGUMENT IN OPPOSITION

OREGON CONSERVATION AND ENVIRONMENTAL GROUPS URGE YOU TO VOTE "NO" ON 92

Oregon voters support innovative solutions.

One of the things that make Oregon great is that we have healthy political debates. People on all sides get to weigh in on the issues, and we end up with innovative solutions like the Bottle Bill.

Measure 92 is not innovative reform.

It requires working Oregonians to jump through special hoops just to participate in the political process. It forces them to disclose their political payroll deductions — their own hard-earned money — to their employers and the government. That is an invasion of privacy that is unfair to place on any group, and it's even worse when it's applied to some groups and not others.

Amendment 92 puts nonprofits like ours at risk.

When we work to preserve treasures like Mount Hood and Steens Mountain, we often need to speak with elected officials. Because this is political work, it would be very risky for us to accept the much-needed payroll-deducted funds that have supported the environmental community for years.

Amendment 92 could inhibit the following activities:

- Protecting Oregon's farm and forest lands
- Protecting wilderness habitat
- Protecting Mt. Hood from development
- Enforcing clean water laws
- Preserving Steens Mountain
- Monitoring chemical incineration at Umatilla

Please join us in saying no to this unfair amendment. Oregon's Constitution is there to protect our rights, not take them away.

Vote "NO" on 92!

Signed,

Environmental Federation of Oregon
 Forest Service Employees for Environmental Ethics
 Friends of the Columbia Gorge
 Oregon Environmental Council
 Oregon League of Conservation Voters
 Oregon Natural Resources Council
 Oregon State Public Interest Research Group
 Pacific Rivers Council
 Recycling Advocates
 Sierra Club

(This information furnished by Carol Porto, Chair, Sierra Club.)

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ARGUMENT IN OPPOSITION

ACLU OF OREGON RECOMMENDS A "NO" VOTE ON MEASURE 92

Measure 92 would use the Constitution to mandate an unnecessary and unfair process in Oregon. The American Civil Liberties Union recommends a "no" vote on this measure.

IT'S UNNECESSARY

Workers won't benefit from this measure because the law already protects them from having to make political contributions. Several high courts including the United States Supreme Court have upheld the right of all workers to opt out of making political contributions. Thousands of Oregonians already do so.

IT VIOLATES PRIVACY

Amendment 92 violates privacy by bringing politics into the workplace. Year after year, employees would have to file forms with their employer in order to make a political contribution through payroll deduction. Think of the possible effects: HMO workers might be afraid to go against their employers' political views — those who do could be harassed. The Constitution is there to protect privacy, not violate it.

IT LIMITS THE RIGHT TO BE HEARD

Measure 92 singles out workers' methods of giving — without even addressing the ways businesses and corporations give. Putting unnecessary obstacles in front of workers is not fair. Everyone has the right to be heard.

IT DOESN'T BELONG IN OREGON'S CONSTITUTION

Laws similar to measures 92 and 98 have been overturned in Nevada and Ohio because they limit the rights of working people to participate in the political process. Here in Oregon, they could be tied up in courts for years, if they pass.

KEEP THE OREGON CONSTITUTION FAIR FOR EVERYBODY

PROTECT THE PRIVACY OF OREGON'S WORKERS

VOTE "NO" ON MEASURE 92

**David Fidanque, President
 American Civil Liberties Union of Oregon**

(This information furnished by David Fidanque, American Civil Liberties Union of Oregon.)

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Measure No. 92 Arguments

ARGUMENT IN OPPOSITION

We, the undersigned charities, advocates and businesses, urge a "NO" vote on proposed Constitutional amendment 92.

Workplace giving programs make it easy for businesses and their employees to contribute to the charitable organizations of their choice. Measure 92 would put that valuable funding source at risk. The limited resources and staff time should be spent working toward their mission, not compromised by unnecessary paper work and accounting procedures. **Please join us in working to help support Oregon's charities and nonprofits and the great work they do.**

Vote No on Measure 92!

CHARITIES/ADVOCATES:

Advocacy Coalition for Seniors and People with Disabilities
 American Association of University Women of Oregon
 American Civil Liberties Union
 Canyon Crisis Center
 Children First for Oregon
 Ecumenical Ministries of Oregon
 House of Zion Ministries, Inc.
 Human Services Coalition of Oregon
 League of Women Voters of Oregon
 Mid-Valley Women's Crisis Service
 Muscular Dystrophy Association, Inc.
 National Committee for Responsive Philanthropy
 Oregon Alliance of Children's Programs
 Oregon State Council of Senior Citizens
 Oregonians for Public Safety
 Portland Gray Panthers
 Salem Childbirth Education Association
 United Seniors of Oregon
 United Way of the Mid-Willamette Valley
 United Way of Columbia County
 Willamette Valley Child Care Federation

BUSINESSES:

Associated Business Systems
 B'For Publishing Services
 B.D. Consulting, Inc.
 Bennett, Hartman & Reynolds Attorneys at Law
 Brice's Catering
 C & E Systems, LLC
 Celilo Group
 Charles R. Williamson, Attorney, Kell Alterman & Runstein, LLP
 Clackamas County Veterinary Clinic
 Discover Mortgage-North Greeley Branch
 FamilyCare, Inc.
 Labor's Community Service Agency, Inc.
 LGD Insight, Ltd.
 Mark E. Horstmann, CPA
 Microtech Systems
 PacWest Communications
 Portland Teachers Credit Union
 Smith, Gamson Diamond & Olney Attorneys at Law
 The Bentley Gilbert Firm
 Three Rivers Farm
 Unions-America.com
 Wisner & Associates

BUSINESS ASSOCIATIONS:

National Electrical Contractors Association (NECA), Oregon-Columbia Chapter
 Oregon Association of Hospitals and Health Systems
 Oregon Credit Union League
 Osteopathic Physicians and Surgeons of Oregon

(This information furnished by Mike Fahey, President, Discover NW Union Mortgage; Gina Mattioda, Co-Chair, Human Services Coalition of Oregon.)

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ARGUMENT IN OPPOSITION

Commissioner Sorenson Urges a No Vote on Measure 92

Dear Oregon Voter,

My name is Peter Sorenson and I live in Eugene. I'm an elected Lane County Commissioner and former elected Oregon State Senator.

Lane County Commissioners recently voted to pass a Workplace Justice Resolution that guarantees workers the right to organize. I was a strong advocate for that resolution.

With measure 92, Bill Sizemore would undermine the benefits that charities and others gain through the use of voluntary worker payroll deductions.

Measure 92 uses a Constitutional amendment to mandate complex internal auditing systems for workplace donations. It would require tracking of each donation separately and new permission forms annually. Few employers would choose to be involved in this costly and cumbersome process.

Measure 92 would require charities to use their limited resources to collect written permission slips from donors. The costs and difficulties involved would drastically reduce the amount of money charities currently receive. Oregonians would lose vitally important services that charities provide. **This measure would harm our charities and all those they serve.**

Measure 92 would require employees to fill out a form whenever they contribute to a politically active group. This measure could discourage political involvement. Political participation is a personal decision. We rely on the Constitution to protect privacy, not to invade it.

Similar measures have been overturned or tied up in court in other states for years. Oregonians would be harmed by the huge expense of defending a constitutional amendment that interferes with our rights.

Thanks,

Peter Sorenson

This is the most recent of a long list of bad legislation favored by special interests. **IT MUST BE DEFEATED.**

(This information furnished by Peter Sorenson.)

(This space purchased for \$500 in accordance with ORS 251.255.)

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Measure No. 92 Arguments

ARGUMENT IN OPPOSITION

Caregivers for the Elderly and Disabled Say: No on 92 and 98
We provide care for the elderly and disabled.

We prepare and feed meals. We help our clients with medical treatment and taking prescriptions. We bathe and dress our clients. **We do the tasks that allow our clients to maintain their dignity and live independently. Our state's elderly and disabled remain in their homes and are not shipped off to nursing homes because of the work we do.**

For us to provide adequate care, we need to have a voice on the job. Our jobs are publicly funded by the legislature. Politicians won't understand what it takes to properly care for the elderly unless we can tell those legislators. We need to educate them about working conditions because politicians set the work rules. We need to tell them about patient needs because they set the funding levels for patient care.

Measures 92 and 98 effectively silence our voices because we fund our political activity -- like educating legislators on care for the elderly -- through payroll deductions. We can't write \$50,000 checks to politicians -- most of us make about \$8/hour. We just want to have our voice heard so we can improve the quality of care our clients receive and so we can improve our training, benefits and working conditions.

We oppose Measures 92 and 98. Measures 92 and 98 are unfair and unnecessary. Working people need a voice.

Caregivers for the elderly and disabled:

- Esther Doramus, Eugene
- Risa Northway, Oregon City
- Rita Sparks, Eugene
- Diane Chandler, Coos Bay
- Kimberly Powell, Eugene
- Caroline Mitchell, Bandon
- Tena Vasquez, Oregon City

(This information furnished by Risa Northway.)

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ARGUMENT IN OPPOSITION

Traditionally, Oregonians have been against any ballot measures that target a single group.

Supporters of Measure 92 are hoping you overlook that fact when you vote.

Measure 92 is also a proposed constitutional amendment, and Oregonians have been clear that we don't wish to clutter the Oregon Constitution with this kind of nonsense. Because Measure 92 is another misleading proposal that might sound OK at first reading, but is actually full of unintended consequences.

Measure 92 proponents want you to believe this is a simple measure, and that it would "only" require unions to get written annual authorization from their members in order to collect dues money used for political purposes.

In fact, Measure 92 is a thinly-veiled attempt to single out union members and deny them a freedom of choice that all other Oregonians enjoy.

Moreover, Measure 92 is a solution in search of a problem. **Union members already have the right to "opt out" of political dues if they so desire.**

Here's an example. In Oregon, AFSCME represents about 20,500 public employees. Of that total, roughly 3,500 are "fair share" members -- those who, for whatever reason, choose not to join the union but are still covered by its contracts. Each year, "fair share" members receive a letter outlining our political program, and are offered a rebate on that portion of their dues. On average 425 request that rebate. **And at AFSCME, we even offer a similar rebate to dues-paying members.**

The point is, **there's already a "fair" system in place.** But Measure 92 threatens charities and other groups that receive voluntary deductions, all because of how "political money" is defined in the measure.

Don't be misled by Measure 92. It's not for Oregon, and it surely has no place in the Oregon Constitution. Join us and Vote NO! on Measure 92.

Lanny Spriggle, Pendleton
AFSCME Local 1393 (Umatilla Co. Road Dept.)

Robin Mariani, Portland
AFSCME Local 189 (Portland 911 Dispatch)

(This information furnished by Don Loving, Oregon AFSCME Council 75.)

(This space purchased for \$500 in accordance with ORS 251.255.)

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Measure No. 93

Proposed by initiative petition to be voted on at the General Election, November 7, 2000.

BALLOT TITLE

93 AMENDS CONSTITUTION: VOTERS MUST APPROVE MOST TAXES, FEES; REQUIRES CERTAIN APPROVAL PERCENTAGE

RESULT OF "YES" VOTE: "Yes" vote means voters approve taxes, fees by certain approval percentage; may repeal recent increases.

RESULT OF "NO" VOTE: "No" vote retains current rules for approving, increasing taxes, fees; maintains previously approved taxes, fees.

SUMMARY: Amends Constitution. Currently voters approve taxes by majority vote; not all new, increased taxes, fees require voter approval. Measure requires voter approval after November 7, 2000 of most new, increased taxes, fees by same percentage of voters passing this measure. Requires repeal and refund of certain recent tax, fee increases unless voters approve increase. Exempts some charges, bonded indebtedness, public safety levies from new approval requirement. Public vote not required in limited circumstances. Establishes standards for taxpayer challenge, judicial review of tax measures. Other changes.

ESTIMATE OF FINANCIAL IMPACT: Additional costs to the state for the November 2002 General Election as a result of this measure are estimated to be \$8.6 million. Costs for each future general election are estimated to be \$4.3 million, adjusted for inflation.

Elections costs to local governments for the November 2002 General Election are estimated to be \$26.4 million. Costs for each future general election are estimated to be \$13.2 million, adjusted for inflation.

The effect on state and local revenue depends on how many taxes, fees and charges that were new or increased in the past two years are not approved by voters at the 2002 General Election.

TEXT OF MEASURE

Be it enacted by the People of the State of Oregon:

The Constitution of the State of Oregon is amended by creating a new, Section 32a in Article I, which section shall read:

Section 32a. People's right to approve all taxes. The purpose of this 2000 Amendment is to ensure that new taxes and tax increases, which further deprive citizens of income and property, are hereafter directly approved by the people. Therefore, except as provided in Section 6 of Article IX, any new tax, fee, or charge, or increase in an existing tax, fee, or charge, shall require approval by the people, as follows:

(1)(a) No new tax, fee, or charge shall be imposed, assessed or levied, and no existing tax, fee or charge shall be increased by the state or any local government or taxing district, unless the new tax, fee, or charge, or increase thereof is first approved in an election held on the first Tuesday after the first Monday of November of an even numbered year, or any other election held on a date which the state legislative assembly has designated as an annual election date on which measures may be placed on the statewide ballot by initiative petition, and the new tax, fee, or charge, or increase thereof, is approved by not less than the percentage of

participating voters who voted "Yes" on this 2000 Amendment. For purposes of this section and subject to subsection (5) of this section, the following shall require only approval by a majority of those voting in the election: (i) a measure to renew an expiring tax levy, which levy solely funds police, fire, or 911 emergency services, the rate or amount of which levy is not greater than the rate or amount of the expiring levy; and (ii) a measure to increase the state motor vehicle fuel tax.

(b) The ballot title and official voters pamphlet explanatory statement for a measure to adopt a new tax, fee or charge; to approve a bond measure; or to increase an existing tax, fee, or charge, shall begin with the words: **A "Yes" vote on this measure is a vote to increase taxes.** The question submitted to voters also shall clearly describe the proposed new tax, fee, or charge, or increase thereof; if the measure is a bond measure, a projection of the total cost of the bond, including interest thereon; and revenue the measure would produce annually.

(c) Nothing in this section shall affect taxes levied for the repayment of bonded indebtedness approved by voters in an election held prior to Nov. 7, 2000, or the issuance of refunding bonds to pay such bonded indebtedness. This section does not require voter approval for the issuance of, or the levy of taxes to pay, bonds issued to repay bonds issued prior to the effective date of this section or issued in conformance with this section.

(2) For purposes of this section, any elimination, limitation, or reduction of a tax exemption, credit, deduction, exclusion, or cost-of-living indexing shall be considered a tax increase.

(3) The following revenues shall not be considered new or increased taxes, fees, or charges for the purposes of this section: user fees charged by Peoples' Utility Districts or port districts; mass transit fares; college or university tuition and fees; incurred charges and assessments for local improvements as defined by Article XI Section 11b of this Constitution; increases in charges for government products and services solely to pass through increased costs of wholesale inputs that are not government employee labor costs, or otherwise under the charging government's control; fines or forfeitures for violation of law; lottery revenue; fees paid to official business and trade associations by those engaged in that business or occupation; earnings from interest, investments, donations, or asset sales; and fees or charges for products or services which may be legally obtained from a reasonably available source other than government, provided that the new or increased fee or charge for the product or service is not greater than the average private sector charge for the same product or service in the same market.

(4)(a) If in the two years previous to the effective date of this section, an existing tax, fee, or charge was increased more than three percent (3%), or a new tax, fee, or charge was adopted or first imposed, the increase in the existing tax, fee, or charge, to the extent it exceeded a three percent increase, and any new tax, fee, or charge, shall be either repealed or submitted to the voters for approval at the next election, if the new or increased tax, fee or charge was not approved by at least the percentage of voters required in paragraph (a) of subsection (1) of this section. If a new tax fee or charge was imposed, or an existing tax, fee, or charge increased in the two years previous to the effective date of this section, and the new tax, fee, or charge or increase in an existing tax, fee, or charge, was not approved in conformance with this section, and not approved by voters at the next election, the amount of the new tax, fee, or charge or excessive increase collected shall be refunded to the payer. Taxes to pay voter approved bonded indebtedness, and taxes, fees, and charges listed in subsection (3) of this section are exempt from the requirements of this paragraph (a) of this subsection (4).

(b) Provided that the amount of a fee or charge does not exceed the actual cost of providing the product or service, the following fees and charges may be increased at a rate not greater than the rate of inflation since the effective date of this section, without a public vote: (i) charges and fees in effect on or before December 6, 1998; (ii) charges and fees first adopted or first effective after

93

Measure No. 93

December 6, 1998, if adopted in accordance with this section.

(5) Nothing in this section shall be construed as nullifying the requirement in Section 11 of Article XI of this Constitution that elections for property tax measures, which are voted on in an election held on a date other than the general election, achieve not less than fifty percent (50%) voter participation to be valid.

(6)(a) This section shall not require a vote of the people when increases in government revenue occur solely due to a change in federal tax law, increases in income, or other changes in the circumstances of individual taxpayers. Nothing in this section shall be construed as authorizing an increase in the tax on a property tax in an amount greater than allowed under Article XI of this Constitution.

(b) If, after the effective date of this section, a government temporarily suspends or voluntarily lowers a tax, fee, or charge; the tax, fee or charge may be increased later, without a public vote, to the rate or amount it would have been under this section had the suspension or reduction not occurred.

(7)(a) Subject to Section 1a of Article IX, the Legislative Assembly and Governor may override this section and call for a special election date other than the date(s) set forth in subsection (1) of this section, or may enact by law particular taxes, or authorize particular local taxes, fees, or charges without a vote of the People if such taxes are approved by a three-fourths vote in each house and signed into law by the Governor. Any tax authorized or enacted by such action shall be designated for a specific purpose and shall be in effect no longer than twelve months. Any tax, fee, or charge imposed under this subsection shall be subject to referendum.

(b) Subject to Section 1a of Article IX of this Constitution, if a local Emergency is declared by the Governor, the affected city, county, or local taxing district may override this section for a period not exceeding twelve months, if: (i) the override is approved by not less than a three-fourths vote of the members of the local governing body, and (ii) the continuation of the tax for any remainder of the twelve months is approved by voters voting in an election held within ninety (90) days of the date the emergency is declared, and otherwise adopted in conformance with this section.

(8) The public shall be given reasonable opportunity to comment on the proposed ballot title for any measure to create a new tax, fee, or charge or increase an existing tax, fee, or charge. The ballot title may be challenged in court, and shall be rejected if it is biased, inaccurate, not easily understood, or does not comply with paragraph (b) of subsection (1) of this section.

(9) A government that levies taxes, fees, or charges in violation of this Section 32a shall refund the amount of any tax, fee, or charge collected in violation of this section, plus interest, to taxpayers in the twelve months following the determination of violation. Interest paid shall be computed as the cost of living change plus six percent per year, compounded for the period from collection of the tax, fee, or charge to payment of the refunds. If the cost of issuing the refund is more than twenty percent (20%) of the amount of the refund, a credit may be issued to the appropriate taxpayers.

(10) Because governments have at times been creative at redefining terms, or otherwise creating new funding mechanisms in order to circumvent limitations placed upon them by the people, the legislature, in implementing this section, and the courts in interpreting it, shall apply the strictest scrutiny to any new or renamed government funding mechanism; and shall require in every reasonable circumstance voter approval as required in this section for new or increased taxes, fees, or charges, regardless of the creativity used by the government in designing or naming the funding mechanism. Under this section, certificates of participation and all such funding mechanisms shall be subject to the same limitations and requirements as a bond measure.

(11) Any Oregon taxpayer affected by a new or increased tax, fee, or charge or bond issue subject to this Section 32a has standing

to challenge it, and/or the election authorizing its imposition, by court action commenced in any county in which the taxing entity is located. If the election is held, a tax, fee, or charge is imposed, or a bond is approved, in material violation of this section or any implementing legislation, the court shall declare the tax, fee, or charge or bond void. Such an action shall be commenced within ninety (90) days after the earlier of (i) the date on which the election approving the tax, fee, charge or bond is held; or (ii) the date on which the tax, fee, or charge is first imposed or the bond is approved for issue. The court shall award reasonable attorney fees and costs to the prevailing taxpayer, or if the action is found to be frivolous, to a prevailing government party.

(12) If any phrase, clause, or part of this Amendment is invalidated by a court of competent jurisdiction, the remaining phrases, clauses, and parts shall remain in full force and effect. If any provision of this Amendment is found to violate or infringe upon a right of any person or group under the U.S. Constitution, the provision shall remain in full force and effect for all other persons or groups for which no infringement had been found.

Measure No. 93

EXPLANATORY STATEMENT

Measure 93 would amend the Oregon Constitution to require approval by no less than the percentage of voters approving this measure for new or increased taxes, fees or charges proposed by state and local governments, unless exempted. For example, if this measure passes by sixty percent, it will require sixty percent approval of future taxes, fees and charges. It also requires a refund of certain past collections.

Oregon law generally requires voter approval for property taxes, and allows voters to refer other taxes. Fees and charges generally are not subject to voter approval.

Voter approval of new and increased taxes, fees and charges can be given only at the biennial general election or at an annual election if the legislature permits approval of statewide initiatives at that election. However, simple majority approval is required to renew certain police, fire, and 911 levies and for state gas tax increases. All ballots, including those that propose fee and charge increases, must state "A 'Yes' vote on this measure is a vote to increase taxes."

Affected charges range widely from photocopy fees, to parking fees, to sewer and water charges. However, the measure exempts a variety of charges, including Peoples' utility and port districts; mass transit; college and university; charges for anything provided by government which is available from the private sector if the governmental charge does not exceed the average private sector charge in that market; and inflationary increases in certain charges which were in effect on December 6, 1998 or which are approved by voters as the measure requires.

Governments must refund voter approved levies and other fees lawfully imposed or increased more than three percent after December 6, 1998 unless they are exempt or approved by a simple majority of voters at the next election.

The measure does not require voter approval for: increases which result from changes in income, federal tax laws, property values or other changes in individual taxpayer circumstances; actions which alter the distribution of revenues among governments; and voluntary payments to governments which are not imposed, assessed or levied, such as rent for government property or loan payments.

Certificates of participation and similar financing techniques which may be developed in the future are subject to the same limitations and requirements as a bond measure; this does not add new requirements for bonds.

This measure permits the state to impose temporary charges for not more than one year without voter approval. State temporary charges must be: for a specific purpose, approved by a three-fourths vote of each house of the Legislative Assembly, and signed by the Governor.

The measure permits local government emergency taxes for not more than one year if the Governor declares a local emergency, the local governing body approves the tax by a three-fourths vote, and the tax is approved by voters as the measure requires within 90 days after the declaration of emergency.

This measure prescribes procedures for tax elections, ballot title review, the refund of unlawfully collected taxes and court challenges.

Committee Members:

Patti Milne
 Bill Sizemore
 Mayor Helen Berg
 Harvey Rogers
 Fred Miller

Appointed by:

Chief Petitioners
 Chief Petitioners
 Secretary of State
 Secretary of State
 Members of the Committee

(This committee was appointed to provide an impartial explanation of the ballot measure pursuant to ORS 251.215.)

93

Measure No. 93 Arguments

ARGUMENT IN FAVOR

Measure 93 prohibits new or increased taxes and fees without voter approval. Measure 93 would send the following clear and simple message to elected officials across the state: **It's our money. If you want more of it, from now on you'll have to ask us first.**

Opponents of Measure 93 have said that requiring voter approval of new taxes and fees robs elected officials of their power to govern. They say we should let the people we elect decide how much money it takes to run government.

The problem is, we've been doing that now for decades. The result has been an unbelievable increase in the rate of growth of government spending. And it's not just been taxes that have gone up. Much of the growth has been in the imposition of new fees or huge increases in existing fees. There are literally thousands of government fees in Oregon. Fees have become government's secret weapon. Politicians know we won't let them increase a major tax. So they just get us \$10, \$25, or \$100 at a time with more fees than you can count.

Requiring voter approval of new or increased taxes and fees will require governments to live within their budgets just like our families have to live within ours. However, if they find they need additional money, rather than just take it from us, they will have to persuade a majority of us that they need it.

Measure 93 is an idea whose time has come. A number of other states have passed similar laws, and the results in those states have been surprisingly good. Voters have not said "No" to reasonable requests for money. By the same token, politicians have stopped looking to tax increases as the first way to solve every problem.

Pass Measure 93 and you the voter will decide how much of your money government takes from you.

(This information furnished by Becky Miller, Oregon Taxpayers United.)

(This space purchased for \$500 in accordance with ORS 251.255.)

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ARGUMENT IN FAVOR

In 1992, voters in Colorado passed a ballot measure that, like Measure 93, required voter approval of new or increased taxes. The measure is referred to in Colorado as the "Tabor" measure.

The political and cultural elite in Colorado were afflicted with the same kind of hand wringing and high anxiety that is currently afflicting the political class in Oregon over Measure 93.

Public perspective over Colorado's "Tabor" measure has changed dramatically since 1992.

Following are excerpts from a Nov. 7, 1999 editorial in *The Denver Rocky Mountain News*. These comments are written to voters in the state of Washington, who were also facing a No New Taxes Without Voter Approval Measure.

"Maybe it's time that opponents looked on the bright side. If they will give their new tax initiative a chance, they might find it actually strengthens the political process, rather than destroys it. That's clearly what has happened in Colorado since the passage of Tabor. Here, shifting responsibility for taxes from politicians to the public hasn't resulted in automatic rejection of every spending plan.

But while Tabor hasn't straitjacketed government, it has accomplished a number of good things. It has heightened interest in elections and government policy; it has given public officials mandates they otherwise would have lacked; it has shrunk voters' sense of helplessness over the use of their hard-earned taxes; and last, but hardly least, it has strengthened the fiscal responsibility of state and local government."

These are the words of a newspaper that once opposed requiring voter approval of new taxes. Their advice to Washington voters is good advice to voters and policy makers here in Oregon.

The sky won't fall and the world won't end if we give voters the right to accept or reject new taxes and fees. It will be good for Oregon, just like it has been good for Colorado and the other states that have adopted similar policies.

(This information furnished by Becky Miller, Oregon Taxpayers United.)

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Measure No. 93 Arguments

ARGUMENT IN FAVOR

The passage of **Measure 93** will require ballot titles for measures regarding tax or fee increases to begin with the words: a **“YES” vote on this measure is a vote to increase taxes.**”

Imagine

Put a stop to unclear ballot titles! **Vote YES on 93.** Imagine that every time you read a ballot title you will know what a “YES” vote really meant.

Put a stop to sneaky back door political tactics! **Vote YES on 93.** Imagine if you were never again confused about what voting “YES” or “NO” would do.

Put the people back in charge! **Vote YES on 93.** Imagine if it were required by law that a ballot title and official voters pamphlet explanatory statement had to actually EXPLAIN, in plain english, what a measure would do.

Imagine Measure 93

Oregonians have for years been concerned about the actual results of their votes. Many times the people are faced with purposely confusing language filled with double negatives. However the citizens now have some protection in the form of **Measure 93.**

Just think... it was up to the people, not the politicians, to suggest this common sense approach to campaign laws.

The people of Oregon have placed **Measure 93** on the ballot. A **yes vote on 93** will tell the politicians that the people want to have **UNDERSTANDABLE** ballot titles.

Ted Piccolo, atlasoregon@aol.com
(503)289-6200

(This information furnished by Ted Piccolo, Taxpayer Protection PAC.)

ARGUMENT IN FAVOR

Your Money, Your Choice!

Vote “YES” on 93

A **“YES” vote on 93** would merely allow hard working Oregonians a chance to vote on most new tax and fee increases. A simple and democratic idea, the time for which has come.

Measure 93 simply starts with the premise that “your money belongs to you.” What a concept!

Vote “YES” on 93 and stop local taxing districts from using **exploding** water and sewer fees to pay for programs that politicians know **YOU** would **NEVER** approve of.

Atlas Oregon believes that your **Money** represents your **Life**. To take more of your money is to take more of your **Life**. To take more of your **Life** is to put a limit on your **choices** in **Life**.

A **“YES” vote on 93** will put **Choice** back into taxing decisions. **YOUR CHOICE!** Not the choice of some powerful lobbyist.

Vote “YES” on 93, it is your money, it should be your choice!

Vote “YES” on 93 and the debate will be forever changed.

Currently the “taxing class” believes that they deserve a certain portion of your money. However by passing **Measure 93**, **YOU** will retain the right to **CHOOSE** how much money you will send away to the various levels of government.

Atlas Oregon believes you have the right to “own yourself”.
Ted Piccolo, Director “Atlas Oregon.”
(503)289-6200
atlasoregon@aol.com

(This information furnished by Ted Piccolo, Atlas Oregon.)

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Measure No. 93 Arguments

ARGUMENT IN FAVOR

LET THEM SAY "PLEASE"

Long ago, some colonials thought the consent of the governed was a better idea than the divine right of kings. Against all odds, they rebelled against taxation without representation. Much to their surprise, their "radical" idea became a founding principle of American government.

Since then, our government has grown far beyond the one the Founders overthrew. Taxes have risen far higher than what the King ever took. Fewer and fewer people feel that their own interests are represented in the halls of power.

Measure 93 offers Oregonians a chance to halt that cancerous growth. When those who benefit from higher taxes claim that making them ask before reaching into your pocket is a dangerous, radical idea, don't believe it. Read this clearly written, two-page amendment and judge for yourself.

People who take your money without your permission are thieves, no matter what gang they belong to. Measure 93 will make it harder for government to steal what is yours.

Measure 93 will require honest ballot titles for new tax measures. They will have to tell you up front when a "Yes" vote will raise your taxes. They will have to be unbiased, accurate, and easily understood.

Measure 93 will leash government's "creativity" at calling new taxes something else, by subjecting any new or renamed funding mechanism to strict scrutiny. It makes reasonable exemptions for fire, police and some other services. It includes a twelve-month escape clause for genuine emergencies.

The consent of the governed is still the better idea. If you think government should ASK YOU before taking your money, vote "Yes" for Measure 93.

(This information furnished by Bruce Alexander Knight, Libertarian for US House of Representatives, District 3.)

(This space purchased for \$500 in accordance with ORS 251.255.)

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ARGUMENT IN FAVOR

It's Your Money

What is the one secret that Government officials hope you will not discover before you vote this November?

"The taxes you pay are really your money!"

Believe it or not, this comes as a surprise to many people. Whatever the Government takes from your paycheck was once actually yours. You earned it when somebody else decided that the work of your mind and body were valuable enough to pay you for. Politicians know that once you realize this, you will understand why **Measure 93 is both fair and necessary.**

Before the Government takes your money, don't you think It ought to ask you for permission?

We think so too!

The Government takes your money for countless programs you may or may not agree with. The decisions made in smoky back-rooms by politicians and special interest groups eventually come out of someone's pocket. Measure 93 gives the people a chance to say:

"You will not raise our taxes without our approval!"

"You will not assess new fees and surcharges without convincing us that it is necessary!"

"Politicians do not have the final authority to tax Oregonians, that authority belongs to the citizens of Oregon."

A new Legislature meets every two years and the result is always higher taxes and fees. It is time for the people who shoulder the tax burden in Oregon to have a direct voice in how it is done.

At a minimum, voters deserve the chance to veto excessive tax increases.

Please vote YES on ballot measure 93. It is an important step toward building an accountable government.

Remember, it's your money!

Furnished by the Libertarian Party of Oregon

For more information call 1-800 829-1992 or visit our web site at www.lporegon.org

The Libertarian Party of Oregon is the third largest political party in the state. Libertarians are fiscally conservative and socially tolerant, we believe that government should be limited to protecting our freedoms while ensuring personal accountability.

(This information furnished by Eric Winters, Libertarian Party of Oregon.)

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Measure No. 93 Arguments

ARGUMENT IN FAVOR

LOOK WHO OPPOSES MEASURE 93

Measure 93 stops the government from increasing taxes and fees whenever they want to; they have to get the voters' permission first. Who could disagree with that? After all, it's the people's money. They should have a say in how much of it government takes from them.

But look who opposes Measure 93. It reads like the "Who's Who of Tax and Spenders." The public employee unions. Big government groups. Politicians.

But what are they afraid of? Measure 93 doesn't stop tax and fee increases. It simply requires governments to get voter approval first.

That's really what leadership is all about. True leaders don't force the people to do something. They persuade the people to willingly follow them.

The only reason for political leaders to fear Measure 93 is if they want to increase taxes and fees that the people don't want increased, or they want to do things with taxpayer dollars that the taxpayers do not support.

Other states that have adopted laws like Measure 93 have seen good results.

Here's what they've found:

- Voters don't always say "No." They support the things they believe in.
- Voters get more involved in government decisions.
- There's less voter apathy.
- Governments become more fiscally responsive and accountable when they know they can't have more money just because they want it.
- Voter turn-out in elections increases.

Only elitist politicians would see these as bad things – those who would use the power of government to coerce its citizens.

Public officials who want to lead by persuasion and by the building of consensus, rather than by force and coercion should embrace Measure 93. It simply lets government have as much money as we the people willingly give them. No more and no less.

It requires our elected officials to lead us, not dictate to us. To persuade us, not force us.

And that's what living in a free society is all about.

(This information furnished by Becky Miller, Oregon Taxpayers United.)

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ARGUMENT IN FAVOR

WHAT A DISCONNECT!

Why should governments be allowed to increase taxes and fees any time they want? Public officials may know how much money government needs, but how could they ever know how much my family needs?

Some tax increases mean some kids won't get new shoes. Some kids won't go to college. Some elderly people won't be able keep their house warm in the winter. **Are we supposed to just let politicians take what they need, and then adjust our family budgets accordingly?** Do we trust politicians that much?

Remember the recent vote on the legislature's gas tax increase. Governor Kitzhaber lobbied for a gas tax increase. A majority of our state legislators voted for it, too. But after AAA and Oregon Taxpayers United collected the signatures to let voters decide the issue, the gas tax increase received less than 15 percent of the vote!

What a disconnect! The governor and the legislature voted for it big time and the voters turned it down big time. The governor and the legislature were obviously completely out of touch with the people.

Measure 93 gives voters the right to vote on most new or increased taxes and fees. New taxes and fees would have to be approved by at least the same majority approving Measure 95. So, if Measure 95 gets 60 percent of the vote, new taxes and fees will require at least 60 percent voter approval.

It's time we stopped giving politicians a blank check. It's time we reminded them that it's our money they're spending.

Measure 93 sends the following message to elected officials: If you want more of our money, you'll have to persuade us first that you truly need it. If you make your case, we'll approve additional funding. If you don't, we won't.

Requiring voter approval of tax increases is working well in other states. It'll work in Oregon.

MEASURE 93 IT'S GOOD FOR GOVERNMENT AND GOOD FOR TAXPAYERS

(This information furnished by Bill Sizemore, Oregon Taxpayers United.)

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Measure No. 93 Arguments

ARGUMENT IN OPPOSITION

**SPECIAL DISTRICTS ASSOCIATION URGES YOU TO
VOTE NO
ON MEASURE 93!**

**WHAT TYPES OF SPECIAL DISTRICTS CAN BE EFFECTED
by this measure?**

Fire districts, ambulance districts, 9-1-1 emergency communication districts, health & hospital districts, parks & recreation districts, library districts, water districts, sewer districts, port districts, transportation districts, and even cemetery maintenance districts!

**WHAT TYPES OF FEES MIGHT YOU BE ASKED TO VOTE ON
if this measure passes?**

- Rodeo Stall & Corral Rental Fees
- Library Card Replacement Fees
- Overdue Book Fines
- Interlibrary Loan Fees
- Opening and Closing of Gravesite Fees
- Burial Plot Purchase Fees
- Ditch Maintenance Fees
- X-Ray Fees
- Firewood Gathering Permit Fees
- Swimming Pool Filling Fees
- Picnic Kit Use Fees

WHO PAYS the cost of a special district election?

Special districts do with TAXPAYER OR RATEPAYER MONEY!

HOW MUCH could these elections cost you?

According Measure 93's Fiscal Impact Statement ... "Election Costs to local governments for the November 2002 General Election are estimated to be \$26.4 million. Costs for each future general election are estimated to be \$13.2 million, adjusted for inflation."

**DON'T LET YOUR TAX DOLLARS BE SPENT ON
EXPENSIVE ELECTIONS**

VOTE NO ON MEASURE 93!

(This information furnished by Greg Baker, Executive Director, Special Districts Association of Oregon.)

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ARGUMENT IN OPPOSITION

**The Oregon Library Association says
PROTECT YOUR LOCAL LIBRARY.**

Vote NO on Measure 93.

Oregonians love their libraries!

In the last two years, Oregon voters have shown their love of libraries by passing measures to support these local libraries...

Sweet Home Public Library

Tillamook County Library

Deschutes County Library

Fern Ridge Library

Jefferson County Library

Eugene Public Library

Stayton Public Library

Josephine County Library

Klamath County Library

Scappoose Public Library

If Measure 93 passes, these local library measures could be invalidated -- thrown out the window!

Library supporters might have to start all over again, going back for another public vote on measures that have already passed.

Even then, libraries could still lose. Under Measure 93, voters would have to pass their local library funding measures by at least the same margin as Measure 93 gets in November.

Any future library funding measure, anywhere in Oregon, would have to meet that same arbitrary requirement.

Oregon's libraries offer a lifetime of learning to everyone, long after school is done. But libraries work only when their doors are open. Help keep them that way.

Vote NO on Measure 93.

(This information furnished by Terry Rohe, President, Oregon Library Association.)

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Measure No. 93 Arguments

ARGUMENT IN OPPOSITION

The League of Women Voters of Oregon Urges a No Vote on Measure 93

The League of Women Voters of Oregon is a grassroots, nonpartisan organization which encourages the informed and active participation of citizens in government. Since 1920, the League has worked to inform voters, improve our political process and strengthen our Democracy.

Amends the Oregon Constitution to Eliminate "Majority Rule"

One person, one vote and majority rule are basic values of American democracy. By requiring a "supermajority," Measure 93 violates those principles by ensuring that a minority of voters would be able to prevent the wishes of the majority in a wide variety of elections. That also makes the vote of the majority less valuable.

Disrupting Our Elections System

Measure 93 could force Oregon voters to vote on a dizzying array of fees, charges and taxes. The ballots of all Oregonians could become complicated and difficult to navigate, with a potential of hundreds of measures each General Election. Many of these would be public votes on fees that most Oregonians do not pay.

Unfair

Measure 93 would give people "veto" power over fees they do not pay, and that other Oregonians count on. Portland voters would vote on things like grazing fees, while rural Oregonians would get to vote on things that are only important to urban Oregon. It makes no sense, and is unfair.

Wastes Millions of Taxpayers' Dollars

Measure 93 would cost Oregon taxpayers \$35 million in the next general election alone.

Please join the Oregon League of Women Voters in Voting NO on 93

(This information furnished by Paula Krane, President, League of Women Voters of Oregon.)

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ARGUMENT IN OPPOSITION

COMING TO YOUR BALLOT (IF MEASURE 93 PASSES)

Measure 93 will force Oregonians to vote on hundreds of state and local fee increases of 3% or more.

Here's just a small sampling of state fees that could be on your general election ballot:

- Receive: Cable or ITFS Access Membership
- Network II Facility use fees
- Network II Programming: Educational member satellite discount
- Ed-Net Service Fees
- Compass Services-Plus 120
- Satellite Downlink System Installation-3.7 meter steerable dual-band downlink
- Gateway Videoconferencing
- Site Scheduling Service: Out-Of-State non-Ed-Net sites
- Field Burn Regulation Fee
- Animal Disposal License
- Water Quality Mgmt. Fee
- Stack Burning Fee
- Field Burning Fee
- Commercial Feeds Regulatory Fee
- Weather Modification
- Brand Inspection Fees
- Miscellaneous One Day Horse Sale
- Weights & Measures Development License Type B Scale 401-1,160 lb. capacity
- Nursery Certification Fee
- Pesticide Applicator License
- Animal Disposal License
- Commercial Feeds Regulatory Fee
- Livestock Auction Market License
- Exotic Animal Permit
- Veterinary Prod. Registration
- Garbage Feeder License
- Weights & Measures Special Test Collect
- Nursery License Nursery Dealers, Florists & Landscapers
- Grain Warehouse License
- Cardlock-Facility License
- LPG Installation/Company
- Polygraph Licensing
- Race Meet License Fee
- Notary Public Filing Fee

Remember, this is just a fraction of the fees Measure 93 could bring to the Statewide ballot!

www.ouroregon.org

(This information furnished by Shannon Floyd, The Committee for Our Oregon.)

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Measure No. 93 Arguments

ARGUMENT IN OPPOSITION

COMING TO YOUR BALLOT (IF MEASURE 93 PASSES) Continued...

- Bean, Pea & Hay Inspection Fee-Dried beans, dried peas, split peas, lentils, and similar commodities
- Ginseng Dealers
- Export Hay Certification
- Hops Inspection
- Apiary Registration Fees
- Seed Sampling Fees
- Retail Product Peddler License
- Wholesale Produce Dealer License
- Nursery Research. Assessment
- Retail Food Establishment License
- Christmas Tree License Acres of Trees Basic Charge
- Imported Timber Inspection Fee
- Virus Fruit Tree Cert Fee
- Pest & Disease Reimbursement/Certificate
- Fluid Milk Distribution License
- Bakery License
- Poultry/Rabbit Slaughter License.
- Shellfish Grower License
- Food Storage Warehouse License
- Custom Meat Processing License
- Slaughterhouse License
- Nonalcoholic Beverage License
- Dairy Operators License
- Animal Food Processor
- Retail Manufactured Frozen Dessert
- Egg Fee
- Egg Breaker Permit
- Reciprocity Application Fee
- Architect Registration Fee
- Architect Renewal Fee
- Heirloom Birth Certificate
- Electrical Master Permit Inspection Fee
- Restricted Energy Electrical License Endorsement Exam Fee
- Limited Journeyman Railroad Electrician License
- Electrical Special Restricted Energy License
- Limited Journeyman Elevator Service Electrician License
- Limited Journeyman Manufacturing Plant Electrician License

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ARGUMENT IN OPPOSITION

COMING TO YOUR BALLOT (IF MEASURE 93 PASSES) Continued...

- Falconry License
- Oil and Gas Fees
- Metal Mines
- Clandestine Drug Lab License Renewal - Biennial
- Residential Care Facilities
- Special Nuclear Material Unsealed (Facility)
- Use of Xenon Gas (Facility)
- High Doserate Brachytherapy (Source)
- Radiopharmaceutical Therapy (Facility)
- Radioactive Materials Licenses - Annual
- Instrument Calibration
- Well Logging (Source)
- Death Certificates
- Divorce Certificates
- Tanning Device Registration - Annual
- EMT Reciprocity Certification - Biennial [Basic & Paramedic]
- Bed & Breakfast Annual License
- Ambulance Vehicle License - Annual
- Temporary Restaurant License
- Total Body Piercing
- Dental Hygienist License - New or Renewal
- Funeral Establishment License Fee - Biennial
- Veterinarian Initial & Renewal License Fee
- Circuit Court Fee Schedule
- Professional Fundraiser Registration Fee
- Charitable Trust and Corporation Reporting Fee
- Bingo and Raffle License and Reporting Fee
- Geothermal Permit Application
- Grazing Application Fee
- Lottery Telephone Line Installation (Digital)
- Charter Boat Licensing Fee
- Deschutes Boaters Permit
- Extra Vehicle Parking Permit
- Group Picnic
- Non-traditional activity –Champoeg Amphitheatre, without admission fee, up to 1,000 people
- Petroleum Load
- Wholesale Fireworks
- Record of Criminal History
- Fingerprint Card

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Measure No. 93 Arguments

ARGUMENT IN OPPOSITION

COMING TO YOUR BALLOT (IF MEASURE 93 PASSES) Continued...

- RV/Org Park Re-inspection Fee
- Electrical Limited Sign Contractor License
- Water Treatment Installers License Exam Fee
- Boilers and Pressure Vessels Inspector Certification Renewal Fee
- Amusement Rides Inspection
- Elevator Contractor's License
- Radioactive Waste Transport Fee
- Emergency Response Planning
- Life Settlement Brokers Application
- Foreign Bank License Fee
- Merger Approval Application Fee
- Investment Adviser License
- Tuition Protection Fund -- Initial Capitalization (one-time)
- LEDS Search Fees
- Public Housing Agencies
- Solid Waste Permit Fee
- Oil Spill Prevention-Facility Fee (annual)
- Hazardous Waste Generator Fees
- Wastewater Discharge Fee
- Air Contaminant Fee-Application Fee
- Asbestos Certification Fee-Notification Fee
- Dry Cleaner Environmental Response
- Industrial Air Emission Fee-Emission Fee
- Hazardous Substance Remedial Action Fund
- On-Site Subsurface Fees
- Heating Oil Tank Cleanup Assistance
- Sewage Works Operator Certification Fee-Reciprocity Fee
- Trailer Park Rental
- Vessel Permit
- Sauvie Is. Parking Permit Resident angling license
- Resident Commercial Boat license
- Food Fish Canner license
- Resident Wildlife Propagation, Annual
- Hunter Education
- ATV Class II Permit
- DMV Trip Permits
- Aircraft Registration
- Approach Road Permit fee

Remember, this is just a fraction of the fees Measure 93 could bring to the Statewide ballot!

www.ouregon.org

(This information furnished by Shannon Floyd, The Committee for Our Oregon.)

ARGUMENT IN OPPOSITION

A Message from Governor John Kitzhaber, M.D.

In few places in our nation is the exercise of democracy as vigorous as in Oregon. We are proud of our tradition of open debate, and of making our voice heard on the ballot.

Some issues are more fundamental than the question of the day. There are times that the basic foundations of the democratic process are at stake. And that is the case with Measure 93.

Measure 93 claims to be about taxes and fees. In fact, it would change our basic political system in ways that should concern every Oregonian.

It would overturn the basic principle of majority rule. Measure 93 would put in our constitution permanent veto power for a minority of voters, who would be able to block the wishes of the majority on what investments we should make as a state, or as community.

It would turn our general election ballot into an obstacle course, crowded with hundreds of fees and costing millions in extra elections costs.

And Measure 93 would have voters making decisions on fees that are not only paid willingly by those they affect, but are vital to a profession or industry. Is it fair for all the state's voters to be making decisions on a fee they do not pay and may know very little about – especially when that vote could have a devastating effect on someone else's livelihood?

Over the course of our history, tremendous sacrifices have been made to establish and protect our democracy. I hope you will agree with me that it is too precious to be changed in such a thoughtless way.

Please join me in voting no on Measure 8

John Kitzhaber, M.D.

(This information furnished by John A. Kitzhaber, M.D.)

(This space purchased for \$500 in accordance with ORS 251.255.)

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Measure No. 93 Arguments

ARGUMENT IN OPPOSITION

**Organizations In Every Part of Oregon,
From Every Walk of Life,
Have Joined Together to Say:**

VOTE NO ON MEASURE 93

**This is a small sample of those who have joined in
opposition to Measure 93:**

- League of Women Voters of Oregon
- Oregon Council, American Electronics Association
- Oregon Advocacy Coalition of Seniors and People with Disabilities
- Oregonians for Public Safety
- Bend Chamber of Commerce
- Reverend William R. Ellis, Jr.
- Rabbi Daniel Isaak
- Eugene Police Employees' Association
- University of Oregon Alumni Association
- Oregon State Police Officers' Association
- Christian Church (Disciples of Christ)
- Oregon Council of Police Associations
- Oregon State Council of Senior Citizens
- Oregon School Boards Association
- Jewish Federation of Portland Community Relations Committee
- Oregon Building Officials Association
- Human Services Coalition of Oregon
- Oregon Education Association
- Oregon State Fire Fighters Council
- Portland Gray Panthers
- Oregon Catholic Conference
- Oregon Consumer League
- Tigard United Methodist Church
- Coalition for School Funding Now!
- Oregon AFL-CIO
- Oregon AFSCME Council 75
- Confederation of Oregon School Administrators
- Roseburg Police Employees Association
- American Jewish Committee, Oregon Chapter
- OPEU, SEIU Local 503
- Oregon Police Chiefs for Safer Communities
- Tigard Police Officers Association

**Too Little Benefit. Too Great a Cost.
Vote NO on Measure 93**

www.ouregon.org

(This information furnished by Shannon Floyd, The Committee for Our Oregon.)

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ARGUMENT IN OPPOSITION

A MESSAGE FROM THE OREGON PTA

**MEASURE 93 WILL BLOCK YOUR COMMUNITY'S
EFFORTS TO IMPROVE YOUR LOCAL SCHOOLS!**

If you care about improving your local schools, beware of Measure 93.

Measure 93 would make it difficult, if not nearly impossible for communities to pass local levies or bonds to repair schools, ease overcrowding, restore programs or buy new books. It will require a supermajority to pass any local levy or fee, no matter what it is for.

That means a minority of voters will have permanent veto power over improving your local schools. And we don't even know what that supermajority would be! The measure says that it will be whatever percentage votes yes on Measure 93. If 70% votes yes on Measure 93, then 30% of voters will be able to block any local effort to help schools (or any other community need, for that matter).

**MEASURE 93 COULD ALSO CANCEL SCHOOL
IMPROVEMENTS VOTERS HAVE ALREADY APPROVED!**

Measure 93 is retroactive for two years. That means if you worked hard to pass a local levy to help lower class sizes, buy new books or restore programs like art and music, your schools are in danger of losing the money voted for and given to it.

If that levy passed by less than the new (undefined) supermajority, there would have to be another election. And if it doesn't pass again, the money would have to be refunded – **even if it has already been spent on what the voters approved!**

Measure 93 makes no sense. And something this hurtful to schools certainly doesn't belong in our constitution.

VOTE NO ON MEASURE 93!

**Kathryn Firestone, President
Lisa Laursen Thirkill, Vice President for Legislation
The Oregon PTA**

(This information furnished by Kathryn Firestone, President, Lisa Laursen Thirkill, VP Legislation; Oregon Congress of Parents and Teachers.)

(This space purchased for \$500 in accordance with ORS 251.255.)

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Measure No. 93 Arguments

ARGUMENT IN OPPOSITION

**Support your local sheriff...
firefighter, police chief, police officer, corrections officer,
and all the dedicated people who keep
your community safe:**

VOTE NO ON 93!

Measure 93 says it's about taxes and fees. But there is more to it than meets the eye. **Measure 93 could make it difficult or nearly impossible to make critical public safety investments for every community in Oregon.**

Because it will require a "supermajority" for nearly any tax or fee in Oregon, Measure 93 would put a huge roadblock in the way of keeping our communities safe. It would mean that a majority of voters would be unable to approve public safety levies and bonds for things such as:

- Increased patrols
- Rural and urban police protection
- Adequate jail space to keep criminals out of our neighborhoods
- Fire protection

Levies and bonds are a good way for voters to make sure that their money is being spent directly on their priorities. Why would we make it more difficult for ourselves to decide as a community what we want to invest in?

Measure 93 makes no sense for the safety of our communities. That is why Oregon law enforcement says

PLEASE, VOTE NO ON 93!

Sheriffs of Oregon

Oregon Police Chiefs for Safer Communities

Oregon Council of Police Associations

Oregon State Police Officers Association

Association of Corrections Employees

Oregon State Fire Fighters Council

(This information furnished by Stan Robson, Sheriffs of Oregon; Steven Winegar, Oregon Police Chiefs for Safer Communities; Ronald M. Anderson, Vice President, Oregon State Police Officers' Association; Gary Harkins, Association of Corrections Employees; Martin Lerner, Oregon Council of Police Associations; Bob Livingsten, Oregon State Fire Fighters Council.)

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ARGUMENT IN OPPOSITION

**MEASURE 93 WILL CANCEL SCHOOL
AND LIBRARY LEVIES
VOTERS HAVE ALREADY APPROVED!**

Few things bother voters more than having their wishes ignored, and their votes overturned.

But that is just what Measure 93 would do!

We are just a few of the thousands of Oregonians who worked very hard to pass local levies for our communities' schools and libraries. For many of us, these measures were the only way to avoid serious cuts in the classroom, or to keep our libraries' doors open.

Not only did we pass these levies, but we did so under the "double majority" requirement. In communities across Oregon, the voters spoke.

But if Measure 93 passes, it could cancel these elections. That's like changing the rules after the game has been played. Measure 93 could even force our hard-pressed schools to refund the money, even if it has already been spent on what voters said they wanted it spent on.

This makes no sense. It's not fair. And we certainly shouldn't put it in our Constitution.

PLEASE VOTE NO ON MEASURE 93

(This information furnished by Chuck Keil; Katharine S. Danner, Ashland Schools Foundation.)

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Measure No. 93 Arguments

ARGUMENT IN OPPOSITION

Oregon Mayors' Association Urges Oregonians: VOTE NO ON MEASURE 93

Voting on almost everything that affects your pocketbook... sounds good, right? But Measure 93 is a constitutional amendment that is vague, poorly thought out and has many unintended consequences. That's why the Oregon Mayors' Association urges you to vote "NO" on Ballot Measure 93.

Here are some of the details that trouble us:

It's unfair. Almost every tax, fee or charge increased or imposed since December 6, 1998 is subject to repeal and a public vote. No matter how large or how small, or the reason for the increase, or if it has already been approved by voters; it's all the same.

If the tax, fee or charge isn't approved by voters, it must be refunded. If there isn't enough money in, say, the sewer fund to refund a sewer charge, then the money must come from somewhere else. That means other public services will be hurt.

It's expensive. Measure 93 will actually cost a lot of tax dollars. Elections are expensive; the official estimate is that Measure 93 will cost local taxpayers \$26.4 million in the November 2002 election alone. And this measure doesn't differentiate between a vote on a 10-cent library fee and a \$10 million water project. It will cost money to track down the people to whom money must be refunded. And the lawsuits to figure out what the language in this measure really means is going to cost us -- the taxpayers -- a lot.

It's unnecessary. Oregon's Constitution already says that taxes have to be approved by the people or the Legislature. We already vote on property taxes. In almost every city, we have a referendum if people don't like what the city council does. And, you can vote us out of office. The voters already have the power; this measure is unnecessary.

Measure 93 hurts Oregon's cities and taxpayers. Please vote "NO" on Measure 93.

(This information furnished by Mayor Mary Nicholson, Milton-Freewater, President, Oregon Mayors' Association.)

(This space purchased for \$500 in accordance with ORS 251.255.)

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ARGUMENT IN OPPOSITION

MEASURE 93 IS NOT THE ONLY ONE TO WORRY ABOUT!

Measures 91, 93 & 8 are bad ideas for Oregon in many different ways. But there are some things they have in common:

- They all offer little or no benefit to middle class Oregon taxpayers.
- They all hurt basic values and services that all Oregonians count on and care about.
- They are all vague or misleadingly worded, and filled with unintended consequences.
- They all amend the constitution.
- They don't add up, and they certainly won't work.

Measures 91, 93 & 8: Far Too Little Benefit. Far Too Great a Cost.

www.ouregon.org

(This information furnished by Shannon Floyd, The Committee for Our Oregon.)

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Measure No. 93 Arguments

ARGUMENT IN OPPOSITION

FORMER JUDGES OPPOSE PLACING MEASURE 93 IN THE CONSTITUTION

It undermines our democracy

Fellow citizens:

As former judges, we have a deep respect for the State's fundamental governing document – the Oregon Constitution.

That is why we hope you will join us in voting NO on Measure 93.

The Constitution establishes our basic system of government and protects our fundamental rights. Unlike a simple statute, it cannot be changed by the Legislature. Only a vote of the people can change the Constitution.

Measure 93 not only changes our Constitution, but it threatens to disrupt our election system and runs counter to basic American principles, such as majority rule.

Because it requires "supermajority" approval for taxes and fees, Measure 93 means that a minority of voters will have veto power over the majority. And Measure 93 would place hundreds of small fees on the state and local level. It will make Election Day expensive and confusing for voters. We certainly shouldn't be amending our Constitution to do that.

But even if we agreed with Measure 93, we would vehemently oppose placing it in the Constitution. It has no place there.

We hope you will join us in voting "No on Measure 93."

(This information furnished by The Honorable Betty Roberts, The Honorable Jacob Tanzer.)

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ARGUMENT IN OPPOSITION

OREGON RECREATION & PARK ASSOCIATION OREGON PARKS ASSOCIATION OPPOSE MEASURE 93

The Oregon Recreation & Park Association and Oregon Parks Association, organizations representing over 500 professional members that provide park and recreation services throughout the state, oppose Measure 93.

Measure 93 is another attempt to throw a roadblock in front of efforts to provide services that Oregonians have time and again supported in their communities. **This Constitutional Amendment** prohibits raising certain fees unless public agencies hold an expensive election first. To ask voters to approve hundreds of fee increases for everything from copying costs to pool usage fees is neither reasonable nor prudent when taxpayers are requiring more efficient use of tax dollars. Measure 93 will increase the cost of providing essential services for Oregonians who can least afford to pay.

Measure 93 will complicate the ability of local Park and Recreation agencies to provide basic services for youth-at-risk, senior citizens and adult sports. It could eliminate arts and summer day camps for kids; programs for the physical or mentally challenged; after school activities; and other essential recreation services that Oregonians depend upon.

Examples of recreation program fees that you may soon be voting on:

- Youth soccer, baseball and basketball
- Athletic field, park and facility rentals
- Swimming pool admissions
- Quilting, dog obedience, dance classes
- Children's summer camps

Measure 93 will cost Oregon communities millions of dollars in increased election costs. It will give a minority of voters the ability to block the majority will when it comes to repairing/improving park facilities. **It will be retroactive; potentially forcing communities to make financially ruinous "refunds" even if the money has been spent on what voters told their local governments to spend it on!**

Again, we are faced with a vague, ambiguous measure that doesn't solve any problems, creates more bureaucracy, increases costs and distracts government from providing important park and recreation services.

**Don't let them fool you.
VOTE NO ON MEASURE 93.**

(This information furnished by Stephen A. Bosak, Oregon Recreation & Park Association, Oregon Parks Association.)

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Measure No. 93 Arguments

ARGUMENT IN OPPOSITION

As graduates of Portland State University, we urge a no vote on Measure 93. This measure won't save taxpayers money and will create a bureaucratic nightmare for higher education administrators. This comes at a time when we need to reduce the cost of higher education so more people can obtain a college degree.

This measure will force voters to approve many college and university fees that you simply don't care about. It could force votes and political campaigns focused on increases like university parking fines, overdue library fines, computer usage fees for students, fees for university activities, and student organization fees. What a waste of time and money! Measure 93 doesn't make any sense to us and we hope it doesn't make any sense to you, either.

Please vote no on Measure 93. It won't save you any money and it doesn't belong in the Oregon constitution.

(This information furnished by Joan C. Johnson, Denise Duncan, Roger Capps, Marjorie Terdal, Chris Groener, Gary D. Salyers, Jennifer T. Eller; alumni of Portland State University.)

(This space purchased for \$500 in accordance with ORS 251.255.)

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ARGUMENT IN OPPOSITION

Forget the Terwilliger curves on Interstate 5 in Portland at rush hour. You want to see real gridlock? Vote for Ballot Measure 93.

True, it's a different kind of gridlock. Measure 93, if passed, would create true government gridlock. Moreover, it would waste thousands of taxpayer dollars on elections.

Measure 93 requires a public vote any time a government agency wants to raise a tax or fee by more than 3 percent. It is also retroactive to December 1998, which creates other problems.

What kind of fees are covered by Measure 93? **Any and every kind.** If your local library needs to raise its overdue book fee from 25 cents to 30 cents, you have to hold an election. If your park district needs to add a dime to the swimming pool fee to cover inflation, you will need to hold an election. Get the idea?

The retroactive part makes it worse. If your library added that extra 5 cents since December 1998, you have to go back and vote on it. And if it doesn't pass that vote, Measure 93 would require the library to make refunds! Can you imagine the administrative and bookkeeping nightmare Measure 93 could cause by forcing libraries, swimming pools and the like to chase down customers from two years ago to refund them 10 or 15 cents? **What a waste of time and money!** Yet this is exactly what Measure 93 would do.

Think about this: what significant taxes or fees are there that we don't already vote on? We already vote on property taxes, school bonds, police and fire levies and so on. Through the initiative system, we vote on income taxes almost every two years. **The point is, if it is a significant tax or fee, we already vote on it.**

If you want gridlock, stick to the freeways! Vote NO! on Measure 93.

**Terry Woodward, Coos Bay
AFSCME Local 2892 (City of Coos Bay)**

(This information furnished by Don Loving, Oregon AFSCME Council 75.)

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Measure No. 93 Arguments

ARGUMENT IN OPPOSITION

**Oregon State Treasurer Jim Hill
Urges you to vote NO on Ballot Measure 93**

Oregon voters are savvy and not easily fooled. Two years ago, they sent a message loud and clear that they don't want Bill Sizemore to lead Oregon's state government. Now you have another chance to send that message again and reject his form of government by voting no on Measure 93.

Measure 93 calls once again for amending the Oregon Constitution to require voter approval of new or increased taxes, fees or charges proposed by state and local governments, and to require a refund of past collections. Governments must refund voter approved levies imposed after December 6, 1998, unless they are exempt or approved by voters at the 2002 General Election.

Measure 93 is so poorly written and difficult to interpret that it is nearly impossible to determine the revenue impact. **Conservative estimates put the revenue impact to the state, cities, counties and school districts at more than \$200 million.** Because this measure is so confusing, that number could easily increase.

Oregonians have already spoken about this issue. Voters rejected a similar ballot measure in 1994, which required a vote on all new taxes and fees. It was bad for Oregon then, and it is bad for Oregon now. Don't be tricked by the power of special interest groups whose main objective is not to reduce government, but to do away with it entirely.

Let's work together to find positive solutions to our problems and differences, and reject confusing, self-serving measures that do nothing but divide Oregon and move us in the wrong direction.

Voters overwhelmingly rejected Bill Sizemore in his bid for governor in 1998 and at the same time rejected his form of government. It is time once again to send a message. Vote NO on Measure 93.

**Jim Hill
Oregon State Treasurer**

(This information furnished by Jim Hill, Oregon State Treasurer.)

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Measure No. 94

Proposed by initiative petition to be voted on at the General Election, November 7, 2000.

BALLOT TITLE

94 REPEALS MANDATORY MINIMUM SENTENCES FOR CERTAIN FELONIES; REQUIRES RESENTENCING

RESULT OF "YES" VOTE: "Yes" vote repeals mandatory minimum sentences for certain violent and other felonies, requires resentencing.

RESULT OF "NO" VOTE: "No" vote retains mandatory minimum sentences for certain violent and other felonies, maintains existing sentences.

SUMMARY: Laws approved in 1994 as "Measure 11" require minimum sentences for certain violent felonies, conspiracy and attempt to commit certain felonies, committed after April 1, 1995. With limited exceptions, statutes require persons convicted serve full minimum sentence, with no reduction for post-prison supervision, temporary leave. Statutes require persons charged with specified crimes aged 15 to 17 when crime committed be prosecuted as adults. Measure repeals these statutes, requires persons sentenced under them be resentenced under existing sentencing guidelines.

ESTIMATE OF FINANCIAL IMPACT: State adult prison and juvenile close custody costs will decrease by \$10.8 million in 2000-01, \$35.9 million in 2001-02, and \$65.1 million in 2009-10. Bond repayment costs for new prison construction will decrease by \$153.6 million between 2000 and 2010. State community corrections payments to counties will increase by \$900,000 in 2000-01, \$3 million in 2001-02, and \$1.5 million in 2009-10. State costs for community supervision of youth offenders will increase by \$200,000 in 2000-01, \$500,000 in 2001-02 and \$1.1 million in 2009-10.

State costs to resentence offenders will be \$6.9 million between 2000 and 2002. State costs for appeals of new convictions will be \$800,000 annually.

County expenditures for presentencing evaluations and jail costs for the resentencing process are estimated at \$2.1 million.

There is no financial effect on state or local government revenues.

TEXT OF MEASURE

AN ACT

SECTION 1: This Act shall be known as the "Judicial Discretion Act of 2000."

SECTION 2: ORS 135.240(4) and (5), 137.700, 137.705, 137.707, 137.712, 138.222(4)(c) and 419C.067 are repealed.

SECTION 3: (a) Any person sentenced under any repealed provision of law listed in Section 2 above, shall be resentenced by the Court of conviction in accordance with the Oregon Revised Statutes and the rules of the Oregon Criminal Justice Commission that were in effect on March 31, 1995, unless the person requests not to be resentenced. The Court shall hold the resentencing hearing as soon as practicable after the effective date of this Act, but not later than 90 days, with priority given to those persons who have been incarcerated the longest pursuant to any repealed statute. Any person resentenced under this subsection shall receive credit for any time served.

(b) Notwithstanding any other provision of law, any person

sentenced under any repealed provision of law listed in Section 2 above, who would have otherwise been within the jurisdiction of the juvenile court and who did not receive a waiver hearing shall be subject to juvenile court jurisdiction, unless waived to a circuit, justice or municipal court of competent jurisdiction pursuant to ORS 419C.340 et seq., and unless the person requests not to be resentenced.

(c) Any person charged or convicted of an offense, the sentence for which is dictated by any repealed provision of law listed in Section 2 above, who has not been sentenced as of the effective date of this Act, shall be sentenced in accordance with the Oregon Revised Statutes and the rules of the Oregon Criminal Justice Commission that were in effect on March 31, 1995. Any such person who would have otherwise been within the jurisdiction of the juvenile court, but for a repealed provision of law listed in Section 2 above, shall be subject to juvenile court jurisdiction, unless waived to a circuit, justice or municipal court of competent jurisdiction pursuant to ORS 419C.340 et seq.

SECTION 4: Notwithstanding the repeal of 137.707, any person who was entitled to a hearing pursuant to 420A.200 et seq. "second look" shall retain the right to such a hearing.

Measure No. 94

EXPLANATORY STATEMENT

Measure 94 repeals mandatory minimum sentences established by Ballot Measure 11, approved by voters in November 1994 and effective April 1, 1995. Measure 11 covers murder, manslaughter, assault, kidnapping, rape, sodomy, unlawful sexual penetration, sexual abuse and robbery. Measure 11 requires persons sentenced for these crimes serve the full sentence. The sentence cannot be reduced for any reason. Measure 11 also requires that a person 15, 16 or 17 years old charged with committing one of these crimes be tried as an adult.

The Legislature added these crimes to Measure 11: attempt or conspiracy to commit aggravated murder or murder, arson, using a child in a display of sexually explicit conduct, and compelling prostitution. Measure 94 will repeal these mandatory minimum sentences. Measure 94 will also repeal the requirement that a person 15, 16 or 17 years old charged with committing one of these crimes be tried as an adult.

Measure 94 requires that all persons sentenced to a mandatory minimum sentence be resentenced unless the person requests not to be resentenced. Resentencing would be under laws in effect on March 31, 1995. Resentencing must occur within 90 days after Measure 94 becomes law.

Any person who is presently charged or convicted of a crime that would be subject to a mandatory minimum sentence but who has not yet been sentenced will now be sentenced under the laws in effect on March 31, 1995.

Measure 94 requires that a person 15, 16 or 17 years old and who was tried as an adult for committing one of these crimes will now be subject to the jurisdiction of juvenile court for resentencing unless waived to adult court. Under laws in effect in March 1995, juvenile court jurisdiction ended when the person reached the age of 21 years.

This chart compares the range of presumed sentences to be used under Measure 94 with the current mandatory minimum sentences. The presumed sentence is the range of prison time the court may impose. The presumed sentence is imposed most of the time. However, for substantial and compelling reasons, the court may set higher or lower sentences.

<u>Crime</u>	<u>Range of Presumed Sentences</u>	<u>Current Mandatory Minimum Sentences</u>
Murder	10yr–22yr&5mo	25yr
Attempt or Conspiracy to Commit Aggravated Murder	4yr&10–10yr&10mo	10yr
Attempt or Conspiracy to Commit Murder	2yr&10mo–6yr	7yr&6mo
Manslaughter/ 1st degree	4yr&10mo–10yr&10mo	10yr
Manslaughter/ 2nd degree	1yr&4mo–3yr&9mo	6yr&3mo
Assault/1st degree	2yr&10mo–10yr&10mo	7yr&6mo
Assault/2nd degree	1yr&4mo–3yr&9mo	5yr&10mo
Kidnapping/ 1st degree	4yr&10mo–10yr&10mo	7yr&6mo
Kidnapping/ 2nd degree	2yr&10mo–6yr	5yr&10mo
Rape/1st degree	2yr&10mo–10yr&10mo	8yr&4mo
Rape/2nd degree	1yr&4mo–3yr&9mo	6yr&3mo
Sodomy/1st degree	2yr&10mo–10yr&10mo	8yr&4mo
Sodomy/2nd degree	1yr&4mo–3yr&9mo	6yr&3mo

Unlawful Sexual Penetration/ 1st degree	2yr&10mo–10yr&10mo	8yr&4mo
Unlawful Sexual Penetration/ 2nd degree	1yr&4mo–3yr&9mo	6yr&3mo
Sexual Abuse/ 1st degree	1yr&4mo–3yr&9mo	6yr&3mo
Robbery/1st degree	2yr&10mo–6yr	7yr&6mo
Robbery/2nd degree	probation–2yr&6mo	5yr&10mo
Arson	4yr&10mo–10yr&10mo	7yr&6mo
Using a Child in a Display of Sexually Explicit Conduct	1yr&4mo–3yr&9mo	5yr&10mo
Compelling Prostitution	1yr&4mo–3yr&9mo	5yr&10mo

Committee Members:	Appointed by:
Representative Jo Ann Bowman	Chief Petitioners
Emily Simon	Chief Petitioners
Steve Doell	Secretary of State
Representative Kevin Mannix	Secretary of State
James M. Brown	Members of the Committee

(This committee was appointed to provide an impartial explanation of the ballot measure pursuant to ORS 251.215.)

Measure No. 94 Arguments

ARGUMENT IN FAVOR

Yes on 94 will Repeal Measure 11

Fiction vs. Fact: What the supporters of Measure 11 want Oregonians to believe...

FICTION: Repealing Measure 11 will automatically release 1,000's of criminals onto Oregon streets.

FACT: Measure 11 offenders will be resentenced under the successful Sentencing Guidelines adopted by the legislature in 1989. (Read "SUMMARY" of measure under "BALLOT TITLE".)

FICTION: Measure 11 only targets violent and repeat criminals.

FACT: Measure 11 is a one-strike law, meaning a minimum sentence of nearly 6 years, including children 15+ (tried in adult court) with no early release for good behavior. Over 56% are first-time offenders, many are nonviolent crimes. A judge cannot consider any circumstances during sentencing.

FICTION: The crime rate was increasing before Measure 11 became law.

FACT: Oregon's crime rate remained constant between 1980 and 1995 according to the F.B.I. The Sentencing Guidelines put more repeat and serious offenders behind bars for longer terms, not Measure 11. Drug crimes are not under Measure 11.

FICTION: It's cheaper to house offenders than to rehabilitate.

FACT: We are spending \$90 million a year to imprison 3,400 Measure 11 inmates. A \$1 Billion prison-building project is currently underway. Money that used to fund successful rehabilitation programs has been cut. For the first time in Oregon's history, more is spent on prisons than schools.

FICTION: Inmates live a life of luxury in prison.

FACT: Rules are very strict. A cell for 2 at Oregon State Penitentiary measures less than 2 sheets of plywood. At another prison 200 inmates watch one 19" TV. Inmates can be punished up to 6 months in isolation. Health care is almost nonexistent. Four teenage girls under Measure 11 committed suicide in 1998.

(See *The Oregonian* "Study: Violent Criminals Getting Longer Terms" (10/1/94); "Dumb on Crime" (8/20/97); "School Funding Suffers as State Locks Up Money for New Prisons" (8/18/96); "Dying at Hillcrest" (2/22/98).

Vote YES on 94 and bring JUSTICE back to Oregon!

(This information furnished by Vern Beardslee, Southern Oregon Citizens to Repeal Measure 11.)

(This space purchased for \$500 in accordance with ORS 251.255.)

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ARGUMENT IN FAVOR

REPEAL Measure 11

The TRUTH about Measure 11

- Passed in 1994 using scare tactics that "crime was out of control." However, the F.B.I. determined violent crime between 1980-1995 was NOT increasing in Oregon.
- Measure 11 is a one-strike sentencing law that also **applies to children 15+** (tried in adult court). The **minimum** sentence under measure 11 is 5 years 10 months with no probation, parole, or early release.
- Measure 11 does not allow any consideration of the circumstances involved in any given situation, therefore, usurping rightful authority from the courts and the Jury.
- Assault 2 = fistfight **even for self-defense!** – 5 years 10 months.
- Kidnapping 2 = forcing a person to the other side of a room!! – 5 years 10 months.
(*The Oregonian*: 10/1, 10/19/94; 8/21/95; 6/23, 8/20/97; 7/5/00)

Who wrote Measure 11? And why?

- Representative Kevin Mannix wrote Measures 10, 11, and 17, financed by corporate money, and all promote prison labor.
- Inside Oregon Enterprises is a state-owned \$19 million business using prisoners - jobs law abiding Oregonians need!
(*Summary Report of Campaign Contributions and Expenditures, 1994 General Election; 1994 General Election Voters' Pamphlet; The Business Journal, 11/26/99; 1999-2000 Oregon Blue Book, p.45; The American Prospect Sept./Oct. 1999*)

STOP Oregon's slave labor market

Measure 94 will reduce taxes

- Increase the tax base by converting non taxed prisoner jobs into free market taxed income jobs that law abiding people need to support their families.
- Inmates will be resentenced (not retried) under the highly successful Sentencing Guidelines.
- It costs over \$90 million a year to keep 3,400 Measure 11 adults and children in prison. (*The Oregonian* 10/1/94; Dept. of Corrections statistics)
- Save \$153.6 million in bond repayment costs.

TheAmericanVoice.com (541-826-9050) and **ChristianMediaNetwork.com** (541-899-8888) have information available to learn more about prison labor and it's destructive effects on the people of Oregon, their children and their future.

Be Smart on Crime - Vote YES on 94!!!

(This information furnished by Frank Hayes.)

(This space purchased for \$500 in accordance with ORS 251.255.)

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Measure No. 94 Arguments

ARGUMENT IN FAVOR

Oregon Public Health Association and Oregon Pediatric Nurse Practitioners Association Urge you to vote Yes on Measure 94.

When Oregon approved mandatory sentences, publicity focused on getting hard-core criminals off the street. **Few realized the law applied to anyone 15 and over.**

Once passed, the 1995 and 1997 Legislature changed the law drastically. Mandatory sentences now apply to those who are simply in the presence of someone who commits a violent act. Even worse, judges are not able to set sentences that are appropriate for a youth's actions or needs.

As public health professionals, we believe prevention and early intervention must be an integral part of our efforts to keep our communities safe.

We are spending \$28,000 a year per child to keep them in prison. That money could be spent more wisely on programs that reduce crime and build better adults.

Give judges the discretion to place young people in programs that help them become responsible and accountable adults.

A recent *Oregonian* article (Feb. 24,2000) reported that most youths serving time under Mandatory sentences do so in isolation, to keep them separated from the hardened adult criminal populations.

- They do not have access to appropriate educational and treatment opportunities.
- They do not interact with others.
- They do not receive drug and alcohol counseling.

Studies show that youthful offenders who do hard time have a much higher recidivism rate than those who spend time in juvenile facilities and receive proper educational and counseling services.

We can do better for our children, even those who run afoul of the law. We must allow judges to set appropriate sentences for youthful offenders. For as any parent knows, while you must sometimes punish, you must also provide an opportunity to become responsible.

Oregonians would never abandon their children. Yet that's exactly what we do with mandatory sentences.

Please join us in returning justice and balance to our court system. Please Vote Yes on Measure 94.

(This information furnished by Cathi Lawler, Parents Against Cruel & Unusual Punishment.)

(This space purchased for \$500 in accordance with ORS 251.255.)

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ARGUMENT IN FAVOR

My son Aaron is in prison for 7-and-a-half years because a car he loaned to an acquaintance was used in a robbery. Aaron wasn't even there when the crime was committed. But because of mandatory sentences, he's doing over 7 years. Worse yet, he's been in an adult prison since he was 17.

It happened in 1996. Aaron was 17.

Aaron was at a party with friends. Responsible adults were present. A young man asked to borrow a car.

Even though he knew he shouldn't, Aaron let him use the car. In the end, that was his crime.

The young man supposedly took Aaron's car to the store. He returned two-and-a-half hours later.

Over a year and a half later the police arrested Aaron for the robbery of two young women. Despite the fact that two eyewitnesses said Aaron was not even there, Aaron was convicted along with the young man who did commit the robbery.

The judge in the case said he was shocked the case was even brought by the government prosecutor. He said there was clearly reasonable doubt that Aaron was involved.

But because Aaron was tried alongside the man who did commit the crime, he was found guilty.

Now Aaron is 22. He has spent nearly 3 years in an adult prison. My son was an outstanding student and had nearly completed his coursework at a Portland Chef School. Now he is forced to live alongside hardened, career criminals in an adult facility.

If the judge in Aaron's case had the discretion to set a more appropriate sentence, Aaron would be free today. But under Oregon law, the judge had no leeway and was forced to sentence Aaron to a mandatory sentence.

No other child should have to face what Aaron has been through. No other family should suffer as we have.

Please Vote YES on Measure 94.

Cindy Weight, Hillsboro
Aaron's mom

(This information furnished by Cynthia E. Weight.)

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Measure No. 94 Arguments

ARGUMENT IN FAVOR

Judge L. L. Sawyer Endorses Measure 94

I am a recently retired judge with 40 years of experience, still serving as a Senior Judge. Since the enactment of Measure 11, I have heard cases where I was forced to hand down a mandatory sentence, even when the facts supported a far different punishment.

By electing judges, the voters put great trust in our ability to fashion a sentence which will punish, rehabilitate when possible, and, most of all protect the public.

When forced to deliver sentences of over 7 years for first-time offenders, or children who made a drastic mistake and can be rehabilitated, or mothers who commit a crime to feed their children and are then ripped away from those same children, then these goals are not being met.

The mandatory sentencing law known as Measure 11, and expanded by the Legislature in the past two sessions, ties the hands of judges, making them nothing but puppets for sentencing. Under mandatory sentences, the length of prison stay is engraved in stone, no matter the age of the defendant or whether the defendant stands a good chance of being rehabilitated.

Before mandatory sentences, judges used sentencing guidelines that ensured criminals would be locked up. These guidelines still gave judges the right to set the length of incarceration depending on the circumstances of the crime and the defendant's age. That's what judges are elected to do. Measure 94 returns that right to judges.

Our court system should be fair and balanced. Prosecutors and defense attorneys should be able to present their cases fairly. Once guilt has been determined, the judge should hold the power to weigh the facts and fashion the punishment to fit the crime. Mandatory sentences shift the weight of power into the hands of prosecutors.

**It's time to bring back balance.
It's time to return control of the courtroom to the judge.
Vote Yes on Measure 94.**

**Judge L. L. Sawyer
Ashland**

(This information furnished by Loren Sawyer.)

(This space purchased for \$500 in accordance with ORS 251.255.)

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ARGUMENT IN FAVOR

Measure 94 Brings Justice Back to Our Courts

Over the past decade, politicians and government prosecutors have unleashed unprecedented attacks on our Bill of Rights to expand their own powers – at the expense of the rights of citizens.

The result of this power grab:

- Our prison system has exploded, costing us millions and millions of dollars to build prisons for first-time offenders, no matter the circumstances of their case.
- Prosecutors and politicians now determine sentences instead of judges.
- Our constitutional rights have been eroded.

It's Time to Bring Justice Back By Passing Measure 94:

- Judges will again be able to consider the age, previous record and intent of the accused when setting sentences within certain sentencing guidelines
- First-time offenders will not be treated as career criminals.
- Children between 15 and 18 who can be rehabilitated can get a second chance before being locked up with career criminals.
- Judges, not government prosecutors and politicians, will regain control of the courtroom.

Measure 94 Puts Judges Back in Control of the Courtroom.

No one believes criminals should get off lightly. But when 67% of the people convicted under the current harsh sentencing laws are first-time offenders, then we have taken fairness and balance out of our courts.

We elect judges to make wise decisions in the courtroom. By passing Measure 94, we return the balance between judges, government prosecutors and the rights of the accused.

Measure 94 doesn't let criminals off easily. Measure 94 merely allows the judge to decide the sentence based on the circumstances of the crime.

In the criminal justice system, every case should be decided on its own merits.

Please vote yes on Measure 94. Bring Justice Back to our Courtrooms.

(This information furnished by Gary Swanson-Davies, Barbara Palen, Richard Nelson, Terry Stein, Sylvia Simms, Barb Jones.)

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Measure No. 94 Arguments

ARGUMENT IN FAVOR

If you want judges – not politicians and prosecutors – in charge of our courtrooms,

Vote Yes on Measure 94.

If you believe first-time offenders should not be treated as harshly as career criminals,

Vote Yes on Measure 94.

If you object to children ages 15 to 18 being treated as career criminals, even if they have never been in trouble before,

Vote Yes on Measure 94.

If you voted for mandatory sentences before because you believed it would only apply to hardened criminals,

Vote Yes on Measure 94.

If you believe government prosecutors and politicians are grabbing power and working to take away your constitutional rights,

Vote Yes on Measure 94

If you want judges – not politicians and prosecutors -- to decide sentences based on the age of the defendant, the circumstances of the crime and the defendant's previous criminal record,

Vote Yes on Measure 94

If you want to bring balance and justice back to our courts,

Vote Yes on Measure 94.

(This information furnished by C. Dennis Williams, Cathi Lawler, Bill Lawler, Linda Swanson-Davies, Donna Frey.)

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ARGUMENT IN FAVOR

Sentencing is the single-most important act the government takes against citizens because liberty is at stake. Therefore, sentencing should be done carefully, thoughtfully, and individually to insure that justice is served.

Mandatory sentencing laws prevent the careful consideration of factors that allow a judge to fit the punishment to the crime and the offender. For that reason, Families Against Mandatory Minimums, a national organization dedicated to restoring judges' traditional role in the courtroom, endorses Measure 94's sentencing reforms.

- Mandatory sentencing laws shift sentencing discretion from judges to government prosecutors, undermining the traditional checks and balances in the criminal justice system.
- Mandatory sentencing laws create a "one-size-fits-all" sentence for totally different defendants. First-time offenders receive the same harsh sentences as career criminals.
- Mandatory sentencing laws prevent judges from considering all the factors of each case including intent, the circumstances of the crime, and the potential for rehabilitation.
- Mandatory sentencing laws force judges to hand down sentences that are wildly disproportionate to the offense. A fist-fight can result in a prison sentence of 6 years without parole.
- Mandatory sentencing laws apply to minors as young as 15, sending them to prison before they can even drive or vote.
- Mandatory sentencing laws fall disproportionately on minorities and those with the fewest resources to spend for top-notch attorneys.

**Let judges judge.
Give them the power to impose sentences that are appropriate to the offense and the offender.**

Vote Yes on Measure 94

(This information furnished by Julie Stewart, Families Against Mandatory Minimums.)

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Measure No. 94 Arguments

ARGUMENT IN FAVOR

Measure 94 is endorsed by:

- Oregon Pediatric Nurse Practitioners Association
- Oregon Public Health Association
- Oregon ACLU
- Ecumenical Ministries of Oregon (representing over 250 churches and religious groups)
- National Association for the Counsel of Children
- Families Against Mandatory Minimums
- PAC-UP
- National Association of Defense Lawyers
- Oregon CURE
- Oregon Criminal Defense Lawyers Association
- A. Phillip Randolph Institute

All these groups endorse Measure 94 because they know our criminal justice system is out of balance. They have seen the devastating effects of the current system on families and first-time offenders.

They have watched politicians and government prosecutors use fear and intimidation to control the courtroom.

They have seen judges lose the ability to decide cases based on the age, previous record, the circumstances and the intent of the accused.

They have seen unprecedented building of new prisons, wasting valuable tax dollars that could be used to turn the lives of first-time offenders around before they become hardened criminals.

Measure 94 Puts Judges Back In Control of the Courtroom.

Measure 94 Brings Fairness Back to the Criminal Justice System.

Measure 94 Will Save the State over \$250 million in reduced prison construction costs.

(This information furnished by Jo Ann Bowman, State Representative.)

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ARGUMENT IN FAVOR

My son is in jail for seven years... all because of ten days.

My 16-year-old son will spend the next 6 years in jail having consensual sex with his girlfriend. That's why we are urging Oregon voters to pass Measure 94.

When my son Justin met his girlfriend, she told him she was 15. He was 16 at the time.

One day after school, they had sex at a friend's house.

Soon after, the girlfriend's read her diary and discovered what had happened. Despite the fact several prosecutors turned the case down, my son was arrested and charged with second-degree rape. It turns out the girl was only 13.

Justin was 3 years and 10 days older than his girlfriend, 10 days over the age requirement that would have made his actions legal in the eyes of the law.

Justin was received a mandatory sentence of 75 months. The judge thought that sentence was unfair. He sentenced my son to three years. The prosecutor appealed. Now the Oregon Supreme Court says under current law Justin must serve the full 75-month sentence.

Measure 94 would allow judges to determine the length of sentence. Current law gives them no leeway.

When children are incarcerated like adults, even when they have never been in trouble with the law, our criminal justice system is out of balance.

No one believes criminals should get off lightly.

But no one believes that young, first-time offenders should serve the same sentences as career criminals.

Help us bring justice back to our courts. Let's put judges back in charge of the courtroom. Please vote yes on Measure 94.

Jim Thorp
Justin's father

(This information furnished by James E. Thorp.)

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Measure No. 94 Arguments

ARGUMENT IN FAVOR

A criminal justice system should be one of checks and balances. In Oregon, government prosecutors have more power than judges. That's wrong. And that's why we need to pass Measure 94.

We, the voters of Oregon, were misled into allowing this power shift when we voted for mandatory sentences for all people age 15 and up in 1994.

Since 1994 the Legislature has drastically changed what we passed. We have stood by helplessly as prosecutors and politicians have run amok with more power than we ever imagined.

The current system has proven over the past five years to be far too expensive:

- Too expensive in terms of tax dollars being used to incarcerate people who would be better served by treatment and rehabilitation, while saving our prison beds for truly violent offenders.
- Too expensive in the cost of lives ruined by incarcerating children with adults and non-violent offenders with violent ones.

We must bring justice back to Oregon by returning to the sensible, fair and equitable sentencing guidelines that were in effect prior to 1995.

These guidelines made it necessary for all branches of our judicial system to share in the power of sentencing, with the final decision resting with the people we elect to make those decisions – judges.

These guidelines allowed for the checks and balances necessary to keep one branch of our judicial system from having too much power.

We must bring justice back to Oregon before it is too late; before too much damage has been done.

We can bring justice back to Oregon's courts by voting YES on Measure 94.

Betty Moore
Grants Pass

(This information furnished by Betty J. Moore.)

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ARGUMENT IN FAVOR

**MANDATORY SENTENCES:
DESTRUCTIVE TO SOCIETY.
DESTRUCTIVE TO OREGON.**

We Oregon Voters were made many promises of great things if we approved the Mandatory Sentencing Law in 1994. Every one of those promises has failed to come true.

- We were promised there would be justice for all, when in fact the justice system is more out of balance now than ever.
- We were promised only violent offenders would fall under this law, but the majority are non-violent offenders have had their lives and their loved one's lives destroyed.
- We were promised rehabilitation and treatment programs weren't needed with this law as they were a useless waste of time and money, when years of research has proven just the opposite to be true.
- We were promised it would be cost effective when in fact the cost of this law has exceeded the benefits in every way.

We were warned that mandatory sentences were full of inequities and hidden costs... and those warnings have been realized:

- We were warned that the immense cost of implementing this measure would grow annually, thereby dwindling the tax dollars left available for education and health care.
- We were warned that the judicial system would lose the ability to make the punishment fit the crime, and it has.
- We were warned this law would not deter crime and it has not. In fact, states without mandatory minimum sentencing laws have seen crime drop much faster than Oregon has.
- We were warned this law was so poorly drafted that it would, at tremendous cost, cause years of expensive litigation and create more injustice than it sought to remedy. That's exactly what we have experienced.
- We were warned this law would have a devastating consequence on the youth of our communities and we've all seen that happen throughout Oregon.

We must bring justice back by voting Yes on Measure 94.

Karen Cain, Wolf Creek

(This information furnished by Karen Cain.)

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Measure No. 94 Arguments

ARGUMENT IN FAVOR

If you are concerned about public safety, I urge you to vote yes on Measure 94.

John Dilulio is a respected criminologist and a devout early proponent of incarceration. On March 12, 1999, however, he wrote an article in the *Wall Street Journal* entitled "2 Million Prisoners Are Enough." Dilulio's research also suggests that the nation has "maxed out" on the public-safety value of incarceration." He calls for keeping the prison population around two million and even aiming to reduce it over the next decade. Measure 94 will help accomplish that goal.

Measure 94 is tough, but fair.

I am certain Dilulio would take issue with Oregon's current sentencing, where young first-time offenders are sentenced for minor offenses to five years and 10 months to the brutality of prison rape and violence that, despite the best efforts of dedicated corrections personnel, still occur in our adult prisons.

One thing criminologists know for certain is that people tend to grow out of their antisocial behavior, so incapacitating the violent offenders through incarceration for long periods is sound public policy. Under Measure 94, this incarcerating the violent will not change. **The problem with the current sentencing structure is that it catches far too many young, first-time offenders who pose no threat. It brutalizes them and makes them worse. It must be reformed.**

We as taxpayers end up paying the price as the Oregon state corrections budget surpasses the state's higher education budget. We also pay the price when they return to our communities 5 years and 10 months later.

Measure 94 is a measured effort to curb the excesses of current sentencing structure and make the Oregon criminal codes tough, but fair. **I urge you to vote yes on Measure 94.**

Chip Shields
Executive Director
Better People
Portland, Oregon

(This information furnished by Chip Shields, Executive Director, Better People.)

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ARGUMENT IN FAVOR

THE ACLU OF OREGON URGES YOU TO VOTE "YES" ON MEASURE 94

Oregon's sentencing laws currently do not allow judges to fit the punishment to the crime. We have a "one strike and you're out" method of sentencing that does not work for Oregon.

Measure 94 returns control of courtrooms to judges. In many cases under current law, judges are forced to sentence first time offenders to very lengthy prison terms for relatively minor crimes. This has stripped judges of their right to deliver fair sentences that fit the crime.

Measure 94 will allow judges to consider the whole picture. We need to be tough on crime but at the same time we need to make sure that juveniles who have never been in trouble with the law don't get treated like career criminals.

When we impose mandatory sentences on first-time juvenile offenders and lock them up with adults, we end up producing hardened criminals when they come out of prison. This is not only wrong, it's expensive and it puts all of us at greater risk.

The facts should fit the crime. Currently, prosecutors coerce guilty pleas to lesser crimes because the accused can't afford to risk the chance they might be convicted of the more serious charge and spend many years in prison. When a first time offender "cuts a deal" rather than have a jury decide their guilt or innocence, the justice system stops working. Judges and juries should decide what happens to the accused, not prosecutors. **Measure 94 restores balance to our criminal system.**

Measure 94 puts judges back in charge, restores balance, and brings justice back to the courtroom. It's about giving judges the right to set sentences based on the individual's criminal history, the crime committed and the circumstance surrounding that crime.

**LET'S MAKE THE SYSTEM WORK
VOTE "YES" ON MEASURE 94**

For more information write ACLU of Oregon
PO Box 40585, Portland, OR 97240
or www.aclu-or.org

(This information furnished by David Fidanque, American Civil Liberties Union of Oregon.)

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Measure No. 94 Arguments

ARGUMENT IN FAVOR

The consequences of having Measure-11 Law is like being an umpire at a baseball game-- One team does not like the call so it fires the ump, and then takes over the decision making process themselves-- Which team do you think they're going to favor.

Remember if you think the "ONE STRIKE YOUR OUT LAW" with a minimum 5 years, 10 months Mandatory Sentencing, and the Judge's hands tied, could not happen to your teenage Son, Daughter, or Grandson, YOU'RE WRONG - It will change your life forever.

(This information furnished by Candice Jenkins.)

ARGUMENT IN OPPOSITION

CRIME VICTIMS UNITED ASKS YOU TO VOTE NO ON MEASURE 94

Measure 94 retroactively slashes sentences for violent crimes: robbery, assault, kidnapping, rape, manslaughter, attempted murder and murder.

If Measure 94 is passed, **over 3000 of Oregon's violent criminals will be resentenced under more lenient guidelines.** The sentences of most will be reduced and the sentences of many will be reduced by as much as one-half to two-thirds.

An estimated 800 to 1300 criminals, **including kidnappers, rapists, child molesters and killers,** will be released within 90 days of the election.

Virtually all future violent criminals in Oregon will receive more lenient sentences. The minimum prison term for murder will be reduced from 25 years to 8 years; for forcible rape, from 8 years to 2 years and 4 months. In many cases, judges have no choice but to give the minimum sentence.

The cases of many violent youth offenders, **even murderers and rapists,** will be tried in juvenile court. If convicted they will be released at age 21.

Make no mistake, innocent people will pay dearly if Measure 94 is passed.

Measure 94 proponents have used extensive misrepresentations to advance their cause. They want you to believe that Measure 11, which Measure 94 repeals, affects petty offenders. **Untrue.** Measure 11 addresses sentences for the most serious crimes of violence and sexual abuse.

They want you to believe that youth are sent directly to adult prison and get no rehabilitation under Measure 11. **Untrue.** All convicted youth go to the Oregon Youth Authority (OYA) where they receive education, counseling and treatment. Any youth who wants to emerge a better person can stay at OYA until age 25.

Many more blatant misrepresentations are documented at www.crimevictimsunited.org/measure11/misrepresentations.htm.

Please keep in mind when making your decision that the lives of innocent people depend on your vote.

In the following pages, you will read statements from a small sample of thousands of victims.

VOTE NO ON MEASURE 94

(This information furnished by Steve Doell, Crime Victims United.)

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Measure No. 94 Arguments

ARGUMENT IN OPPOSITION

IF MEASURE 11 IS REPEALED, MY DAUGHTER'S RAPIST WILL ALMOST CERTAINLY BE RELEASED WITHIN NINETY DAYS OF THE ELECTION.

In July 1995, my nine year old daughter was drugged with three powerful narcotics, raped, and left unconscious. The 43 year old rapist was arrested, convicted, and sentenced under Measure 11 to nine years in prison. Before Measure 11, the typical sentence for this rapist would have been just three years.

In the past, the rapist made threats against me and my children. I moved them to another town while waiting for the trial. They were taken out of school in the middle of the year, and it was very difficult for them.

My daughter is now fourteen years old and is looking forward to starting high school. She wants nothing more than to enjoy these years as a carefree teenager. She hopes to have four more years before the rapist is released in the year 2004. She will then be eighteen years old and will have graduated from high school. She deserves to enjoy these years free from fear.

If Measure 11 is repealed, my daughter's rapist will almost certainly be released within ninety days of the election and we may have to relocate again.

Please vote no on Measure 94 so my daughter and other child victims of violent crime may have a few more years to grow up in peace and safety. It takes more than a few years for victims of violent crime to recover from the trauma and begin to rebuild their lives. Measure 11 helps to provide that needed time.

VOTE NO ON MEASURE 94!

Carol Wyatt
Crime Victims United

(This information furnished by Carol Wyatt, Crime Victims United.)

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ARGUMENT IN OPPOSITION

Giving MY SON'S MURDERER the chance to be RELEASED in FOUR YEARS is too big a risk to take. That's why I'm voting **NO** on Measure 94.

On May 21, 1998, **KIP KINKEL murdered my son**, Mikael. My son was sitting at a cafeteria table with friends, enjoying his junior year in high school. Kip Kinkel walked in with hundreds of rounds of ammunition; after already shooting my son twice, he put the gun to his head and shot him a **third time!**

My son died immediately.

Let me tell you about my son. He had a terrific imagination, and loved to entertain his friends with pranks and his technological abilities. He was engaged to be married to his girlfriend – together, they planned to join the Oregon National Guard. He was full of promise, energy, and ability.

Now, let me tell you about his murderer. The first three words in Kinkel's black journal were "Hate drives me." He said he "hated every person on earth." After killing his own father, he shot his own mother seven times, killing her. He methodically cleaned up the mess, set bombs around his house, killed my son, then another student, and wounded dozens more.

If Measure 94 passes, Kip Kinkel – and thousands of other violent criminals – will have to be resentenced under Oregon's old, more lenient sentencing laws!

That means my son's murderer would be released at age 21 – in less than four years – if he were sentenced as a juvenile! Even if the prosecutor could convince the judge to sentence him as an adult, Kinkel could serve as little as ten years.

Voting yes on 94 gives my son's murderer the chance to fulfill what he wrote in his journal: **"I am evil. I want to kill and give pain without cost."**

If you think Kip Kinkel should serve his full sentence, please join me in **VOTING NO ON 94**, an ill-considered, poorly-thought out measure.

Michael A. Nickolauson

(This information furnished by Michael A. Nickolauson, Crime Victims United.)

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Measure No. 94 Arguments

ARGUMENT IN OPPOSITION

VOTE NO ON MEASURE 94!

On July 14, 1995 my twenty one year old daughter, my **only child, was murdered** by her former partner in the presence of their two year old son. My daughter's body has yet to be recovered. I cannot explain the trauma and grief of losing a child by homicide. The pain is ever present.

The justice system cannot compensate for the loss of a child, nor a child's loss of his mother. But by fair, just, and equitable sentencing it lends value to the victim's life and some peace to the surviving family.

My daughter's son deserves to be protected from this criminal. This child is serving a **TRUE LIFE SENTENCE**, forever deprived of his mother, and stigmatized for life that his father murdered his mother, a murder that he witnessed.

Measure 11 ensures that this criminal will serve a minimum of twenty five years of his life sentence before being eligible for release. **If Measure 11 is repealed this offender could receive as little as a ten year sentence.** In considering his five years served and "good time", this criminal could be released when our little boy is as young as nine or ten years old.

Be aware that by eliminating Measure 11 in totality, ALL serious offenders sentenced under Measure 11 will be **RESENTENCED**, including **MURDERERS, RAPISTS AND CHILD ABUSERS**. If Measure 11 is repealed many of these criminals will be released immediately. As voters, we will **NOT** be able to go back and correct that wrong. It will be a done deal!

I believe that voters want to stay strong in sending their message that Oregonians demand **CONSEQUENCE** to people who **CHOOSE** to commit heinous acts.

I believe that Oregon voters will not repeal Measure 11.

Please Vote No On Measure 94!

Susan Panek

(This information furnished by Susan Panek.)

(This space purchased for \$500 in accordance with ORS 251.255.)

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ARGUMENT IN OPPOSITION

ON AUGUST 25, 1997, I WAS STABBED 13 TIMES WITH A BUTTERFLY KNIFE AND WITH BARBER SCISSORS BY MY OWN SON.

He was almost 16, at 6'1" and 220 lbs. The questions most people ask me are: Was he on drugs? Was he in prior troubles? Any troubles in the family? The answers are "**No**". He was never molested, abused, neglected or any of the other things people try to rationalize as the cause of violent behavior. Good kids come from bad families. Bad kids come from good families.

He's serving 15 years for **Two Counts of Attempted Murder, Assault 1, and Assault 2 at McLaren Youth Facility** and may stay there **until he is 25.**

From the attack I've been left partially disabled. My mother died not long after my attack and my father suffered a heart attack. The 6 year old son of a family friend was placed into counseling because he was having nightmares that my son would come and kill him and his baby sister.

People who were once close have drifted away because they are afraid. They're afraid my son will turn on them next. I feel **their worries are valid. I wasn't the only person he was going to kill.** He was going to kill everyone in the family AND in his girlfriend's family.

If Measure 11 is repealed, I will have to go through the trauma of a new trial and look, once more, at the bloody weapons he was using to kill me. If sentenced in juvenile court, he may be released immediately.

I can never trust him again. I'm terrified for the rest of my family, but more so for **YOUR** families. If you met him, you would never know he's capable of killing. He's intelligent, witty, profound, trustable,... and very Deadly. I pray he doesn't end up in your neighborhood.

VOTE NO ON MEASURE 94

Donna Mainord, C.H.T.

Victim Assistance Volunteer

(This information furnished by Donna Mainord, Crime Victims United.)

(This space purchased for \$500 in accordance with ORS 251.255.)

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Measure No. 94 Arguments

ARGUMENT IN OPPOSITION

HOW VIOLENT DOES A PERSON HAVE TO BE ?

On November 18, 1994 a complete stranger stabbed my husband, Andrew McDonald, to death. This stranger's attack was unprovoked. His rampage resulted in two homicides that night – he also slit the throat of his 'best friend.'

I too was assaulted with his knife as was another person who was trying to defuse this man's fury. In all, he stabbed us more than 40 times.

This has devastated me, Andy's mother, his brother, and other family and friends.

Horrifying facts about the perpetrator's past emerged during the penalty phase of the trial.

His rap sheet was filled with violent behavior. He had stabbed another 'friend' a few years before for drinking the last beer in the cooler. The victim's friends had to hold his intestines intact because they were 'falling out' as they rushed him to the hospital. The perpetrator was convicted for Assault II, given **PROBATION**, which he violated 3 times and because of that, was resentenced in 1991 to 5 years in prison.

HE WAS BACK ON THE STREETS IN '93!

Other testimony revealed that he had chased his father-in-law down a hospital ward with a butcher knife, kicked his pregnant wife in the abdomen, and knifed strangers on walks in the Rose City neighborhood in Portland. He hit corrections officers, threatened lives, and terrorized people.

How violent does a person have to be before they are locked up to secure our safety?

MUST WE WAIT UNTIL THEY COMMIT A MURDER?

By then it's too late.

Had Measure 11 been in effect, with its mandatory minimum sentences, my husband would be alive today. Measure 11 keeps VIOLENT CRIMINALS OFF THE STREETS!

If Measure 94 passes, it will cost lives. Maybe yours or someone's you love.

I URGE YOU TO VOTE NO ON MEASURE 94!

From a person who knows all too well.

Debra Oyamada
Crime Victims United

(This information furnished by Debra Oyamada, Crime Victims United.)

(This space purchased for \$500 in accordance with ORS 251.255.)

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ARGUMENT IN OPPOSITION

How the Criminal Justice system squandered my father's life.

June 25, 1996 was a day that changed not only my life, but also the lives of my family and an entire community. It was the day my father, an innocent, law-abiding citizen, was **brutally stabbed 16 times.** My father, Paul Rivenes, owned a small grocery store in Hubbard, Oregon. On that Tuesday afternoon, which I will never forget, three men decided they wanted beer money so they **planned the robbery and murder of my father.** They preyed on him because (in their words) they knew he was older and alone and would be an easy target.

Two of these men had extensive criminal records including assaults among many other criminal acts. The criminal that was the decoy and distracted my father so the other could butcher him had a conviction for Assault II with a knife.

Had Measure 11 been in effect when these men committed their prior crimes of violence my father might be alive today. These men would have been held accountable for their previous acts and been locked away, taken out of society so they could not assault or harm innocent, law-abiding citizens.

By voting for Measure 94, you would be making a statement that the lives of my father and other innocent, law-abiding citizens mean nothing. **If Measure 94 is passed the prison term of at least one of my father's killers could be cut in half.** The 29 years he got for planning my father's murder would be cut by 50%. **That means he would be out on the street sooner, given a chance to kill again.**

Because of these men my life will never be the same. But **at least they are being held accountable** for their crimes and cannot commit such a vicious act again.

Don't take the risk of squandering another human life.

PLEASE VOTE NO ON MEASURE 94

Julie Hedden
Daughter of murder victim Paul Rivenes

(This information furnished by Julie Hedden, Crime Victims United.)

(This space purchased for \$500 in accordance with ORS 251.255.)

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Measure No. 94 Arguments

ARGUMENT IN OPPOSITION

MY DREAMS ENDED ON MY DAUGHTER'S 20TH BIRTHDAY.

Now, the nightmare is back with Measure 94, which would permit the **EARLY RELEASE** of the criminal who killed my daughter.

On August 11, 1996, my daughter Natasha was on her way to her 20th birthday party with two friends. A woman who was a convicted felon and high on drugs ran a red light and drove her truck directly into Natasha's side of the car.

My daughter inhaled her own vomit because the rescuers had difficulty removing her from the wreckage. After fourteen days, Natasha died of fatal injuries to her brain, lungs and abdomen.

My daughter was innocent and had her whole life to live. But her life was cut short by a 37 year old ex-con drug addict who used drugs and got behind the wheel of a car, drove at high speeds, committed hit and run, lied to the police, endangered and abandoned her own sons, jumped bail, and was a fugitive from the FBI for more than a year.

In 1998, a jury took less than two hours to convict her unaniously on eight charges, including Manslaughter I.

I am **extremely grateful** for Oregon's **existing sentencing laws** under Ballot Measure 11. Under our existing sentencing laws, the criminal who killed my daughter will serve every day of her 10 year sentence for Manslaughter. But if Ballot Measure 94 passes, the killer will go back before the court, likely to be re-sentenced to just **60-70%** of her original Manslaughter sentence!

Who wants Measure 94 to pass? Defense attorneys and family members of convicted criminals! That's because Measure 94 would allow most criminals convicted under Ballot Measure 11 to be resentenced to **SHORTER PRISON TERMS**.

A mother should be able to send her child out on her birthday and have her come home. But my daughter will never come back.

Please vote NO on Measure 94.

Marlene Wirtanen

(This information furnished by Marlene Wirtanen, Crime Victims United.)

(This space purchased for \$500 in accordance with ORS 251.255.)

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ARGUMENT IN OPPOSITION

Here's what one of KIP KINKEL'S VICTIMS has to say about Measure 94.

Before you think about voting yes on 94, please read what I have to say.

On May 21, 1998, I was finishing my junior year at Thurston High School in Springfield, Oregon. My boyfriend and I were in the school cafeteria. I stood up to hug him and wish him a happy birthday.

Suddenly, a bullet ripped through my boyfriend's chest and through my right hand, and then another bullet entered my lung. Those bullets – and 49 other rounds that day – were courtesy of my schoolmate, **Kip Kinkel**.

After 10 days in the hospital, I still have scars that don't heal – on my hand, my body, and heart. Remember, I'm one of the "lucky" ones: **I SURVIVED**.

Measure 94 would require Kip Kinkel to be **resentenced** under Oregon's OLD sentencing laws. That means **KIP KINKEL** would be **RELEASED WHEN HE TURNS 21**, if he were sentenced as a juvenile!!! And even if the prosecutor could convince the judge to sentence him as an adult – which is not guaranteed – Kip Kinkel would almost certainly be allowed **early release**.

I am terrified that one day I will have to go through **Kip Kinkel's wrath** again. If Kip Kinkel is resented, I will be living in fear every day, along with my family and fellow victims, that if he is released, he will hunt us all down.

I just wonder if the supporters of Measure 94 have really thought this through. Do they really want Kip Kinkel to get out of prison early? Do they really want crime victims like me – and family members of the deceased – to have to live in fear of his release?

GIVING KIP KINKEL A CHANCE TO GET OUT AT AGE 21 IS TOO BIG A RISK TO TAKE.

That's why I'm asking YOU to **Vote NO on Measure 94.**

Jennifer Alldredge
Springfield, Oregon

(This information furnished by Jennifer Alldredge, Crime Victims United.)

(This space purchased for \$500 in accordance with ORS 251.255.)

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Measure No. 94 Arguments

ARGUMENT IN OPPOSITION

MEASURE 94 UNDERMINES JUSTICE

In the eight years since my 12-year-old daughter Lisa's murder, I have come across hundreds of cases of victims denied justice, as our family was. **Her killer served just 28 months under the very sentencing guidelines that Measure 94 seeks to restore.** Her mother, brother, and our families were sentenced to life without Lisa and without the joys she would have brought us – birthdays, graduations, wedding, grandchildren and love.

The approval of Measure 94 would result in hundreds if not thousands of additional miscarriages of justice. I want to tell you about one of them.

Brian Lawler had been involved in gang activity, had been arrested, and was well known to police prior to the crime, but had never been convicted.

On May 5, 1995, Brian Lawler, with no provocation whatsoever, attacked Dave Clarke with a baseball bat. He hit Clarke three times. Clarke, Mount Hood Community College student body treasurer and a straight-A student, suffered permanent brain and vision damage. The attack ended his college career and his plans for the rest of his life. He suffers from ongoing seizures.

The day before sentencing, Brian Lawler and his brother committed a burglary for which he was convicted of Aggravated Theft.

Lawler pled guilty to Assault I and Assault III. He received a 90 month sentence for Assault I. The judge sentenced him to 14 additional months for the Assault III and 12 additional for the Aggravated Theft. Only the Assault I is a Measure 11 crime.

If Measure 94 passes, Brian Lawler will be resentenced. As a "first-time offender", his 7-1/2 year sentence will be cut in half and **he will be released** from McLaren Youth Facility. Meanwhile, Dave Clarke still has brain and vision damage and seizures, and will for the rest of his life.

Brian Lawler's mother, Cathi Lawler, is chief petitioner on Measure 94.

VOTE NO ON MEASURE 94

Steve Doell, President
Crime Victims United
www.crimevictimsunited.org

(This information furnished by Steve Doell, Crime Victims United.)

(This space purchased for \$500 in accordance with ORS 251.255.)

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ARGUMENT IN OPPOSITION

Honest citizens of Oregon:

As a juvenile corrections worker, I'd like to offer my perspective on Measure 11 and Measure 94.

Since Measure 11 passed in 1994, I've witnessed firsthand the positive changes in the mindset of incarcerated youth. Before, they had the notion of invincibility, knowing the law allowed them years of criminal activity without serious consequence. Too often the same youths rolled in and out of our institutions several times, finally ending up in prison or dead on the streets.

Since Measure 11, we have youths long enough, early in their criminal careers that we can make some headway with treatment and expose them to lifestyle choices which don't involve physical or sexual violence. Often we offer the first stable environment that they've ever known. The extra time Measure 11 has afforded us gives these youth a chance to change their mindset and accept our efforts at turning their lives around.

One myth claims that we are locking up 'first time offenders'. The fact that many offenders have never been convicted before does not mean that they have spent their lives singing in the church choir. Working at Hillcrest Youth Correctional Facility, I see in every file arrest after arrest and suspended sentence after suspended sentence.

What Measure 94 calls 'first time offenders' actually means 'first time in a locked facility'. There's a huge difference. While these criminals and their enablers are crying for a 'second chance', they've already had multiple chances.

In my daily contact with incarcerated youth, I hear honest reluctance to re-offend, and warnings to their younger siblings about Measure 11. Where in the past they recruited at-risk youth into criminal activities, they now dissuade them.

Repealing Measure 11 would be counterproductive for the very youth the supporters of Measure 94 claim to want to help. Their efforts would be better spent working towards prevention and post-sentence opportunities.

VOTE NO ON 94.

Thank you
Robert Blacksmith

(This information furnished by Robert Blacksmith, Crime Victims United.)

(This space purchased for \$500 in accordance with ORS 251.255.)

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Measure No. 94 Arguments

ARGUMENT IN OPPOSITION

MEASURE 94 LETS VIOLENT YOUTH OFFENDERS WALK AT AGE 21

Measure 94 would overturn the convictions of Kip Kinkel and 350 other criminals who were under 18 when they committed their crimes. Measure 94 requires that these criminals be returned to juvenile court and retried under procedures that existed prior to the passage of Measure 11. Unless "waived" by the judge to adult court, these dangerous criminals would be released on their 21st birthday.

The murder of Scott Bell and the brutal beating of Tim Hawley attest to the difficulty, prior to Measure 11, of convincing juvenile court judges to allow even the most dangerous youth to be tried in adult court.

Scott Bell was lured to a remote location near Mt. Hood, **shot in the head execution-style and buried in a shallow grave.** Scott's killer admitted committing the murder to acquire Scott's car. After a Clackamas County judge refused to waive him to adult court, the killer bragged that he **"got way with murder"**.

The murderer walked out of McLaren Youth Facility at age 21.

Tim Hawley was brutally beaten by three youths outside the Lloyd Center as he and his fiancée were leaving a movie theater. Hawley was tackled, **beaten and kicked in the head until unconscious, then thrown down a flight of stairs.** In order to save his life, **doctors had to remove the front portion of Hawley's brain.**

Eight years later, Tim Hawley is still severely disabled.

The two primary participants both had substantial juvenile court records. One was on probation for raping a 4 year-old. The other perpetrator had been previously referred to juvenile authorities for participating in a similar gang beating. Nonetheless, the juvenile court judge again refused to waive either youth to adult court for trial.

These criminals were released from custody before age 21.

Don't turn back the clock to the failed policies of the past.

VOTE NO ON MEASURE 94.

Steve Doell
Crime Victims United
www.crimevictimsunited.org

(This information furnished by Steve Doell, Crime Victims United.)

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ARGUMENT IN OPPOSITION

THE MEASURE 94 "JUDICIAL DISCRETION" DECEPTION

Measure 94 proponents want you to believe that Measure 94 allows a judge to choose a fitting sentence from a wide range of sentences. **This is a deception.**

In a 7/29/2000 letter to *The Oregonian*, Measure 94 chief petitioner Lorraine Heller wrote:

"For murder the guideline range was 10 years to 22 years and 5 months while under Measure 11 the sentence is 25 years . . . The important difference is that under the guidelines, judges were free to sentence within a specified range."

Does this make you think that a judge can choose a sentence from 10 years to 22 years? If so, you were deceived. For a convicted murderer who is a "first-time offender", in the vast majority of cases, the range of sentences available to the judge starts at 10 years and ends at 10 years and one month!

To receive the 22 year sentence, the murderer has to have committed three prior violent crimes. And even then he is eligible for a "good-time" reduction.

Here is the effect of Measure 94 on minimum prison terms for some Measure 11 crimes.

- Forcible rape would drop from 8 years, 4 months to 2 years, 5 months.
- Manslaughter II would drop from 6 years, 3 months to **PROBATION.**
- Murder would drop from 25 years to 8 years!

For more, see www.crimevictimsunited.org/measure11/sentencingcomparison.htm.

Why are "minimum prison terms" important? Because in most cases, judges are forced to give the minimum sentence to "first-time offenders", even first-time kidnappers, first-time rapists and first-time murderers. And even if the "first-time offender" has had numerous run-ins with the law but was never convicted of a serious crime.

The proponents of Measure 94 are betting that they can fool you into believing that a judge can choose from a wide range of sentences.

DON'T BE DECEIVED.

VOTE NO ON MEASURE 94

Joanne Vaughn
Crime Victims United
www.crimevictimsunited.org

(This information furnished by Joanne Vaughn, Crime Victims United.)

(This space purchased for \$500 in accordance with ORS 251.255.)

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Measure No. 94 Arguments

ARGUMENT IN OPPOSITION

MEASURE 94 WOULD RETURN TO A BROKEN SYSTEM

In 1989 Oregon's legislature adopted "sentencing guidelines". The sentences established were not what the legislature thought just, but rather were based on limited prison space. Between 1958 and 1988, the number of prison beds actually decreased while the state's population tripled.

Almost everyone who worked on sentencing guidelines knew the sentences were low, especially for violent offenses. We simply lacked adequate space to house our most violent offenders for an appropriate time. The legislature was told that, once the public understood what kind of sentences were actually imposed, they might change the law. In 1995 they did when 66% of voters approved Measure 11.

Sentencing guidelines restricted the maximum sentence a judge could give a violent offender. With the exception of murder, upon certain findings, judges could and did give probation (no prison time) for violent felony offenses, including forcible rape, armed robbery, and brutal assaults. **It's no wonder that criminal defense attorneys and convicted criminals like sentencing guidelines.**

Opponents of Measure 11 say it took discretion away from the courts. That is very misleading. Measure 11 did take away a court's ability to impose probation and lesser sentences for violent crimes. It did not take away a court's discretion to impose greater sentences in some circumstances or concurrent sentences for multiple offenses. And in 1997, the Oregon Legislature returned discretion to judges by passing Senate Bill 1049.

If Measure 11 is repealed the violent crime rate in Oregon will increase significantly. **The opponents of Measure 11 will never acknowledge what they have done. Unfortunately, thousands of victims will find out the hard way.** Some will die; many will have physical and mental scars that will last their entire lives. **Don't let this happen.**

Let's not dismantle a system that is working and replace it with sentencing guidelines that were broken the day they became law.

VOTE NO ON MEASURE 94.

Steve Doell
Crime Victims United
www.crimevictimsunited.org

(This information furnished by Steve Doell, Crime Victims United.)

(This space purchased for \$500 in accordance with ORS 251.255.)

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ARGUMENT IN OPPOSITION

MEASURE 94: A RETREAT IN THE WAR AGAINST CRIME

In 1994, I sponsored Measure 11 because, like you, I was fed up with weak sentences for violent crimes. Measure 11 received 66% of the vote. Measure 94 throws out Measure 11, and will return violent criminals to the streets.

Before Measure 11, murderers actually served an average of less than 9 years in prison, and rapists actually served less than 3 years in prison. Measure 11 requires that each murderer serve at least 25 years in prison and each first-degree rapist serve at least 10 years in prison. Other violent crimes also receive mandatory minimums.

Measure 11 is not a "three strikes and you're out" law and was never presented as such. Measure 11 lets the crime define the time served.

Since Measure 11 went into effect in 1995, the rate of violent crime in Oregon has gone down every year, for a 23% reduction in five years.

This means 72,000 Oregonians have not been murdered, raped, robbed, assaulted, or kidnapped, largely because Measure 11 violent criminals have been incarcerated rather than caught and released.

At present, over 3,200 violent criminals are incarcerated as a result of Measure 11. Measure 94 requires that all of these violent criminals be re-sentenced within 90 days, under the old, weak sentencing laws. This is an incredible burden on police, prosecutors, the courts, victims and their families, and taxpayers. Virtually all of these violent criminals will have to be provided with taxpayer-paid lawyers to represent them in the re-sentencing cases.

When the old, weak sentencing laws are applied to these violent criminals, nearly 1000 of them will be eligible for immediate release from prison.

For more information, please refer to Measure 11 and Measure 94 on my Web Site, Kevin.Mannix.com.

Please vote NO on Measure 94 to continue to protect our families, our neighborhoods, and our schools from violent criminals.

Kevin L. Mannix
State Representative

(This information furnished by Kevin L. Mannix, Justice For All.)

(This space purchased for \$500 in accordance with ORS 251.255.)

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Measure No. 94 Arguments

ARGUMENT IN OPPOSITION

OREGON'S PROSECUTORS URGE YOU TO VOTE NO ON MEASURE 94

As Oregon's elected prosecutors we deal daily with the devastation caused by violent crime. Measure 11 requires criminals convicted of the most serious and violent felonies to serve a minimum term in prison ranging from just under 6 years years (for child molestation) to 10 years (for manslaughter) in prison.

MEASURE 94 WILL RESULT IN IMMEDIATE RELEASE OF OVER 800 KILLERS, CHILD MOLESTERS, AND ROBBERS! Measure 94 would not only completely repeal Measure 11, requiring judges to impose much more lenient "guidelines" sentences, but all 3000 of the worst criminals in Oregon would have to be re-sentenced within 90 days. Judges will have NO CHOICE but to IMMEDIATELY release at least 800 of these killers, rapists, and robbers. Worse yet, the wounds of all 3000 crimes will be re-opened as each of these criminals gets a new sentencing hearing, forcing the victims to revisit the horror of the crimes.

MEASURE 94 IS BASED ON FALSE ASSUMPTIONS AND MIS-STATEMENTS

Don't mistake Oregon's sensible sentences - which range from 6 years for child molestation to 8 years for rape to 25 years for murder, for the far more drastic "three strikes laws" that exist in California or federal mandatory drug sentences.

JOIN YOUR LOCAL D.A. AND THE OREGON DISTRICT ATTORNEY'S ASSOCIATION AND VOTE NO ON MEASURE 94

Scott Heiser, Benton County
 Terry Gustafson, Clackamas County
 Joshua Marquis, Clatsop County
 R. Stephen Atchison, Columbia County
 Paul Burgett, Coos County
 Gary Williams, Crook County
 Michael Dugan, Deschutes County
 Jack Banta, Douglas County
 Timothy Colahan, Harney County
 John Sewell, Hood River County
 Mark Huddleston, Jackson County
 Clay Johnson, Josephine County
 Edwin Caleb, Klamath County
 Doug Harclerod, Lane County
 Jason Carlile, Linn County
 Dale Penn, Marion County
 David Allen, Morrow County
 William Porter, Tillamook County
 Christopher Brauer, Umatilla County
 Russell West, Union County
 Daniel Ousley, Wallowa County
 Bob Hermann, Washington County
 Thomas Cutsforth, Wheeler County
 Bradley Berry, Yamhill County

(This information furnished by Joshua Marquis, Oregon District Attorney's Association.)

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ARGUMENT IN OPPOSITION

THE OFFICERS OF THE PORTLAND POLICE ASSOCIATION URGE YOU TO VOTE NO ON BALLOT MEASURE 94

The men and women of the **Portland Police Association** know how crime impacts people. The victims are not statistics. They are your friends, families, and neighbors.

Everyday, members of the **Portland Police Association** work with the victims of the criminals which Measure 94 would put back on the street:

- **Violent criminals** who have raped women and children.
- Repeat **predators** who find the weak and innocent to prey upon.
- The **worst** offenders of the prison system who have **repeatedly** or **violently** destroyed peoples lives.

The **Portland Police Association's** motto is:

Maintaining the Vigil

We have dedicated our lives to maintaining the vigil to protect the citizens who live, work, and visit the City of Portland. We **know** what criminal violence does to the lives of the citizens we have sworn our professional lives to protect and serve. The Portland Police Association is proud of the job the criminal justice system has done, with the common sense of Measure 11 to lock up violent criminals. Common sense members of the public have sat on juries and heard the evidence. They have found the criminals guilty!

Since Measure 11 was passed by the voters of the State of Oregon, crime has gone **DOWN!**

- **Vicious rape has gone DOWN!**
- **Violent robbery has gone DOWN!**
- **Brutal assault has gone DOWN!**

Measure 11 has provided the officers of the **Portland Police Association** a tool that has helped us to protect **you!**

The men and women of the **Portland Police Association** urge you to help protect the weak, the innocent, and the unprotected. The officers, sergeants, detectives, and criminalists of the **Portland Police Association** ask that you, too,

Maintain the Vigil

VOTE **NO** ON MEASURE 94

(This information furnished by Kurt R. Nelson, Portland Police Association.)

(This space purchased for \$500 in accordance with ORS 251.255.)

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Measure No. 94 Arguments

ARGUMENT IN OPPOSITION

MADD OREGON ASKS YOU TO VOTE NO ON MEASURE 94

The volunteers of Mothers Against Drunk Driving Oregon, (MADD Oregon), ask you to vote NO on Measure 94, a measure that repeals minimum sentences for violent felonies and requires resentencing of those already serving time for past crimes.

This measure flies in the face of our mission: "To stop impaired driving, support the victims of this violent crime and prevent underage drinking."

Measure 94 would provide early release to those now serving time for crashes where Oregonians were seriously injured, disabled for the rest of their lives, or killed.

Measure 94 would reduce the penalties for those who choose, despite warning after warning, to commit these crimes in the future.

Impaired drivers who kill innocent people are often convicted of Manslaughter II. **Under Measure 94, the penalty for Manslaughter II can be as low as PROBATION.**

The victims and the families of victims will never get their lives back to where they were before the crash. Measure 11 gives them some recompense for what they have suffered. **Measure 94 would deny them this little bit of justice.**

MADD volunteers throughout Oregon have worked tirelessly to improve the safety of our citizens by increasing awareness of the seriousness of impaired driving. We work with law enforcement, the State Legislators and with the many victims to make Oregon a better place to live and raise families without the fear of a life-changing tragedy due to an impaired driver's thoughtless act. **Measure 94 would undermine our long years of effort.**

Measure 94, if passed, would put life-threatening offenders back on the road sooner. With greatly-reduced penalties for those who commit these felonies in the future, more innocent people would be maimed and killed.

MADD Oregon asks that you consider the safety of your loved ones and of all law-abiding Oregonians.

Vote NO on Measure 94.

Jeanne Canfield, Vice Chair
MADD Oregon

(This information furnished by Jeanne Canfield, Mothers Against Drunk Driving Oregon.)

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ARGUMENT IN OPPOSITION

DON'T SEND THE WRONG MESSAGE!

When voters passed Measure 11 in 1994, critics predicted the cost of new prisons to house all the prisoners would break the budget. Instead, violent crime rates have fallen every year and the cost of prisons is expected to be a quarter of what was predicted.

Across the country, crime rates have been falling because states have passed tough sentencing laws. Although these laws vary, their message to potential criminals is the same: **IF YOU DO THE CRIME, YOU'LL DO THE TIME.**

Now some Oregonians want to send a different message. They want to repeal Oregon's tough sentencing law and return to the days when criminals knew they could be arrested and convicted and still do little or no jail time, even for violent crimes.

DON'T BE FOOLED!

Ballot Measure 94 won't just amend Measure 11, **IT WOULD REPEAL MEASURE 11.**

Not only that, but it is **RETROACTIVE.** This means over three thousand criminals already convicted of violent crimes will be eligible for early release, many of them immediately.

Measure 11 does not apply to drug crimes or property crimes. Some people confuse Measure 11 with California's "Three Strikes and You're Out" law, which applies to all felonies. **MEASURE 11 ONLY APPLIES TO CRIMES AGAINST PEOPLE, WHERE VIOLENCE IS USED OR THREATENED.**

Significantly, Measure 11 applies to nearly all serious crimes where guns are used. Many supporters of Measure 94 also support tougher gun laws, yet **REPEAL OF MEASURE 11 MEANS SHORTER SENTENCES FOR PEOPLE WHO USE GUNS IN VIOLENT CRIMES.**

MEND IT, DON'T END IT!

Measure 11 isn't perfect. It was designed as statutory law, not a constitutional amendment, so that modifications could be made based on experience. In fact, major improvements were made by the 1997 Legislature. But a complete repeal of Measure 11 will tilt the scales of justice back in favor of the criminal.

VOTE NO ON MEASURE 94!

--Jack Roberts, Oregon labor commissioner

(This information furnished by Jack Roberts.)

(This space purchased for \$500 in accordance with ORS 251.255.)

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Measure No. 94 Arguments

ARGUMENT IN OPPOSITION

PARENTS OF MURDERED CHILDREN, INC. OPPOSES MEASURE 94

Parents of Murdered Children, Inc. is a national organization with 2,000 Oregon members. Our members have suffered the greatest of losses and felt the deepest of pains.

We want you to understand the trauma that Measure 94 would inflict on us.

Measure 94 forces survivors of homicide back to court for a new sentencing hearing. A sentencing hearing is a traumatic, wrenching experience for families. They once again come face-to-face with the criminal who shattered their lives. They often hear their loved one torn down while the murderer is portrayed in glowing terms.

Families and friends that have gone through this ordeal should not be forced to go through it again.

If the family is "fortunate", the murderer receives a just sentence. This is a critical step toward healing – it tells the family that our community values the life of their murdered loved one. **Measure 94 would slash that just sentence, leave the family betrayed, and deepen fresh wounds.**

In the cases of youth murderers, it would be even worse. **Measure 94 would force the family through a "waiver" hearing, and in many cases through an entire new trial and sentencing hearing. This process could stretch out over years, requiring the family to dredge up painful memories again and again.**

Measure 11 has spared Oregon families the heartbreak that our members have known. One of my son's murderers had a prior conviction for stabbing an innocent girl. He was released from custody after less than three years. Authorities said he was capable of murder, but they could not hold him.

Measure 11 gave us the ability to hold people like that. Measure 94 would take it away.

What message would we send by the early release of the killers of innocent men, women and children?

PARENTS OF MURDERED CHILDREN, INC. ASKS YOU TO VOTE NO ON MEASURE 94.

Mary Elledge, Chapter Leader
Parents of Murdered Children, Inc.

(This information furnished by Mary Elledge, Parents of Murdered Children, Inc.)

(This space purchased for \$500 in accordance with ORS 251.255.)

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ARGUMENT IN OPPOSITION

Fellow Oregonians:

I ask you to oppose Ballot Measure 94.

In 1989, felony sentencing guidelines made Oregon a "just desserts" state: punishment is to fit the crime. As a private citizen, I chaired the panel the Legislature charged to develop the guidelines, which scaled punishment by crime seriousness and offender's criminal history. Sentences for serious crime went up a lot compared with prior law.

As a private citizen, I voted against Ballot Measure 11—not because I viewed its sentences overall as too severe but because I don't favor our making major General Fund spending decisions outside the Legislature's budget process. Oregonians decided otherwise, as they are entitled to do. As Attorney General, I have worked successfully to defend Measure 11 against constitutional attack, and to compel sentences required by Measure 11 when not imposed.

In 1997 my office, with District Attorneys and others, helped develop legislation giving more sentencing options for some less serious offenses. I believe that effort previewed the way we should approach Measure 11 change: a careful effort to ensure sanctions are always "just desserts," especially for youth offenders.

Judged by that goal, we can further improve Measure 11. Measure 94, however, is not the way to do that. Measure 94 would reverse all Measure 11 policy decisions, including its sentences for the most serious crimes. Those sentences are stern but just; we should retain them.

Measure 94 would also compel resentencing thousands of offenders within a short time, with huge impact on our judicial system, jails and victims; and would immediately release over 800 offenders, many convicted of very serious crimes.

Again, our policy goal, which I strongly support, should be to ensure Measure 11 always achieves "just desserts" sentencing. We can, and should, get to that goal without throwing out all Measure 11 sentencing policy.

I ask you to join me in voting against Ballot Measure 94.

Attorney General Hardy Myers

(This information furnished by Hardy Myers.)

(This space purchased for \$500 in accordance with ORS 251.255.)

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Measure No. 94 Arguments

ARGUMENT IN OPPOSITION

MEASURE 94: A BAD IDEA WITH A LOT OF BAD CONSEQUENCES.

As the elected District Attorney of Multnomah County and a citizen of Oregon, I ask you to vote No on Measure 94.

- **Measure 94 will let out of prison or significantly reduce the sentences of many very dangerous criminals.**
- In Multnomah County alone it is estimated that **700 - 800 of these criminals will have to be resentenced** within 90 days if the measure passes.
- **Measure 11 works.** At the time of its passage, the violent felony crime rate in Multnomah County was growing. Almost from the day of its passage that rate has gone on a steep decline. **In Portland alone, comparing 1994 to 1999, reported cases of Murder, Rape, Robbery and Aggravated Assault dropped more than 2500 a year.**
- **We have successfully worked with the legislature to improve Measure 11.** We will certainly continue to work if further improvements are necessary.
- **Measure 11 has never included drug or property offenses.** It has only applied to the most serious person felonies in our law.
- **Measure 94 is one-sided and it is not fair to victims.** Victims will be told that the criminal who hurt them or their family member must be resentenced to what in most cases will be much shorter sentences, including outright release in many cases.
- **Measure 94 will transfer most juveniles back to juvenile court** and then **reduce** the time a juvenile can be kept under juvenile jurisdiction from **25 to 21 years of age.** This will include the most violent juvenile offenders including murderers, rapists and armed robbers.

The changes Measure 94 will make are dangerous. The cases where we will see this danger are Murder, Manslaughter, Forcible Sexual Assaults, Armed Robberies and kidnappings.

I ASK YOU TO VOTE NO ON 94. THERE IS TOO MUCH AT STAKE.

(This information furnished by Michael D. Schrunk.)

(This space purchased for \$500 in accordance with ORS 251.255.)

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ARGUMENT IN OPPOSITION

Democratic Women For Justice Urge You to Vote No On 94

As victims' advocates we have fought long and hard for those most vulnerable, abused children and battered women. Measure 11 gives us a tool to put the perpetrators of violent crimes against women and children behind bars so their victims can be safe.

One out of four women say they've been victims of domestic violence or stalking by a spouse, partner or date at some point in their lives, according to a new report by the National Institute of Justice. **When such incidents escalate to brutal assaults, rapes and murders, we need the protection and justice that Measure 11 provides.**

For children the news is even more grim: according to the U.S. Department of Health and Human Services, one girl in four and one boy in six has been sexually abused by age 18. The average age of child sexual abuse: eleven. A typical pedophile will abuse dozens of children before they are arrested. **Again, Measure 11 provides the tool for keeping these predatory sex offenders off the streets.**

Fortunately, society is taking a much more proactive stance in stemming this epidemic. **We must continue our zero tolerance for the perpetrators of these heinous crimes.** Measure 94 is a giant step backwards. **If Measure 94 passes hundreds of Oregon's most violent predators will be resentenced and eligible for release.**

In a criminal justice system that provides every protection for the criminal the victim is often overlooked. **We urge our fellow Democrats and Victims' Advocates to filter through the rhetoric and join us in preserving mandatory minimum sentences for violent criminals, child molesters, rapists, the most violent of batterers and murderers.**

Please join us to ensure that we never go back, VOTE NO on Measure 94.

Democratic Women For Justice

Rosanne M. Sizer
 Mary L. Botkin
 Donna Henderson
 Stacy J. Heyworth
 Tiana G. Tozer
 Charlotte Comito
 Christine Kirk

(This information furnished by Charlotte Comito, Tiana Tozer; Democratic Women for Justice.)

(This space purchased for \$500 in accordance with ORS 251.255.)

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Measure No. 94 Arguments

ARGUMENT IN OPPOSITION

Oregon AFSCME Corrections Officers Oppose Measure 94

As significant members of the Oregon Corrections community and a critical part of the Public Safety team, we agree that the mandatory sentencing law (passed in 1994 as Measure 11) needs modifications. This year's Measure 94 repeal doesn't do that!

Oregon AFSCME Corrections represents the vast majority of Corrections Officers and other Corrections staff in the state prison system. We understand all of the problems – from the inside. There are things to be "fixed," but Measure 94 won't do that.

Measure 94 has several flaws:

- **Measure 94 doesn't have the flexibility it needs.** In some cases, less violent crimes may need to be dealt with less harshly. We feel that judges need more discretion in these cases. Measure 94 proponents claim it gives judges discretion, but it still leaves judges no leeway in these cases.
- **Measure 94 is retroactive.** As written, Measure 94 could lead to releasing dangerous, violent criminals back into our society. We know. We supervise these criminals 24 hours a day. Many would re-offend immediately, causing untold harm to Oregonians.
- **Measure 94 puts an unfunded financial burden on local government.** Under Measure 94's retroactive clause, each inmate originally sentenced under Measure 11 must be re-sentenced. This requires transporting thousands of inmates back to their county of conviction and housing them in local jails. To make room, we would have to release local dangerous criminal defendants awaiting trial.

What should happen? We believe **ALL** Oregon law enforcement professionals should sit down with victims' advocates, defense attorneys, and legislators to accomplish the goal of improving Measure 11 without putting Oregonians at risk. In 1997 Senate Bill 1049 made some improvements and we can do it again.

Join us in voting NO! on Measure 94.

Oregon AFSCME Corrections

Tina Turner-Morfitt, Intake Center
Jim Reynolds, Oregon Women's Correctional Center
Kevin Jackson, Snake River Correctional Institution
Hermann Green, Columbia River Correctional Institution

(This information furnished by Don Loving, Oregon AFSCME Council 75.)

(This space purchased for \$500 in accordance with ORS 251.255.)

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ARGUMENT IN OPPOSITION

HOUSE SPEAKER LYNN SNODGRASS SAYS VOTE AGAINST MEASURE 94 HOLD JUVENILE OFFENDERS ACCOUNTABLE

As Speaker of the House, I am writing to vigorously oppose Measure 94. Measure 94 sends the wrong message at the wrong time.

Since the passage of Measure 11 in 1994, the Oregon Legislature has passed several laws to carry out the will of voters. During the last legislative session, we adopted groundbreaking legislation to prevent juvenile crime and help at risk youth stay on the right path.

Measure 94 would undermine this effort in two ways.

First, it sends the message to at-risk youth that they can commit serious crimes without paying serious consequences. Second, it could mean the release of hundreds of convicted violent and sex offenders who may lead impressionable youth down the wrong path.

Let's send a consistent message to the youth of our state:

Be a constructive citizen and we will provide all the help we can.

But choose a life of crime, and we will hold you accountable.

VOTE NO ON MEASURE 94

Lynn Snodgrass
Speaker of the House

(This information furnished by Lynn Snodgrass, Speaker of the House.)

(This space purchased for \$500 in accordance with ORS 251.255.)

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Measure No. 94 Arguments

ARGUMENT IN OPPOSITION

Oregon Chiefs of Police and Sheriffs Say NO on 94

As Chiefs of Police and Sheriffs, we are responsible for protecting communities in Oregon. The men and women in our charge will have to cope with the fallout from Measure 94.

The resentencing requirement of Measure 94 will result in the early release of 800 to 1300 people convicted of violent and sex crimes. Our officers will face personal danger as they re-arrest those who re-offend. They will be the ones to deal with the additional victims of violence, and to notify victims' families.

By taking the most dangerous criminals off the streets, Measure 11 enhanced the ability of police officers and deputies across Oregon to protect you. It allows us to spend more time stopping crime before it happens. Measure 94 would take us back to the days when our officers arrested violent criminals only to see them back in the community after a short sentence.

Among our many duties, the Sheriffs of Oregon are responsible for county jails. This is where people who commit non-Measure 11 crimes are housed. At a time when we already have to release offenders early for lack of space, **Measure 94 requires that we deal with 3300 offenders convicted of violent and sex crimes in a period of 90 days!**

If Measure 94 passes, these offenders all have to be resentenced. They all have to be transported from prison to the county of conviction. They all have to be housed in county jails. We don't have the room, we don't have the resources, and Measure 94 makes no provisions.

Measure 94 would stress the entire law enforcement system. And why? Measure 11 is working as designed. The most dangerous criminals are where they can't hurt innocent people. Violent crime rates have steadily declined. The resources of local law enforcement can now be focussed on prevention.

Vote No on 94

Oregon Police Chiefs For Safer Communities
Sheriffs of Oregon

(This information furnished by Steven Winegar, Oregon Police Chiefs for Safer Communities; Stan Robson, Sheriffs of Oregon.)

(This space purchased for \$500 in accordance with ORS 251.255.)

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ARGUMENT IN OPPOSITION

WHO WOULD MEASURE 94 HURT MOST?

If Measure 94 passes, most of Oregon's 3000 worst criminals will be released early. 800 to 1300 will be released within 90 days of the election. Some of them will commit new violent crimes. **Who will the new victims be?**

Violent criminals target those most vulnerable. The poor, children, women, and minorities will pay disproportionately for Measure 94.

A large percentage of the criminals to be released by Measure 94 are child molesters. **Children will pay disproportionately for Measure 94.**

Measure 94 requires resentencing 306 rapists. **Women will pay disproportionately for Measure 94.**

Minorities are victims of violent crime far beyond their numbers. FBI statistics show that an African-American is **SIX TIMES MORE LIKELY TO BE MURDERED** than a Caucasian. **Minorities will pay disproportionately for Measure 94.**

Measure 94 proponents say our criminal justice system is racist. **What is their excuse for slashing the sentences of the 2357 violent criminals who are Caucasian?** Some of these criminals committed racially-motivated crimes!

Victims of all races suffer the same from violent crime. When we are assaulted or raped, we hurt. When we are murdered, we die. **And when violent criminals do these horrible things, we deserve justice.**

What effect will released violent criminals have on minority communities? What kind of influence will they be on at-risk youth? One unspeakable tragedy tells the story.

Chad Render was an African-American student-athlete at Portland State University. He maintained a 3.26 GPA despite working 32 hours per week in a nursing home. He aspired to be an architect.

On July 27, 1997, a violent adult criminal recruited a 15-year-old to commit a robbery. During the robbery, **he murdered Chad Render.**

If Measure 94 passes, the ringleader's sentence will be reduced and he will come back into the community. **The community has lost Chad Render forever.**

Violent crime is a heavy burden on minority communities. **Measure 94 will make it worse.**

VOTE NO ON MEASURE 94

(This information furnished by Willie Brown.)

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Measure No. 94 Arguments

ARGUMENT IN OPPOSITION

MEASURE 11 IS WELL WORTH THE COST

The Measure 94 financial impact statement shows the cost of Measure 11 for the 2001-2002 budget year to be about \$48 million.

This is less than one percent of the 5 billion dollar state annual budget.

Each Oregonian will pay about \$15 in 2001-2002 for fitting sentences for violent criminals.

In other terms, it costs you less than one cent per year to keep one robber, one kidnapper, one rapist, or one killer in prison.

Is preventing additional violent crimes and having a criminal justice system that criminals take seriously worth \$15 per year to you?

This analysis does not take into account the Measure 11 savings from not having to re-arrest those who re-offend, investigate their new crimes, pay their new lawyers, pay for their new trials. It also does not take into account public and private medical and insurance savings gained from Measure 11.

How does Measure 11 spending impact education?

Education costs each Oregonian about \$890 per year compared to \$15 for Measure 11. **The impact of Measure 11 on education is that it educates people not to assault, rob, kidnap, rape or kill other people.**

In 1994, the voters of Oregon were told that Measure 11 would cost \$92 million per year for prison construction and \$101 million per year for operating costs, a total of \$193 million. 66% of Oregon voters approved these expenses. **The actual cost has been far less and the violent crime rate has dropped significantly.** The taxpayers of Oregon are getting their money's worth from Measure 11.

\$48 million a year is a lot of money, but it is money well spent when you consider the number of people not robbed, the number of children not abused, the number of women not raped, the number of people not killed because the citizens of the State of Oregon no longer tolerate violent crime.

VOTE NO ON MEASURE 94

(This information furnished by Howard Rodstein, Crime Victims United.)

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ARGUMENT IN OPPOSITION

MEASURE 11 OPPONENTS PLAY LOOSE WITH THE FACTS

Measure 94 sponsor Lorraine Heller: "Oregon has Measure 11, the mandatory minimum sentencing law that hands out prison terms for 23 crimes deemed to be violent but that include fistfights and shoplifting." (*Oregonian*, 1/15/1999)

Truth: Measure 11 does not cover fistfights unless they are really assaults in which the victim suffers significant injury and the attacker has a prior conviction. Measure 11 does not cover shoplifting or theft under any circumstances. Measure 11 does cover robbery, assault, kidnapping, rape and other sex crimes, manslaughter, attempted murder and murder.

Measure 94 sponsor Jo Ann Bowman: "No one who has committed murder, rape, child molestation, or any vicious crime is going to get out because Measure 11 has been repealed." (Channel 2 News, 4/1/2000)

Truth: All 3000+ Measure 11 offenders will be resentenced under a system that provides for much shorter sentences. Most, including rapists and murders, will have their sentences significantly reduced. An estimated 800 to 1300 will be released within 90 days of the election.

From the web site of Measure 94 sponsor Cathi Lawler: "First time offenders, youth included, are incarcerated with hardened, repeat offenders. They share the same cells."

Truth: All youth offenders are sent to youth facilities run by the Oregon Youth Authority where they can stay until age 25. A small number (7 as of 8/1/2000) are in adult prison because they assaulted other youth or staff or refused treatment. Even those sent to adult prison are segregated from "hardened repeat offenders".

Measure 11 opponent Emily Simon: "It doesn't give people treatment options for example for juvenile sex offenders... You get treated like an adult and you go to prison." (KPAM radio, 5/11/2000)

Truth: Treatment provided by the Oregon Youth Authority includes drug and alcohol rehabilitation, violent offender treatment, psychological services, anger management and education.

For more, see www.crimevictimsunited.org/measure11/misrepresentations.htm.

VOTE NO ON MEASURE 94

Howard Rodstein
Crime Victims United

(This information furnished by Howard Rodstein, Crime Victims United.)

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Measure No. 94 Arguments

ARGUMENT IN OPPOSITION

MORE MEASURE 94 MYTHS

Fiction: "The percentage of first-time offenders [is] 60%" (A February 2 letter to *The Oregonian* from Measure 94 sponsor Cathi Lawler)

Fact: The 60% figure comes from the Department of Corrections. The DOC has stated that their records do not include juvenile crimes, do not include out-of-state crimes, do not include out-of-country crimes and do not include some serious misdemeanors (e.g., domestic violence and drunk driving).

In a random sample done by the Multnomah County District Attorney's office, 84% of the Measure 11 criminals had a prior criminal record. Among the 16% of "first-time offenders" were two who had long histories of child molestation. For the remainder, it was first convictions for robbery, rape, child molestation and manslaughter. (For details see www.crimevictimsunited.org/measure11/measure11study.htm)

Fiction: "For murder the guideline range was 10 years to 22 years and 5 months while under Measure 11 the sentence is 25 years... The important difference is that under the guidelines, judges were free to sentence within a specified range." (A July 29 letter from Measure 94 sponsor to *The Oregonian*)

Fact: For a convicted murderer who is a "first-time offender", in the vast majority of cases, the sentence range available to the judge starts at 10 years and ends at 10 years and one month!

Fiction: "Mandatory minimum sentencing has quadrupled the prison population in recent years." (A July 28 letter printed in the *Eugene Register Guard*.)

Fact: According to statistics from the Oregon Department of Administrative Services, the prison population was 7290 in April, 1995, when Measure 11 went into effect. The estimate for July 1, 2000, was 9861. That is a growth of 35%, hardly a quadrupling. As of April of this year, just half the total growth going forward is attributed to Measure 11. The rate of growth is slowing.

The proponents of Measure 94 want to sell you their fiction. Find the facts at

www.crimevictimsunited.org/measure11/misrepresentations.htm.

VOTE NO ON MEASURE 94

(This information furnished by Howard Rodstein, Crime Victims United.)

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ARGUMENT IN OPPOSITION

HOW TO RIDE A BICYCLE OUT OF THE OREGON STATE PENITENTIARY

Eugene Register-Guard, July 27, 2000

A letter from an Oregon prison inmate appeared. He wrote:

"Voters passed an unfair law in 1994 that is putting 15 year olds in prison for a minimum of six years. It's called Measure 11, Oregon's flawed mandatory minimum sentencing law....I am well aware that one simple mistake can land a person in prison for a minimum of 70 months."

Eugene Register-Guard, August 1

Eugene resident Thomas F. Becker replied:

"I was quite amazed at the chutzpah of Oregon State Penitentiary inmate... We don't know what his crime was, but I imagine it involved more than 'one simple mistake'...The provisions of Measure 11 apply only to the most heinous criminal activity: murder, manslaughter, assault, kidnapping, rape, sodomy, robbery and sexual abuse."

Eugene Register-Guard, August 16

The parents of the inmate replied indignantly:

"Since we know what happened, we don't appreciate Becker 'imagining' our son's situation...Becker includes robbery (stealing your neighbor's bike) and assault (defending yourself against the school bully with a pocket knife) in his list of "heinous crimes" covered by Measure 11."

Reality check: Stealing a bike is not a Measure 11 crime, not even close. Self-defense is never a crime.

You don't have to 'imagine' the inmate's situation. Here are the facts.

The inmate, age 21, was convicted of Sex Abuse I for molesting a 5-year-old girl. He told police the molestation took place over a one year period.

If Measure 94 passes, his 6-year, 3 month prison term will be slashed to no more than 15 months and he will be released in 2001.

This criminal inmate, like many other violent criminals and sex offenders, is attempting to create a fictitious bicycle in your imagination. Once they create it, they'll ride it right out of prison.

VOTE NO ON MEASURE 94

(This information furnished by Howard Rodstein, Crime Victims United.)

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Measure No. 94 Arguments

ARGUMENT IN OPPOSITION

WHY I OPPOSE MEASURE 94

Justice

I believe that fitting punishment is an essential component of justice.

Measure 94 changes the minimum prison term for forcible rape from 8 years and four months to 2 years and four months. It changes the minimum prison term for murder from 25 years to 8 years. In many cases, judges have no choice but to give the minimum term.

Which prison term would you find just if your daughter were raped or your brother murdered?

Protection of Innocent People

Measure 94 reduces minimum prison terms for robbery, assault, kidnapping, rape and other sex crimes, manslaughter, attempted murder and murder by one-half to two-thirds.

Over 3000 criminals convicted of these crimes, including 480 sentenced for assault, 147 for kidnapping, 314 for rape, 187 for manslaughter, 145 for attempted murder, and 107 for murder will be resentenced (numbers as of 8/2000). Most will have their sentences reduced and 800 to 1300 will be released within 90 days of the election.

With hundreds of additional violent criminals on the streets immediately and thousands eventually, there will be many additional innocent victims.

Deterrence

Opponents of Measure 11 say that long sentences do not deter crime.

They may not deter everyone, but I believe that they deter some people. Each crime deterred is at least one fewer victim of robbery, assault, kidnapping, rape, manslaughter, attempted murder or murder.

The deterrent effect will continue to increase as people become more aware that violent crime is not tolerated in Oregon, but only if we stand firm.

Measure 94 Is Extreme

The sponsors of Measure 94 claim that they are concerned with cases involving "fistfights and shoplifting" (neither of which are Measure 11 offenses).

Then why does their measure slash sentences for rapists and murderers?

Even if you share some of their concerns, slashing sentences for rapists and murderers is a horrible idea!

VOTE NO ON MEASURE 94

Gordon McDonald
Crime Victims United
www.crimevictimsunited.org

(This information furnished by Gordon McDonald, Crime Victims United.)

(This space purchased for \$500 in accordance with ORS 251.255.)

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Measure No. 95

Proposed by initiative petition to be voted on at the General Election, November 7, 2000.

BALLOT TITLE

95 AMENDS CONSTITUTION: STUDENT LEARNING DETERMINES TEACHER PAY; QUALIFICATIONS, NOT SENIORITY, DETERMINE RETENTION

RESULT OF "YES" VOTE: "Yes" vote requires student learning, not seniority, determines teacher pay; qualifications, student learning determine retention.

RESULT OF "NO" VOTE: "No" vote retains current laws for paying, retaining teachers by qualifications, including performance, education, seniority.

SUMMARY: Amends Constitution. Currently, seniority and post-graduate study may determine public school teacher pay, job security. Measure requires public school teacher's pay, job security to be based on increase in students' appropriate knowledge while under teacher's instruction. Allows performance-based pay increases, certain across-the-board cost-of-living increases, retention of most qualified teacher of subject when layoffs occur. Prohibits automatic pay increases, job retention based on seniority. Applies to new or extended collective bargaining agreements signed on/after November 7, 2000.

ESTIMATE OF FINANCIAL IMPACT: State expenditures on higher education are estimated to increase \$11,600,000 during the first three years and \$5,350,000 per year after that.

Local school districts and community college districts expenditures are estimated to increase \$35,420,000 during the first three years and \$16,460,000 per year after that.

These expenditures will pay for additional testing of students, in order to measure teacher performance.

There is no impact on state or local government or revenues.

TEXT OF MEASURE

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OREGON:

The Constitution of the State of Oregon is amended by adding the following section:

Section 1. (1) Whereas it is in the best interest of the children in the Oregon public school system that teachers be paid based on performance rather than seniority, and that the best teachers be retained when reductions in staff occur; pay and job security of public school teachers shall be based on job performance, not on seniority.

- (a) For purposes of this section, if a school or school district experiences a reduction in teaching staff, retaining one teacher over another teacher based on time on the job shall be considered job security based on seniority.
- (b) For purposes of this section, automatic step or pay increases based on time on the job shall be considered pay based on seniority.
- (c) For purposes of this section, increasing a teacher's pay based on the teacher having completed one or more post graduate college courses, or having received one or more post graduate degrees, shall be considered pay based on seniority. If the post graduate study improves the teacher's job performance, the teacher may be paid more based on

the improved job performance.

- (d) For purposes of this section, job performance shall mean the degree to which the appropriate knowledge of the teacher's students increased while under his or her instruction.
 - (e) No provision of this section shall be construed as requiring a school district to dismiss one teacher and keep another if doing so would result in the district retaining a teacher less qualified to teach the actual subject(s) to be taught, than the teacher dismissed.
 - (f) Granting an across the board cost of living pay increase to all teachers in the district, which increase is not in excess of the increase in the consumer price index, or its successor index, for the preceding year, shall not be prohibited under this section, provided that the base on which the increase is made is pay based on job performance, not seniority.
- (2) The provisions of this section shall not be applied so as to conflict with a collective bargaining agreement in effect on or before the effective date of this section, or applied in a manner which would cause a provision of this section to conflict with the U.S. Constitution. Neither a collective bargaining agreement signed after the effective date of this section, nor an extension to a collective bargaining agreement, which extension was signed after the effective date of this section, shall contain a provision that conflicts with this section.
- (3) If any phrase, clause, or part of this section is invalidated by a court of competent jurisdiction, the remaining phrases, clauses, and parts shall remain in full force and effect. If any provision of this section is found to violate or infringe upon the right of any individual or group under the U.S. Constitution, the provision shall remain in full force and effect for all other persons or groups for which no infringement has been found.

95

Measure No. 95

EXPLANATORY STATEMENT

Ballot Measure 95 amends the Oregon Constitution by adding a provision that changes the method by which all public school teachers, whether or not in a collective bargaining unit, are paid and laid off.

Under current law, a public school or school district may use length of time teaching and additional college course credits to determine a teacher's pay, including pay increases.

This measure prohibits public schools or school districts from paying a teacher based on length of time teaching or on additional college courses taken. Instead, this measure requires public schools and school districts to base a teacher's pay, including pay increases, on that teacher's job performance.

The measure defines job performance as the degree to which the appropriate knowledge of the teacher's students increased while under the teacher's instruction. The measure does not address how or by whom appropriate knowledge will be defined or measured.

The measure also changes the basis for determining which teachers are retained when layoffs occur. Under current law, public schools and school districts may use the length of time teaching as one factor in determining which teachers are retained when a layoff occurs. The measure requires that the increase in students' appropriate knowledge while under a teacher's instruction be the sole determining factor when making layoff decisions, unless doing so would result in the public school or school district retaining a teacher less qualified to teach the subject needed.

The measure allows cost of living pay increases to public school teachers, limited to the consumer price index. For the purposes of this measure, "public schools" include public elementary schools, public secondary schools, community colleges, state colleges and state universities, and all state and local institutions that provide education for patients or inmates.

The measure applies to collective bargaining agreements signed or extended after November 7, 2000.

Committee Members:

Rob Kremer
 Becky Miller
 Marc Abrams
 Monica A. Smith
 Karla Wenzel

Appointed by:

Chief Petitioners
 Chief Petitioners
 Secretary of State
 Secretary of State
 Members of the Committee

(This committee was appointed to provide an impartial explanation of the ballot measure pursuant to ORS 251.215.)

95

Measure No. 95 Arguments

ARGUMENT IN FAVOR

IT'S ALL ABOUT SENIORITY!

Most Oregonians are shocked when they learn that about 95 percent of public school teachers' salaries are based solely on seniority. Not how well they teach. Just how long they've been there.

Good teachers are not rewarded. Incompetent teachers are protected. What's best for the kids is not even factored into the equation. It's all about seniority.

Nowhere is that more obvious than when lay-offs occur.

When a reduction in staff is required, do schools keep the best teachers? The answer may surprise you.

Thanks to collective bargaining contracts the teachers union has forced down the throats of every school district in the state, schools automatically keep the teachers who have been there the longest; even if they are the least competent, and even if some of the brightest and best must be laid off to protect those with seniority.

That really is how it works. No reward for a job well done. Just pay and job security based on seniority. Sure, teachers get an extra thousand bucks or so each year for extra college courses or degrees. But even that policy is a farce.

Thanks once again to the teachers union, extra college classes don't have to be related to subjects the teacher actually teaches. Math teachers can get paid extra for taking college courses in Modern Feminist Philosophy or Medieval Basket Weaving. That's really how it works.

Nothing in the current system is designed to improve the quality of the education our kids receive. The current system is designed merely to reward seniority.

Measure 96 would fix all that. Teachers would be paid based on the increase in the appropriate knowledge of students under the teacher's instruction. For teaching. And if lay-offs occur, school districts would keep the best teachers, not just those who have been there the longest. It's that simple.

For once, there would be some accountability in public education. Some reward for a job well done.

(This information furnished by Becky Miller.)

(This space purchased for \$500 in accordance with ORS 251.255.)

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ARGUMENT IN FAVOR

KEEP OUR BEST TEACHERS

It was a real eye opener for me the last time the Portland School District chose to lay off a few hundred school teachers as a way to finance pay raises for the remaining ones.

Never mind the politics of the district's decision to grant pay raises financed by laying off teachers. It was the way the lay-offs occurred that shocked me. Like most voters, I was a bit naive about the way such decisions were made. **I assumed the district would lay off the worst teachers and keep the best. Was I ever wrong!**

When a school district in Oregon reduces the size of its teaching staff, teaching skill and job performance are not the factors that determine who will go and who will stay. Pretty much all that matters is teacher seniority. The teachers who have been there the longest are the ones who stay. The teachers who are newest are the ones who are let go. It's written right into the contracts the teachers union makes with the districts.

A newer teacher may be brilliant, creative and energetic. The kids may love their classes and actually attend and learn. But none of this matters. **The teachers who have been there the longest stay, even if they're incompetent. The new ones are let go.**

How does this policy benefit the kids? Truth is, it doesn't.

Measure 95 gives all Oregon school districts something they desperately need, the ability to keep the best, most qualified teachers. Instead of school districts being forced to accept the union's seniority system when lay-offs occur; Measure 95 requires the district to ignore seniority and keep the teachers most qualified to teach the subjects for which teachers are needed.

If you're like me, you probably thought that's the way they did it already. It's not. More than 95 percent of the time, seniority is pretty much all that matters.

VOTE YES ON MEASURE 95

(This information furnished by Bill Sizemore, Oregon Taxpayers United.)

(This space purchased for \$500 in accordance with ORS 251.255.)

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Measure No. 95 Arguments

ARGUMENT IN FAVOR

YOU GET WHAT YOU PAY FOR

Our current system of paying teachers is designed to reward teachers for one thing: seniority. The longer they've been there, the more they get paid.

When you reward something, you tend to get more of it. If you don't reward something, you get less of it.

That's exactly what's happening in our schools. The teachers who have been there the longest get more money and more job security – regardless of whether they are doing a good job.

What we aren't getting more of is student learning.

Studies consistently show that how long a teacher has been teaching has no relationship to student learning. What that means is **we are rewarding something that has nothing to do with the purpose of our schools!**

It's pretty obvious that the best way to get more student learning – which is the purpose of our schools – is to tie teachers' pay to student learning. In other words, the more students learn, the more the teachers will be paid.

And, in fact, where this has been tried it has worked! North Carolina, which offers financial incentives to teachers for improved student learning, has shown the greatest student improvement in math and reading in the nation over the past ten years.

It's time we put our money toward the thing we really are after: student learning. And that's exactly what Measure 95 does.

Vote YES on Measure 95.

(This information furnished by Becky Miller, Chief Petitioner.)

(This space purchased for \$500 in accordance with ORS 251.255.)

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ARGUMENT IN FAVOR

MEASURE 95 IS THE ULTIMATE IN LOCAL CONTROL

If ever there was an opportunity for local school districts, parents, teachers, and school boards to start having some control over student learning, this is it.

Imagine the community getting to design a tailor-made teacher compensation package that reflects the values of the local community! Imagine the community being able to decide what students are expected to learn, and then being able to reward those talented teachers who get the job done!

You can't do that right now. Right now you have to pay all teachers the same, whether they are the best teacher your child has ever had or the worst teacher your child has ever had. That's not fair.

It's not fair to teachers and it's not fair to your kids.

Measure 95 doesn't specify a curriculum that kids are expected to learn. It doesn't specify how much teachers will be paid. It doesn't specify how student learning will be measured. It doesn't include – or exclude – ways to include the wide variety of factors that affect student learning. That's because we believe those are decisions that are best made by the people who are living in those situations, not by some statewide bureaucracy and not dictated in the state constitution.

Measure 95 will end the cookie cutter teacher pay system we have in Oregon that rewards teachers simply for getting older. It empowers local communities to reward teachers for teaching what those local communities value.

It's time we had real local control of Oregon schools. With Measure 95, we will have it.

(This information furnished by Becky Miller, Chief Petitioner.)

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Measure No. 95 Arguments

ARGUMENT IN FAVOR

BEHIND THE CURTAIN

By now, you've been exposed to television and radio ads telling you what a lousy idea Measure 95 is and how unfair it would be to pay our hardworking, dedicated teachers based on student learning.

But let's take a peek behind the curtain and see what's really going on.

The NEA, the national teachers union, and its Oregon affiliate, the OEA, hate merit pay. They know as well as you and I that the current seniority based pay system undermines public education. But as unions, they know they cannot survive a pay system that rewards job performance. **For these unions to remain powerful, teacher pay and job security must be based on teacher seniority, not job performance.**

Here's why:

The purpose of the teachers union is to bargain with school districts to get higher pay for teachers.

The seniority based system is so critical to the teachers union because it allows the union to demand higher pay raises than school districts can afford to pay. You see, when the union demands higher salaries than the district can afford, the higher salaries must be financed by either increasing taxes or laying off as many existing teachers as it takes to save enough money to pay the remaining teachers the higher salaries.

But why would teachers allow their union to demand pay raises so large that some of them will lose their jobs? They wouldn't, unless, of course, everybody knows in advance who would get laid off and who would stay. With a seniority based system, they do. Those who have been there the longest stay, and newer teachers are let go; all regardless of job performance.

The end result of the seniority based system: Fewer teachers, crowded classrooms, and constant demands for more money for schools. All thanks to a system that rewards teachers for hanging around, not for doing what all good teachers strive for every day: Teaching kids.

(This information furnished by Bill Sizemore, Oregon Taxpayers United.)

(This space purchased for \$500 in accordance with ORS 251.255.)

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ARGUMENT IN FAVOR

TEACHERS: ARE THEY GOOD GUYS OR BAD GUYS?

Good luck figuring that out, if you listen to the teachers union.

On the one hand, the teachers union tells us that teachers are not motivated by money, only by the selfless desire to teach kids.

On the other hand, they tell us that passing Measure 95 will result in those same teachers abandoning real teaching and instead forcing their students to memorize useless facts on a test, all in the quest for more money for themselves.

Right.

Let's get real, now. The fact is most teachers ARE motivated by the selfless desire to teach kids. Most teachers are doing a great job. Most teachers are loved by their students.

And most teachers would – just like the rest of us – like to be able to earn more money for doing an outstanding job, but they can't because their union requires that they all be paid the same.

Measure 95 is not some black magic spell that will overnight transform your child's wonderful teacher into a self-centered, money-hungry jerk. All it will do is get rid of a teacher pay system that isn't serving the kids or the teachers well and replace it with a system that will reward good teachers for a job well done.

Please vote YES on Measure 95.

(This information furnished by Becky Miller, Chief Petitioner.)

(This space purchased for \$500 in accordance with ORS 251.255.)

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Measure No. 95 Arguments

ARGUMENT IN OPPOSITION

THE OREGON PARENT TEACHER ASSOCIATION ASKS YOU TO VOTE NO ON MEASURE 95

Measure 95 is a bad idea for Oregon's schools. It is unfair and unnecessary. And it erodes local control of our schools. Measure 95 says that teachers will be paid based on the "academic performance" of their students. But there is no definition of student progress or of how the progress would be measured, nor any description of how to create or implement such a testing system. Furthermore, local communities will have no say in this process.

Measure 95 is unfair. Instead of encouraging collaboration between teachers, it fosters competition. Instead of letting local school districts work with principals, teachers, parents and school boards to find its own answers to ensure the best education for all our students, this creates more bureaucracy. Measure 95 doesn't ensure that a quality education will be available for all students.

Measure 95 is bad for students. Some of our best teachers choose to work with some of our most challenging students with severe special needs. Measure 95 does not take into account the challenges these teachers face and could easily discourage a teacher who wants to work in these most difficult and challenging situations.

Measure 95 is fiscally irresponsible. Measure 95 costs the state \$22 million dollars per year. This is money that would be better spent reducing class size, hiring more teachers, fixing leaky roofs or buying new textbooks.

- Don't risk losing our wonderful teachers who have the patience, perseverance and skill to work with difficult or challenged students.
- Don't risk losing the local control your school board has in determining the best way to hire and fire the teachers in your school.
- Don't risk harming students who may need the most help.

Support our teachers and ALL of Oregon's students.

Please vote No on Measure 95.

Kathryn Firestone, Oregon PTA President
 Lisa Laursen Thirkill, Vice President for Legislation

(This information furnished by Kathryn Firestone, President, Lisa Laursen Thirkill, V.P.; Oregon PTA.)

(This space purchased for \$500 in accordance with ORS 251.255.)

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ARGUMENT IN OPPOSITION

Oregon's Teacher of the Year Urges You To Vote No on Measure 95

It Doesn't Help Teachers Or Students

I was named Oregon's Teacher of the Year in 1998. I was deeply honored and humbled by that recognition because Oregon has thousands of dedicated public school teachers.

Measure 95 does not reward good teachers. It is poorly written, vague, unrealistic and unfair. It does nothing to improve our public schools or teaching quality. **It is a risky scheme that takes millions of dollars away from our schools real needs – adequate funding.** Measure 95 doesn't provide more dollars for public education. It doesn't put back lost programs. It doesn't decrease class sizes. It doesn't even improve student learning.

Measure 95 does not promote critical thinking or a well-rounded curriculum that prepares students for the new century. **Measure 95 simply forces teachers to prepare students for more standardized tests.** Standardized tests measure only a small portion of the successes teachers see each day in the classroom.

In my teaching career I've taught thousands of students. No two are alike. Each is a unique individual who learns at his or her own rate. Each needs some individualized attention. **Measure 95 says student progress must be identical for a teacher to be successful. That is unfair and unrealistic.**

Measure 95 works against what teachers do best – teaching! Please join me in voting no on Measure 95.

Sincerely,

Nicki Hudson
 Oregon Teacher of the Year, 1998

(This information furnished by Nicki Hudson.)

(This space purchased for \$500 in accordance with ORS 251.255.)

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Measure No. 95 Arguments

ARGUMENT IN OPPOSITION

The Oregon State Council of Senior Citizens Urges You To Oppose Constitutional Amendment 95

Don't fall for Measure 95. The proponents would like you to believe that they want to reward good teachers and get rid of inadequate teachers. We've studied the issue and want to tell you the truth about Measure 95.

They Say: "Measure 95 will help schools get rid of bad teachers."

The Truth: Nobody wants to see a bad teacher in our classrooms, least of all other teachers. The Oregon Legislature has ended teacher tenure and poor performing teachers are shipped out if they don't shape up. Measure 95 contains nothing that will weed out bad teachers.

They Say: "Measure 95 will make our schools more efficient, like a business."

The Truth: Measure 95 will add another level of bureaucracy to our public school system. The non-partisan budget analysis by the Department of Administrative Services concludes that Measure 95 will cost taxpayers \$47 million dollars to implement and \$22 million dollars a year. Think of how many teachers our schools could hire or how many new books or computers we could buy with that money!

They Say: "Measure 95 will help us more accurately measure student performance."

The Truth: Measure 95 sets up a system where standardized test scores are the only way to measure the performance of a student. Measure 95 does not take into consideration any external factors that impact our students. Students don't all have the same skills and abilities—some have special needs which can impact their progress. Still others live in poverty, come to school hungry, or come from troubled families, which can affect their progress. Measure 95 draws attention away from these kids who need special help and reduces their value to a score on a standardized test.

Don't deal another blow to our public schools.

The Oregon State Council of Senior Citizens urges a "NO" vote on this amendment to Oregon's Constitution.

(This information furnished by James A. Davis, Oregon State Council of Senior Citizens.)

(This space purchased for \$500 in accordance with ORS 251.255.)

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ARGUMENT IN OPPOSITION

Oregon's Business and Marketing Teachers Urge Oregonians to Reject the Red-Tape of Measure 95

We help to prepare thousands of students for careers in the business world. One of the principles we teach our students is the less red-tape and bureaucracy, the more successful the business will be. **Measure 95 takes away the ability of parents and local school boards to determine what is best for our schools and replaces it with a costly state bureaucracy.**

- Measure 95 takes away millions of dollars that are desperately needed in our classrooms. At a time when Oregon's schools need more funding, that doesn't make good business sense.
- Measure 95 establishes a statewide system of teacher pay that takes away the decision-making ability of locally elected school boards and gives it to a new state bureaucracy. Schools don't need more rules and regulations.
- Measure 95 is an experiment with unknown results. It can't be tested, changed and improved—it is an Amendment to our Constitution that makes our children guinea pigs for unproven ideas. That's no way to run a school or a business.
- The Oregon Constitution is not the place to etch in stone how our teachers should be paid. We don't need more state mandates and bureaucracy. We should be able to decide locally how to run our schools and pay our teachers. Bureaucracy is bad for public schools and business.

Don't tie the hands of our teachers and students

Don't add another layer of bureaucracy to our public schools

Vote "NO" on Measure 95

**Dan Thompson, President
Oregon Marketing Educators Association**

(This information furnished by Dan Thompson, President, Oregon Marketing Educators Association.)

(This space purchased for \$500 in accordance with ORS 251.255.)

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Measure No. 95 Arguments

ARGUMENT IN OPPOSITION

Dear Oregon Voter:

I ask you to oppose Measure 95—an unfair and unnecessary measure that threatens our public school system. Measure 95 amends Oregon's Constitution and requires public school teachers, community college professors and instructors, and college and university professors to be paid based on student "academic performance." This destroys Oregon's current system of hiring and evaluating the best teachers for our students. It eliminates criteria like experience and educational background.

The language of the measure is vague and does not give clear direction as to how teachers will be evaluated for compensation or how students will be measured for "academic performance." Measure 95 forces Oregon to rely on a system that bases teacher pay on the performance of students on standardized tests. But it doesn't say which tests or give any description on how to create and implement a teacher evaluation system. Further, the measure gives no indication how progress will be measured in special education, physical education or other electives.

Not every child learns at the same pace. This measure would encourage teachers to avoid the most challenging classrooms at a time when we need to ensure high expectations for all students.

- Measure 95 does not address the real problems in our schools such as a lack of parental involvement, lack of adequate funding, overcrowded classes and violence on school campuses.
- Measure 95 does not give school districts a choice in the teachers they want to keep. It reduces local control and creates more bureaucracy.
- Measure 95 does not create more ways for teachers to give more individual attention to students who need it. Instead, it requires them to spend their time filling out needless paperwork that has nothing to do with learning.

I urge all of my fellow Oregonians who want the best public schools to join me in voting No on Measure 95.

Sincerely,

Governor John A. Kitzhaber, M.D.

(This information furnished by John A. Kitzhaber, M.D., Governor of Oregon.)

(This space purchased for \$500 in accordance with ORS 251.255.)

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ARGUMENT IN OPPOSITION

The Oregon Alliance of Children's Programs Urges You To Protect Oregon's Children by Voting No on Measure 95

The Oregon Alliance of Children's Programs is committed to the well-being of Oregon's children, youth and families. We are committed to the enhancement of the children of Oregon and our members by striving to provide quality programs and services. We touch the lives of over 58,000 children and families annually with the help of committed staff and community volunteers. **The Oregon Alliance of Children's Programs opposes Measure 95 because it is unnecessary and unfair!**

We believe that every child is an individual and that every child counts. Measure 95 would force teachers to give less attention to students with special needs--which means that some will be left behind. **THAT IS UNFAIR. THAT IS UNNECESSARY.**

- **Measure 95 is an unfair scheme.**

Measure 95 sends a message to teachers that their pay is based on the progress of the entire class, not the progress of individual students. No one wants a system where one child may be sacrificed because they didn't catch on as quickly.

- **Measure 95 says that the only kind of progress worth rewarding is the kind that can be measured on a standardized test.**

Different students learn things at different times and in different ways. If teachers are forced to leave one student behind to focus on the rest of the class, we are failing all students.

- **Measure 95 will leave our at-risk and special needs students behind.**

At a time when our students need more individualized attention, Measure 95 creates more bureaucracy, more tests and more paperwork for our teachers to fill out. Teachers will have less time to give one-on-one attention.

Measure 95 will hurt, not help, the neediest children in Oregon. We urge you to vote "NO" and protect the most vulnerable children in our schools.

Janet Arenz, President
Oregon Alliance of Children's Programs

(This information furnished by Janet Arenz, President, Oregon Alliance of Children's Programs.)

(This space purchased for \$500 in accordance with ORS 251.255.)

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Measure No. 95 Arguments

ARGUMENT IN OPPOSITION

**Oregon's Public School Leaders
Urge a "NO" Vote on Measure 95**

Measure 95 is unrealistic and unfair

Public school teachers, administrators and parents are working together to ensure that our children are ready to face the challenges of the 21st Century. That's why we oppose Measure 95.

Measure 95 does nothing to address the real problems facing our schools. It is a solution in search of a problem.

- **Measure 95 takes away local control from parents, teachers, principals and our communities.**
- **Measure 95 does not address the funding crisis our schools face. Instead, it will create a new state bureaucracy that will cost \$47 million dollars to implement and \$22 million dollars per year to run.**
- **Measure 95 does nothing to ensure more parental involvement and greater accountability from students for their own actions.**
- **Measure 95 does nothing to help schools get rid of inadequate teachers.**

Parents, teachers and principals know that the most important part of the education process is the ability to spend time, one-on-one, with individual students. Measure 95 will prevent teachers from doing what they do best—TEACHING. Under Measure 95, teachers will spend more time filling out unnecessary paperwork and less time giving individualized attention to students.

Don't let the proponents of Measure 95 fool you. It does nothing to ensure that only quality teachers are in our schools. Oregon law ended teacher tenure and our schools have the tools to get rid of bad teachers.

Students don't need more tests, more red-tape and more bureaucracy. It's not good for students and it's no way to run an efficient school. Measure 95 will introduce politics into our classrooms. And that's the last thing our students need.

Measure 95 is a solution in search of a problem

We urge you to vote "NO" on Measure 95

**Kelly Hood, President
Confederation of Oregon School Administrators**

(This information furnished by Kelly Hood, President, Confederation of Oregon School Administrators.)

(This space purchased for \$500 in accordance with ORS 251.255.)

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ARGUMENT IN OPPOSITION

Fellow Oregonian:

As Superintendent of Public Instruction, I strive every day to make sure that all students in Oregon's public schools have an equal chance to learn the academic and life lessons that enrich our young people and improve the quality of life for all our citizens.

We are lucky here in Oregon--lucky to have good, quality teachers and dedicated students who want to learn. I am proud of our public school system and the educational opportunities that are afforded to Oregon's children. That's why I am opposed to Measure 95.

There are some things that we can all agree upon. Oregonians place great value in the education of our children in public schools. But Measure 95 fails to live up to the promises and obligations we must meet to educate our children.

Measure 95 will not make our schools more efficient. Education is about much more than just test scores and grade-point averages. Measure 95 sends the wrong message to students and teachers that each individual student's skills are not valued.

Measure 95 will not help schools get rid of bad teachers. No one in Oregon is more concerned with making sure that our public schools have the most talented and qualified teachers educating our students. Measure 95 will do nothing to make sure that only the best teachers are instructing our students.

Measure 95 dismisses the value of experienced teachers, training and education. It does nothing to improve the quality of public education in Oregon. In fact, it will hurt our students, hurt our teachers and hurt our schools.

I urge all Oregonians to reject this unnecessary and unfair Amendment to Oregon's Constitution.

Sincerely

**Stan Bunn
Superintendent of Public Instruction**

(This information furnished by Stan Bunn, Superintendent of Public Instruction.)

(This space purchased for \$500 in accordance with ORS 251.255.)

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Measure No. 95 Arguments

ARGUMENT IN OPPOSITION

The Oregon Consumer League Opposes Measure 95 for five reasons:

Measure 95 is unnecessary

School districts already have the power to terminate poor teachers. Measure 95 does nothing to improve schools.

Measure 95 is wasteful

Measure 95 adds a new level of bureaucracy, costing \$47 million dollars to implement and then \$22 million dollars a year. That money belongs in the classroom, not creating more bureaucracy.

Measure 95 is unrealistic

Standardized tests aren't the answer. Children need to do more than memorize facts—they also need to learn to cooperate with others and to think clearly—skills not measured on tests alone.

Measure 95 sidetracks Oregonians from the real issues our schools face

Schools need real solutions, not attempts at a quick fix that cost millions of dollars. Oregon's schools need solutions to the school funding crisis, smaller classes and more teachers--not Measure 95.

Measure 95 takes away local control

The Constitution is not the place to tell communities how to pay teachers, or which teachers to hire or fire. Let our locally elected school boards do their job.

Vote "No" on this proposed amendment to Oregon's Constitution.

Jason Reynolds, Oregon Consumer League

(This information furnished by Jason Reynolds, Executive Director, Oregon Consumer League.)

(This space purchased for \$500 in accordance with ORS 251.255.)

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ARGUMENT IN OPPOSITION

University Women Say Don't Listen to the Empty Promises of Measure 95

The sponsors of Measure 95 would like us to believe that they have all the answers to the problems our public schools face. They say that if we pay our teachers and professors according to how well their students do on standardized tests, all of the problems will be solved. Oregonians are too smart to fall for this.

We all know about the problems that our schools face. Oregon has a school funding crisis. Parents need to get involved with their children's schools. We have to reduce class size; teachers can't be expected to teach and be in control when they have 35 or 40 students in a class. Our kids need to learn to have respect for their peers and realize that violence isn't the way to solve problems.

What does Measure 95 do about these very real problems that our schools face? NOTHING!

It makes no sense to say that the solution to the problems in our schools is performance pay. Even the best teachers can't control how quickly each student progresses. If every child learned at the same pace, all the students in a class would get the same scores on tests.

Measure 95 is nothing more than empty promises. It is undefined and dangerously vague. WHO is going to be evaluating our teachers and students? HOW will academic performance and progress be measured? Standardized test scores are not the best way to judge our students and teachers.

Don't vote for an unnecessary ballot measure that doesn't do anything for our public schools.

Vote "No" on Measure 95. Send a message that Oregonians can't be tricked into doing things that harm our schools.

Kappy Eaton
American Association of University Women of Oregon

(This information furnished by Kappy Eaton, American Association of University Women—Oregon.)

(This space purchased for \$500 in accordance with ORS 251.255.)

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Measure No. 95 Arguments

ARGUMENT IN OPPOSITION

The Oregon Education Association Asks You To Vote No On Measure 95 Because Every Child In Oregon Counts!

Measure 95 is unrealistic and unfair. In a perfect world, student achievement would be easy to measure. All parents would be involved. Each student would come to school ready to learn. The reality, however, is that students don't learn in exactly the same way, at exactly the same pace. Every child in Oregon is unique and in Oregon's classrooms teachers work hard to meet the different learning rate of each child. Even the best teacher can't control how quickly a student progresses – some have special needs or live in troubled families. Measure 95 ignores these facts and creates an unrealistic picture of teacher salaries and student measurement.

Vote No on 95

Measure 95 is undefined and unnecessary. It creates a statewide bureaucracy for teacher pay based on some yet-to-be defined standardized test. It removes decision-making by local school boards on how each of their teachers should be paid and will cost millions of dollars to implement. These are dollars better spent on the real problems of Oregon's public schools.

Vote No on 95

Measure 95 does not address the real problems facing Oregon's schools. It does nothing to provide adequate and stable school funding. It does not reduce class sizes. It does not increase parental involvement. It doesn't restore lost programs or supply updated textbooks. It doesn't even assure that only quality teachers are in our schools.

Vote No on 95

Please join thousands of Oregon public school teachers and me.
Vote NO on Ballot Measure 95.

James K. Sager, President
Oregon Education Association

(This information furnished by James K. Sager, President, Oregon Education Association.)

(This space purchased for \$500 in accordance with ORS 251.255.)

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ARGUMENT IN OPPOSITION

Professors and Faculty at all of Oregon' Public Colleges and Universities Say Measure 95 is Dangerous

Oregon's public colleges and universities have educated thousands of Oregonians and prepared them for careers in everything from agriculture to zoology. Oregon's public colleges and universities are recognized around the world for the quality education they provide for so many Oregonians. **Measure 95 puts our institutions of higher learning in great jeopardy!**

Oregon's schools face competition from universities all over the United States and the world. We must fight to keep Oregon's best and brightest students. Our schools must work hard to attract the best minds in the world to educate our students. If Measure 95 passes, Oregon's schools will be at a distinct disadvantage.

Measure 95 sends a message to our students that they are worth only as much as their score on a standardized test. Worst of all, Measure 95 requires that we spend millions of dollars creating more tests for our students, instead of investing those valuable dollars in our higher education system.

Every Oregonian should be able to go to college. **Measure 95 takes dollars that could be used for scholarships and grants for deserving students and instead adds a new layer of bureaucracy for our students and professors to wade through.**

Teachers will be filling out forms when we could be giving our students help in the laboratory. We will be telling our students about yet another test when we could be preparing them for the business world.

Measure 95 is a bad deal for Oregon's colleges and universities. Our students deserve to have the best educational opportunities right here at home. Oregon cannot afford to lose our best and brightest students.

Support our state colleges and universities.

Vote "No" on Measure 95

Greg Monahan, President
Association of Oregon Faculties.

(This information furnished by Greg Monahan, President, Association of Oregon Faculties.)

(This space purchased for \$500 in accordance with ORS 251.255.)

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Measure No. 95 Arguments

ARGUMENT IN OPPOSITION

OREGON'S SCHOOL BOARDS SAY SUPPORT PUBLIC EDUCATION--VOTE NO ON MEASURE 95!

MEASURE 95 IS UNREALISTIC!

Measure 95 is unrealistic. It is a bad solution in search of a non-existent problem. Improving student achievement is the major goal of all Oregon public schools. Skilled, competent and effective teachers are essential, and so is active parental involvement, reasonable class sizes, safe school environments and quality instructional materials. Measure 95 does nothing to provide these resources. Measure 95 will cost \$47 million dollars to implement and \$22 million dollars a year after that!

Measure 95 does nothing to improve schools and student achievement! Our public schools can't afford Measure 95!

MEASURE 95 IS UNFAIR!

Measure 95 is unfair to students with disabilities, students with limited English-speaking capacity, and students who are at the greatest risk of dropping out of school. These students need the most help from our best teachers. But Measure 95 will make teachers compete for the best and brightest students in their classrooms.

Measure 95 leaves our neediest students behind!

MEASURE 95 IS UNNECESSARY!

Measure 95 is unnecessary! Teacher performance is already evaluated and determined by local school boards. The Oregon Legislature ended teacher tenure and Oregon law requires continuing educational development and training for teachers. Measure 95 will create a new and expensive state bureaucracy that replaces local community control over teacher quality and performance issues.

Measure 95 is too expensive and unnecessary!

PLEASE VOTE NO ON MEASURE 95!

**Cliff Kuhlman, President
Oregon School Boards Association**

(This information furnished by Cliff Kuhlman, President, Oregon School Boards Association.)

(This space purchased for \$500 in accordance with ORS 251.255.)

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ARGUMENT IN OPPOSITION

Working Families Agree this Amendment to our Constitution is Dangerous

Oregon's working families enjoy a quality public education system and the right to bargain collectively with their employers. Our public schools and collective bargaining rights are put in harm's way by Measure 95. Measure 95 is a constitutional amendment that that would require that public school teachers be paid based on a system that ignores the progress of an individual student and only rewards standardized test scores.

Measure 95 attacks the right of public employees to bargain collectively

- Measure 95 amends Oregon's Constitution to limit the rights of an entire class of employees, public school teachers, from exercising their right to bargain collectively with local school districts. It mandates that teachers be paid based on the "academic performance" of students. No other factors, such as experience, education and overall job performance, can be taken into consideration when negotiating contracts. It ties the hands of our teachers and our school districts. There is no room to negotiate.

Measure 95 costs public schools millions of dollars and weakens public education

- Measure 95 will cost millions of dollars to implement, directing scare school funds away from the classroom. We can't expect our children to learn if there are too many kids in a classroom. Measure 95 won't do anything but give more tests to our kids. That's not what public education in Oregon needs.

Measure 95 is bad for schools, working families and the children of Oregon.

Please join us in voting "NO" on 95:

- American Federation of Teachers
- AFCSME
- Jobs With Justice
- Laborers Local 483
- Northwest Oregon Labor Council
- Oregon AFL-CIO
- Oregon Education Association
- OPEU
- Oregon State Building and Construction Trades
- Oregon State Firefighters Council
- SEIU, Local 503
- SEIU, Oregon State Council

(This information furnished by Morgan Allen, Oregonians Against Unfair Schemes for Our Schools.)

(This space purchased for \$500 in accordance with ORS 251.255.)

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Measure No. 95 Arguments

ARGUMENT IN OPPOSITION

**An Oregon Teacher
Urges You to Vote No on 95**

**It Hurts Students
It Doesn't Belong In Oregon's Constitution**

Measure 95 rewards the best and brightest students and hurts others. Under Measure 95, teacher salaries will be based upon standardized student test scores. I teach special education high school students. How will a statewide, standardized test measure my students? This hurtful measure sends the message to teachers and students that the only kind of progress worth measuring is the kind that can be measured on a standardized test. Every day in my classroom I see progress. But, most of it can't be measured by a single test written by someone who doesn't know my students or me.

Measure 95 does not belong in Oregon's Constitution. Oregon's Constitution is no place for an unrealistic and unfair ballot measure. Neither should it be the place where teacher salaries are determined! Local school boards and administrators should be the decision-makers over local issues. What works in Portland may not work in Albany. What works in Eugene is not always right for Medford.

**Please Vote No on Measure 95.
It Hurts Students. It Hurts Teachers.
It Doesn't Belong in Oregon's Constitution.**

Sincerely,

Judy Smith, Oregon teacher

(This information furnished by Judy Smith.)

(This space purchased for \$500 in accordance with ORS 251.255.)

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ARGUMENT IN OPPOSITION

**State Treasurer Jim Hill Urges a "No" Vote on
Ballot Measure 95
Calls it "Fiscally Irresponsible"**

As Oregon's Treasurer, our state's chief financial officer, it is my job to oversee the sound investment and wise spending of your tax dollars. Making sure that Oregon has good public schools has also been a top priority for me during my career in public service. **Measure 95 is fiscally irresponsible and will do nothing to improve the quality of our public schools.**

Oregon's public schools are experiencing a funding crisis. Classes are too large and teachers are using outdated books to educate our students. We need to make sure that every available public dollar is being put to good use so that our students can be competitive in an increasingly global economy. **Measure 95 takes desperately needed dollars out of the classroom and instead spends millions of dollars to increase state bureaucracy.**

Measure 95 will cost \$47 million dollars to implement and \$22 million dollars each year thereafter. And what is this money used for? New textbooks? Smaller class sizes? More teachers? NO! The money is used to create and implement a new system of standardized testing for our public schools. **Measure 95 is not sound financial management of state resources!**

Measure 95 does not address the real needs of our students or schools. Oregon needs real solutions that increase funding for our schools, involve parents, and decrease class size. We don't need schemes that threaten the progress of students.

Oregon's students, teachers and public schools are Oregon's greatest natural resource. Our students deserve better than some multi-million dollar scheme that does nothing to improve the quality of our education system. **That's why I am opposing Measure 95.**

Let's give Oregon's children a strong start in life by providing them a quality public education. Protect our students, protect our teachers and protect public schools. **Please join me in voting "no" on Measure 95.**

**Jim Hill
Oregon State Treasurer**

(This information furnished by Jim Hill, Oregon State Treasurer.)

(This space purchased for \$500 in accordance with ORS 251.255.)

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Measure No. 95 Arguments

ARGUMENT IN OPPOSITION

Oregon's Head Start Teachers ask you to stand up for Oregon's Children by Voting "NO" on Measure 95

Measure 95 will do nothing to help the children of Oregon. We all know what our young children need to ensure that they are prepared for their first day of school. Kids need someone to encourage them to read and to show them the joys and opportunities that learning can mean for them. But most of all, our youngest children need extra, one-on-one attention to give them an extra boost that can mean all the difference in their schooling. Measure 95 will disrupt our efforts to help those young children make their critical first steps in the education process. And that's why we're asking you to vote no on Measure 95.

Measure 95 is an unrealistic way to measure our students. Every day we work with young children who may not have had breakfast, who live in poverty or come from challenged families. These students need teachers who can spend extra time helping them through a reading lesson or with a math problem. Measure 95 wastes teaching time. Measure 95 will force teachers to spend valuable time filling out more forms or preparing young children for a battery of intimidating standardized tests. We should not be measuring 5 and 6 year olds by how well they do on a state test.

Measure 95 is unfair to our students. Every child in Oregon deserves the best possible start to their education. They deserve to be in classrooms where teachers can give them all the extra help and attention they need. Even the best teachers need to have the freedom to spend time with the students who need it the most. Measure 95 takes flexibility away from our teachers and ultimately harms our most vulnerable students.

Protect the educational opportunities for all our children.

Vote "No" on Measure 95

**Annie Soto
Oregon Head Start Association**

(This information furnished by Annie Soto, Oregon Head Start Association.)

(This space purchased for \$500 in accordance with ORS 251.255.)

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ARGUMENT IN OPPOSITION

**Human Services Coalition of Oregon
Opposes Ballot Measure 95**

The Human Services Coalition of Oregon works with public, private and non-profit groups to ensure that the basic needs of all Oregonians are met. We know that education is the key to ending the cycle of poverty in our state. Measure 95 does not strengthen public schools or make our communities stronger.

Measure 95 is Unnecessary

Measure 95 is not what our public schools need. There is a school-funding crisis in Oregon. Parents and communities need to get more involved with public schools and kids. Our students need smaller classes so teachers don't have too many students in a room. The issue of school violence is very real and needs to be addressed. Measure 95 does not do anything to solve these very real problems that our schools face.

Measure 95 is Unfair

Measure 95 is unfair to all of the hard-working students and dedicated teachers in our public schools. Even the best teacher cannot control how quickly their students' progress. Each child is an individual with their own special skills and needs. Measure 95 creates a one-size-fits all system of student and teacher measurement that does not fairly judge the performance of our schools.

Measure 95 is Undefined

Measure 95 says it will set up a system to measure the performance of students and teachers. But, Measure 95 is undefined and dangerously vague. It does not define how student progress will be measured or who will be scrutinizing and evaluating our teachers. Without a system in place, how can we be sure that our teachers and students will be fairly treated?

Measure 95 creates more bureaucracy and barriers and does nothing to help our schools

Support our Public Schools, Teachers and Students

**Please Join the Human Services Coalition of Oregon and
Vote "No" on Measure 95**

**Gina Mattioda, Co-Chair
Human Services Coalition of Oregon**

(This information furnished by Gina Mattioda, Co-Chair, Human Services Coalition of Oregon, (HSCO).)

(This space purchased for \$500 in accordance with ORS 251.255.)

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Measure No. 95 Arguments

ARGUMENT IN OPPOSITION

Protect Oregon's Community Colleges By Voting "NO" on Measure 95

We can all be proud of our seventeen regional community colleges and the educational opportunities they create for Oregonians. **Measure 95 would create an expensive bureaucracy that would weaken Oregon's Community College system.**

Measure 95 wastes tax dollars that could be spent improving our Community Colleges and keeping tuition affordable. With tens of thousands of students currently enrolled, Oregon's Community Colleges must keep costs low and run as efficiently as possible. Measure 95 requires Community Colleges to create and implement a whole new series of standardized tests for students. We should be focusing on education and not on more paperwork. Oregon should not be spending \$22 million dollars a year to give more tests to our students.

Measure 95 is unnecessary and unfair to Oregon's Community Colleges. Oregonians can be proud of our Community College system. Oregon enjoys better-educated citizens and better-trained workers because of Community Colleges. Young people who may not be able to afford college otherwise are given an equal opportunity because of our Community College system. Measure 95 changes all of that. It takes our community college network that pays dividends for business and communities and ties it up with more paperwork and more bureaucracy.

Measure 95 unnecessarily changes Oregon's Constitution and makes it much harder for our Community Colleges to provide quality, affordable educational opportunities to every citizen. Community Colleges work for Oregon. Don't upset the balance we enjoy between educational quality and affordability. Protect Oregon's Community Colleges and the people who depend on them.

Vote "No" on Measure 95

Robert Ackerman, Board Chair
Lane Community College

(This information furnished by Robert Ackerman, Board Chair, Lane Community College.)

(This space purchased for \$500 in accordance with ORS 251.255.)

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ARGUMENT IN OPPOSITION

Oregon's Seniors Speak Out Against Measure 95

We've been through public schools. Our children have been through public schools. And our grandchildren are in public schools right now. **If you care about public education, we urge you to oppose Ballot Measure 95.**

Oregon's schools are one of our most important public institutions. Schools are the cornerstones of our communities. They are a place where all children have a chance to learn and grow equally.

But Measure 95 would take a wrecking ball to public schools in Oregon.

Measure 95 says that our parents, teachers and locally elected school boards are not the best people to make decisions about the schools our children attend. Instead, it amends Oregon's Constitution and says that teachers have to be paid based on the performance of their students on standardized tests.

That's just not fair! There are so many reasons why a student may or may not do well in a certain subject. Does the student come to school hungry? Does the child take responsibility for doing their homework? Is there anyone at home who helps the child with his or her reading lesson or math problems?

Student achievement and "academic performance" is part of a larger equation that includes student motivation, parental involvement and quality teachers. **Measure 95 has nothing to do with any of these things.**

Oregon is fortunate to have some of the best students and teachers in the nation. Let's not make it any harder for them than it already is. **Show your support for our public schools and vote "No" on Measure 95.**

Signed,

Elders in Action
Gray Panthers
United Seniors of Oregon

(This information furnished by Charles Kurtz, Vice-Chair, Elders in Action.)

(This space purchased for \$500 in accordance with ORS 251.255.)

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Measure No. 95 Arguments

ARGUMENT IN OPPOSITION

Measure 95: It's Unfair, Unnecessary and Undefined

Measure 95 hurts our public schools, hurts our teachers
and hurts our kids.

Join these Organizations and Individuals in Opposing Ballot Measure 95

- American Association of University Women-Oregon Chapter
- American Federation of Teachers-Oregon
- Association of Oregon Faculties
- Brain Injury Support Group of Portland
- Confederation of Oregon School Administrators
- Ecumenical Ministries of Oregon
- Elders in Action
- Governor John Kitzhaber
- Gray Panthers
- Human Services Coalition of Oregon
- Jobs with Justice
- Laborers Local 483
- Multnomah County Commission Chair, Bev Stein
- Northwest Oregon Labor Council
- Oregon AFSCME
- Oregon AFL-CIO
- Oregon Alliance of Children's Programs
- Oregon Consumer League
- Oregon Education Association
- Oregon Head Start Association
- Oregon Marketing Educators Association
- Oregon Music Educators Association
- Oregon Nurses Association
- Oregon Public Employees Union
- Oregon PTA
- Oregon School Boards Association
- Oregon School Employees Association
- Oregon Science Teachers Association
- Oregon State Building and Construction Trades
- Oregon State Council of Senior Citizens
- Oregon State Firefighters Council
- Rural Organizing Project
- Salem-Keizer School Board
- SEIU Local 503
- SEIU, Oregon State Council
- State Treasurer Jim Hill
- Superintendent of Public Instruction Stan Bunn
- United Seniors of Oregon
- Women's Rights Coalition

Vote NO on Measure 95

(This information furnished by Morgan Allen, Oregonians Against Unfair Schemes for Our Schools.)

(This space purchased for \$500 in accordance with ORS 251.255.)

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Measure No. 96

Proposed by initiative petition to be voted on at the General Election, November 7, 2000.

BALLOT TITLE

96 AMENDS CONSTITUTION; PROHIBITS MAKING INITIATIVE PROCESS HARDER, EXCEPT THROUGH INITIATIVE; APPLIES RETROACTIVELY

RESULT OF "YES" VOTE: "Yes" vote prohibits making initiative, referendum process more expensive, difficult except through initiative; applies retroactively.

RESULT OF "NO" VOTE: "No" vote retains legislature's authority to pass laws, make referrals making initiative, referendum process harder.

SUMMARY: Amends constitution. Legislature now has authority to pass laws, refer to voters statutes, constitutional amendments altering initiative, referendum process. Measure prohibits laws or referrals from legislature increasing expense or difficulty of initiative, referendum process, by: increasing required number of signatures; requiring geographical distribution of signatures; constraining people from amending constitution on any subject; or otherwise. Repeals any such laws or constitutional amendments enacted within two years before measure's effective date. Effect is to prohibit increasing expense, difficulty of initiative or referendum process except through initiative.

ESTIMATE OF FINANCIAL IMPACT: There is no financial effect on state or local government expenditures or revenues.

TEXT OF MEASURE

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OREGON:

The Constitution of the State of Oregon is amended by adding the following section:

Section 1. (a) Whereas the initiative and referendum process belongs to the People of Oregon, and was created by the people to curb the power of elected officials; and whereas the initiative and referendum process is a perpetual threat to the power of elected officials; in order to protect and preserve the people's right to self-government; the state legislative assembly shall not adopt a law, or refer to the voters an amendment, which increases the number of signatures necessary to place a measure on the ballot; requires a geographical distribution of signatures, constrains the people from amending this Constitution regarding any subject whatever, or otherwise makes it materially more difficult or more expensive for the People to exercise their right to use the initiative and referendum process.

(b) If, in the two years previous to the effective date of this 2000 Amendment, the state legislative assembly has adopted a law or referred to the voters an amendment that violates this section, the law or amendment is hereby repealed.

EXPLANATORY STATEMENT

Ballot Measure 96 would prohibit the Oregon Legislative Assembly from referring any constitutional amendment to the voters that increases the number of signatures required to place a measure on the ballot, requires a geographical distribution of signatures, or constrains the use of the initiative process to amend the Oregon Constitution on any subject. Ballot Measure 96 would also prohibit the Oregon Legislative Assembly from referring any constitutional amendment or statute, or adopting any law, that makes it materially more difficult or more expensive for the people to use the initiative and referendum process.

The Oregon Constitution currently allows the Oregon Legislative Assembly to adopt laws affecting the initiative and referendum process, so long as they are consistent with the Oregon Constitution, and to refer constitutional amendments to the people that modify the initiative and referendum process. As described above, Ballot Measure 96 would limit this legislative power.

The Measure would repeal any law or constitutional amendment that would violate the measure's provisions and that was enacted within two years before the measure's effective date of December 6, 2000. No constitutional amendment has been enacted since December 6, 1998 that would be affected by this measure.

Committee Members:

Becky Miller
 Bill Sizemore
 Les Swanson
 Jim Westwood
 Maury Holland

Appointed by:

Chief Petitioners
 Chief Petitioners
 Secretary of State
 Secretary of State
 Members of the Committee

(This committee was appointed to provide an impartial explanation of the ballot measure pursuant to ORS 251.215.)

96

Measure No. 96 Arguments

ARGUMENT IN FAVOR

Who is Afraid of Democratic Initiative?

Oregon voters have a more direct democracy through almost a hundred years of initiatives and referendums. Evolution of the initiative and referendum process compensates for the absence of a parliamentary system. The initiative process allows political factions, who might otherwise be represented in a Parliament, to have a crack at proposing legislation.

Who is afraid of the initiative process? All the big powers such as the (1) Governor (each year he has to show himself and caution voters on some ballot measure), (2) State legislators (they have to contend with the voter's power of referendum), (3) corporations (each year the **TOXIC RIGHT TO KNOW** becomes closer to becoming a human right), and (4) Public Employees Union (involuntary contributions).

An assault on the initiative process is different than a reform. Reforms for the initiative process might include:

- (1) Disallowing foreign corporations from making contributions
- (2) Giving legislative counsel and review for initiative proposals
- (3) Disallowing reruns on the following general election
- (4) Qualifying initiatives as ballot measures earlier for voter review
- (5) Voiding results if under thirty percent of active voters participate
- (6) Shortening time for appeal of initiative title to three months
- (7) Offering a \$25 state income tax deduction for active voters
- (8) **FUNDING LAW SCHOOL CHANNELS ON CABLE TELEVISION WITH SUPPORTING INTERNET DOCUMENTATION TO EDUCATE VOTERS AS LAWMAKERS!**

I will vote against Bill Sizemore's other measures. They act against the greater good of Oregon and benefit those who earn the most. However, Measure #96 merits consideration. The initiative process is an evolution in democracy and can be perfected by legislators who refer proactive reform measures to voters.

The initiative and referendum process, along with the legislature, and the Courts, is part of a constitutional equation for balancing power between legislators, juries, judges and voters in Oregon. Governors, legislatures, corporations, unions, oligarchic elitists, and Washington D.C., all tremble before the voter's power of initiative and referendum in Oregon.

(This information furnished by Toby Grant.)

(This space purchased for \$500 in accordance with ORS 251.255.)

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ARGUMENT IN FAVOR

ONLY YOU CAN ANSWER THIS QUESTION

How long do you think the Legislature will continue to try and restrict the initiative process instead of addressing the real issues of concern to the people of Oregon?

Vote Yes on 96

Since 1995, the Legislature has sponsored hundreds of bills to make it more difficult to exercise our constitutional right to the initiative and referendum process. In 1996, they brought us Measure 24, proposing to amend the Constitution, requiring an equal amount of the signatures be gathered from each of Oregon's congressional districts before an initiative could be placed on the ballot. In 2000, they brought us Measure 79, seeking to dramatically increase the number of signatures required to put constitutional amendments on the ballot. Both of these measures were defeated by an overwhelming vote of the people..

It's clear that the Legislature is not getting the message!

The initiative and referendum process is a vital check and balance to a Legislature controlled by vested interests. These same vested interests are behind the Legislature's repeated efforts to restrict the initiative process. Measure 96 puts a stop to this by preventing the Legislature from:

- Increasing the number of signatures to place a measure on the ballot;
- Requiring geographical distribution of signatures;
- Constraining amendments to the Constitution on any subject whatever; or
- Making the initiative or referendum more difficult or expensive to use.

Our government is based on the separations of power in order to prevent it from being concentrated in the hands of the few. The initiative and referendum process will always be in jeopardy as long as the Legislature can restrict it. Measure 96 places any proposed restrictions on the initiative process in the hands of the People, where it belongs. In the end you decide!

Vote yes on 96

Coalition for Initiative Rights
www.teleport.com/~dweezil/cir.htm

Lloyd Marbet
 Candidate for Secretary of State
 (503) 637-3549
www.marbet.org

(This information furnished by Lloyd Marbet, Coalition For Initiative Rights.)

(This space purchased for \$500 in accordance with ORS 251.255.)

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Measure No. 96 Arguments

ARGUMENT IN FAVOR

A yes vote on Measure 96 will stop the politicians from making the initiative process more difficult.

In the last legislative session **over fifty** bills were considered to do just that! Why? Because the politicians don't think we voters are smart enough to make the decisions that affect our lives and those of our children.

These are the same politicians who pass about **nine hundred** new bills every legislative session! And they want to make it more difficult for "we the people" to put a few measures on the ballot every two years?

The initiative process in itself does not create new laws. If the drive to get enough signatures is successful (the great majority are not) it merely places measures on the ballot for "we the voters" to decide.

Opponents claim that making numerous State Constitutional changes through the initiative is inappropriate. We should not confuse the sanctity of our "Federal Constitution," from which all of our rights are granted, with that of our state document, which merely spells out the laws by which Oregonians wish to live.

Some voters have been heard to complain that the ballot becomes too complicated when too many "choices" appear. Freedom is not free! Democracy requires some effort on the part of its citizens. Thousands of men and women have sacrificed and died to protect our right to govern ourselves through the elective process. The least we can do is education ourselves and vote on the issues presented before us.

Government is expanding and becoming more obtrusive in our lives. Do not allow power seeking politicians to weaken the voice of the people by making it more difficult to be heard! In many other countries citizens unhappy with their government resort to revolution. In Oregon we can use our right of the initiative.

Vote yes on Measure 96!

(This information furnished by Frank Eisenzimmer, Chief Petitioner, Committee to Preserve Self-Government.)

(This space purchased for \$500 in accordance with ORS 251.255.)

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ARGUMENT IN FAVOR

INITIATIVE PROCESS IS UNDER ATTACK

In the last two state legislative sessions, legislators have introduced more than 100 bills designed to make the initiative process more difficult or more expensive. **Seems the state legislature doesn't like the voters having so much say on public policy.**

Legislators have dreamed up scheme after scheme to slow down Oregon's self-government system. They have crafted numerous new rules to sabotage the process. Many legislators are openly hostile to the initiative process.

Consider this: Even though voters turned down a proposal by the legislature to increase the signature requirement for placing measures on the ballot, the Secretary of State succeeded in doing so anyway by creating a huge penalty for every duplicate signature they find when he checks the validity of signatures submitted to his office. For every duplicate signature, they eliminate 400 other signatures.

Many experts agree that this penalty is wildly inaccurate, but Secretary of State Bill Bradbury continues to enthusiastically enforce it anyway. **Bradbury finds one duplication and he wipes out the signatures of 400 other voters who invested their time and effort to consider the issue and sign the petition.**

Even the courts have openly criticized Secretary of State Bradbury's policy of not counting the signatures of registered voters that he has designated "inactive." This year, thousands of registered voters had their signatures nullified by Secretary Bradbury even though they had never been notified that the Secretary of State would not count their signatures.

Measure 96 simply tells the legislature to leave the initiative process alone. It tells them to stop trying to make it more difficult for voters to have their say. Stop trying to increase the signature requirement. Stop devising technical ways to discount the signatures of valid registered voters and keep popular initiatives off the ballot.

Oregon's initiative reminds the state legislature that their power is derived from the people. **Right now they need to have that reminder reinforced.** Measure 96 does that.

(This information furnished by Bill Sizemore, Oregon Taxpayers United.)

(This space purchased for \$500 in accordance with ORS 251.255.)

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Measure No. 96 Arguments

ARGUMENT IN OPPOSITION

The nonpartisan Oregon Initiative Committee opposes Ballot Measure 96, and we want to tell you why.

For 90 years the voters of Oregon have been able to amend the constitution either by adopting an amendment referred by the legislature, or by adopting an amendment presented by initiative petition.

Ballot Measure 96 curtails our right to propose constitutional amendments to the legislature for referral to the voters by cleverly by attacking the referendum and lawmaking power of our elected representatives.

Ballot Measure 96 would prohibit the legislature from referring to the voters any proposed constitutional amendment "which increases the number of signatures required to place a measure on the ballot; requires a geographical distribution of signatures, constrains the people from amending this constitution regarding any subject whatever, or otherwise makes it materially more difficult or more expensive for the People to exercise their right to use the initiative and referendum process."

Stripping the legislature of its power to refer such constitutional amendments also strips Oregon voters of the right to consider them. Ballot Measure 96 would compel voters to pursue such measures exclusively through expensive initiative petition campaigns.

Ballot Measure 96 also bars the legislature from adopting any law on any subject which "otherwise makes it materially more difficult or more expensive" to exercise the initiative and referendum process. Again voters would be compelled to pursue such changes solely by undertaking expensive initiative petition campaigns.

Ballot Measure 96 is intended to keep such constitutional amendments from reaching the voters by referendum. It is for you, the voters, to decide whether the public interest justifies increased difficulty or expense to the initiative industry and to those persons and interests so busily using it to their advantage.

Vote No on Ballot Measure 96.

(This information furnished by John C. Beatty, Jr., William W. Wyse; Oregon Initiative Committee.)

(This space purchased for \$500 in accordance with ORS 251.255.)

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ARGUMENT IN OPPOSITION

**The ACLU of Oregon says
VOTE NO ON MEASURE 96!**

Another constitutional amendment

Measure 96 is one of **seventeen** constitutional amendments on the ballot this election. This amendment is unnecessary tinkering with our constitution.

Proponents of initiatives should play by the same rules as everyone else in the political process.

Measure 96 would prohibit the legislature from passing any laws or referring any constitutional amendments to voters that would make the initiative or referendum process more accountable to voters.

This will put a cloud over any law the Legislature might pass to make the initiative process more accessible or informative for voters because sponsors of initiatives might claim the change makes the initiative process more difficult.

For example: Initiative sponsors have a constitutional right to pay petition circulators for signatures. But doesn't the voter have the right to know who is paying for those signatures?

Measure 96 is designed to make it impossible for the legislature to pass laws that require greater disclosure of information regarding the special interests funding an initiative proposal.

Measure 96 will allow special interest groups, who have a financial stake in getting their proposals on the ballot, to keep voters in the dark.

Measure 96 helps the initiative industry, not voters

Most Oregonians support the initiative process, but think it needs some fine-tuning every now and then. This measure would freeze today's initiative system into place and prevent useful changes, just because they could make the process more challenging for today's initiative "industry."

**Measure 96 is bad for voters.
Measure 96 is bad for our political process,
Measure 96 is bad for Oregon.**

VOTE NO ON MEASURE 96.

For more information write to the Oregon ACLU
at PO Box 40585, Portland, OR 97240
or go to www.aclu-or.org

(This information furnished by David Fidanque, American Civil Liberties Union of Oregon.)

(This space purchased for \$500 in accordance with ORS 251.255.)

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Measure No. 96 Arguments

ARGUMENT IN OPPOSITION

Oregon League of Women Voters Opposes Measure 96.

The League of Women Voters of Oregon is a grass-roots, non-partisan organization which encourages informed and active participation of citizens in government. Since 1920, the League has worked to inform voters, improve our political process and strengthen our democracy.

The League of Women Voters of Oregon opposes Measure 96 because:

It is wrong to prohibit reforms to the initiative process. This measure could prohibit the Legislature from even enacting small, but useful reforms to the process, such as increasing campaign finance disclosure requirements for initiative campaigns. There is no guarantee that needed reforms would be brought by the initiative process.

It is absurd to prevent the Legislature from asking the voters to consider reforms to the initiative process. This measure doesn't just take away the Legislature's power to pass reforms on its own; it prevents the Legislature from even asking the voters to approve reforms. That's absurd.

The measure is unnecessary; voters already have the right to approve or disapprove any significant changes to the initiative process. The Legislature only has the power to make modest reforms to the process. We don't need to take that power away.

The Constitution should be amended only for good reason.

PLEASE JOIN US IN VOTING "NO" ON MEASURE 96.

(This information furnished by Paula Krane, President, League of Women Voters of Oregon.)

(This space purchased for \$500 in accordance with ORS 251.255.)

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ARGUMENT IN OPPOSITION

GOVERNOR JOHN KITZHABER URGES A "NO" VOTE ON MEASURE 96

IT PROHIBITS EVEN MODEST, RESPONSIBLE REFORMS

Dear Fellow Oregonians:

Measure 96 would amend the Constitution to impose a broad prohibition on reforms to the initiative process. It even prevents the Legislature from asking you, the voters, to approve changes to that process. It is so broadly written that it could even prevent new campaign finance disclosure requirements – or prevent stiffer penalties for fraud or abuse by paid signature-gathering operations.

I am certainly a friend of the initiative process; I am sponsoring an initiative of my own in this election. And as Governor, I have certainly had my share of problems with the Legislature. But the idea that modest reforms to the process should be prohibited, and that the Legislature shouldn't even have the right to ask you to approve reforms, is simply absurd.

In my view, we should always be careful about amending the Constitution. We should not pass any amendment that does not have a strong justification. This proposed amendment is unjustified and ill-advised.

Please join me in voting "No" on Measure 96.

(This information furnished by John A. Kitzhaber, M.D.)

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Measure No. 96 Arguments

ARGUMENT IN OPPOSITION

Former Governor Barbara Roberts Asks You to Vote “No” On Measure 96

I value the initiative process. Before I was ever a public official, I participated in initiative drives. The initiative is a valuable part of our public life in Oregon.

But during my years as Secretary of State and as Governor – and, in the past six years, as a private citizen again -- the conduct of the initiative process has changed dramatically.

In past years, most initiative efforts were door-to-door citizen efforts by volunteers to place measures on the ballot which had broad popular support. Now, money plays an enormous role. So do new technology and computers. Sophisticated initiative sponsors can use computerized data to seek out and identify those who share their very narrow special interests. Too often, the ballot is used as a battleground for warring interest groups to fight each other over obscure issues. Oregon's initiative process was never meant to be used that way.

As the initiative approaches its 100th birthday, I believe that there is need for occasional reforms to our initiative process. We should have fuller disclosure of where the money comes from. We should make a stronger effort to keep the process honest and citizen-directed.

I strongly oppose a measure which imposes a sweeping prohibition against reforms to the initiative process – even prohibiting the Legislature from asking you, the voters, to approve reforms yourselves.

Measure 96 is not necessary to preserve voter control over the initiative process. Under Oregon's Constitution, the Legislature cannot make major changes without consulting the voters; and even if the Legislature made a minor change which we did not like, we could challenge it through the referral process. All this measure would do is act as a permanent roadblock to reasonable reforms.

I hope you will join me in voting “NO” on Measure 96.

(This information furnished by Barbara Roberts.)

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ARGUMENT IN OPPOSITION

Former Secretary of State Phil Keisling Opposes Measure 96

Fellow Oregonians:

As a former Secretary of State, I am opposed to Measure 96 because it would amend the Constitution to prohibit reasonable reforms to the initiative process. It would even prohibit the Legislature from asking the voters themselves, through referrals, to reform the process.

The initiative process is an important part of our system of government in Oregon. The initiative should be preserved. But that does not mean that there should never be any reforms. Campaign finance disclosure laws should be toughened. Abuses by paid signature-gatherers should be curbed. This measure could prevent even those simple, common-sense reforms to the process.

Under the current Constitution, only the voters can approve significant changes to the initiative process. But the Legislature can make minor changes, such as requiring more frequent and detailed disclosure of campaign contributions. This measure could take that power away from the Legislature – and that's wrong. The Legislature is, after all, elected by the people, accountable to the people, and paid to do some work for us. It is not in anybody's best interest to take away its power to curb abuses of the initiative, and to leave initiative reform up to those who can afford to pay signature-gatherers to put something on the ballot.

And it is short-sighted and senseless to prohibit the Legislature from even asking the voters themselves, through the referral process, to pass initiative reforms.

PLEASE VOTE “NO” ON MEASURE 96.

Phil Keisling

(This information furnished by Phil Keisling.)

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Measure No. 96 Arguments

ARGUMENT IN OPPOSITION

The Working Men and Women of Organized Labor Oppose Bill Sizemore's Measure 96

Organized labor recognizes the value of Oregon's initiative process. Four years ago, we went to the ballot to gain an increase in the minimum wage – which Oregonians resoundingly supported.

At the same time, we recognize that there is room for occasional reform in almost any process. The initiative process, for instance, would benefit from improved campaign finance disclosure laws so that all Oregonians know who is really supporting initiatives they are being asked to sign. We need to ensure that the process is open, fair, and available to all Oregonians.

Measure 96 is an ill-advised effort to block even modest, responsible reforms to the initiative process. It would even prevent the Legislature from asking you the people to approve reforms yourselves. And it amends the Constitution – for no good reason.

Bill Sizemore, whose business profits from the current initiative process, sponsors this measure to block even reasonable reforms to the system. But Oregonians need the ability to adjust the process to guard against abuses and unforeseen circumstances that might conspire to make it a system serving only the few, rather than the many.

Please join the working men and women of organized labor in opposing Measure 96.

This voters pamphlet statement brought to you by
Oregon AFL-CIO
American Federation of Teachers - Oregon
Service Employees International Union, Oregon State Council
Oregon Public Employees Union, SEIU Local 503

(This information furnished by Richard H. Schwarz, Executive Director, AFT-Oregon; Arthur Towers, Service Employees International Union, Oregon State Council; Rich Peppers, Oregon Public Employees Union, SEIU Local 503; Tricia Bosak, Oregon Education Association.)

(This space purchased for \$500 in accordance with ORS 251.255.)

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Measure No. 97

Proposed by initiative petition to be voted on at the General Election, November 7, 2000.

BALLOT TITLE

97 BANS BODY-GRIPPING ANIMAL TRAPS, SOME POISONS; RESTRICTS FUR COMMERCE

RESULT OF "YES" VOTE: "Yes" vote bans: body-gripping traps, commerce in fur from such trapping, certain animal poisons.

RESULT OF "NO" VOTE: "No" vote rejects ban on: body-gripping traps, related commerce in fur, certain animal poisons.

SUMMARY: Prohibits use of steel-jawed leghold traps and other body-gripping traps to capture mammals. Prohibits sale, purchase, barter, exchange of raw fur from mammal trapped in such traps in Oregon. Allows use of specified types of traps for protection of health and safety, animal control, research, and protection of endangered species if permit obtained from Oregon Fish and Wildlife Department. Prohibits use of sodium fluoroacetate, also known as Compound 1080, or sodium cyanide, to poison or attempt to poison any animal. Penalties for violations.

ESTIMATE OF FINANCIAL IMPACT: State expenditures for alternate means of animal control will be \$455,000 per year. Implementation of a permit system will cost the state \$655,000 per year, with an additional start-up cost of \$30,000. Direct revenue to the state will be reduced by \$36,500 per year due to elimination of fur trapping license fees.

The measure has no financial effect on local government expenditures or revenues.

TEXT OF MEASURE

Be It Enacted by the People of the State of Oregon:

SECTION 1. In order to protect people and domestic pets and to protect and conserve wildlife from the dangers of cruel and indiscriminate steel-jawed leghold traps and poisons and to encourage the use of humane methods of trapping when trapping is necessary to assure public health and safety, protect livestock, safeguard endangered species, or conduct field research on wildlife, notwithstanding any other provisions of Oregon law, the following provisions shall be inserted in Oregon Revised Statutes, Chapter 497.

(1) No person shall use a steel-jawed leghold trap or other body-gripping trap to capture any mammal for recreation or commerce in fur.

(2) No person shall knowingly buy, sell, barter or otherwise exchange, or offer to buy, sell, barter, or otherwise exchange, the raw fur of a mammal that has been trapped in this state with a steel-jawed leghold trap or any other body-gripping trap, whether or not pursuant to permit.

(3) No person shall use or authorize the use of any steel-jawed leghold trap or any other body-gripping trap to capture any animal except as provided in subsection 4 or 5 of this section.

(4) A person may use a Conibear trap in water, padded-jaw leghold trap, or non-strangling type foot snare with a special permit granted by the Director of the Oregon Department of Fish and Wildlife (Director) pursuant to parts (a) - (d) of this subsection. Issuance of such special permits shall be governed by rules adopted by the Oregon Fish and Wildlife Commission pursuant to ORS 496.138 and in accordance with the requirements of this section. Every person granted a special permit to use a trap listed

in this subsection shall check the trap at least every 24 hours.

(a) The Director, in consultation with the Oregon Department of Human Services or the U.S. Department of Health and Human Services, may grant a permit to use traps listed in subsection 4 for the purpose of protecting people from threats to their health or safety.

(b) The Director may grant a special permit to use traps listed in subsection 4 to a person who applies for such permit in writing and establishes that there exists on a property an animal problem which has not been and cannot be reasonably abated by the use of non-lethal control tools, including but not limited to guard animals, electric fencing, or box and cage traps, or if such tools cannot be reasonably applied. Upon making a finding in writing that the animal problem has not been and cannot be reasonably abated by non-lethal control tools or if the tools cannot be reasonably applied, the Director may authorize the use, setting, placing or maintenance of such traps for a period not exceeding 30 days.

(c) The Director may also grant a special permit to its employees or agents to use traps listed in subsection 4 where the use of such traps is the only practical means of protecting threatened or endangered species, as listed under the Oregon Endangered Species Act.

(d) The Director may grant a special permit to use traps listed in subsection 4, not including Conibear traps, for the conduct of legitimate wildlife research.

(5) The United States Fish and Wildlife Service, its employees, or agents may use a trap listed in subsection 4 where the Service determines, in consultation with the Director of the Department of Fish and Wildlife, that the use of such traps is necessary to protect species listed as threatened or endangered under the U.S. Endangered Species Act.

(6) Violations of this section, or any rule promulgated pursuant thereto, is a Class A misdemeanor when the offense is committed knowingly as defined in ORS 161.085(8). If the defendant is sentenced to pay a fine, failure to pay the fine or any portion thereof shall be treated as provided in ORS 161.685.

SECTION 2. (1) No person shall poison or attempt to poison any animal by using sodium fluoroacetate, also known as Compound 1080, or sodium cyanide.

(2) Violations of this section, or any rule promulgated pursuant thereto, is a Class A misdemeanor when the offense is committed knowingly as defined in ORS 161.085(8). If the defendant is sentenced to pay a fine, failure to pay the fine or any portion thereof shall be treated as provided in ORS 161.685.

SECTION 3. (1) *Animal* means any non-human vertebrate.

(2) *Body-gripping trap* means a trap that grips an animal's body or body part. *Body-gripping trap* includes but is not limited to steel-jawed leghold traps, padded-jaw leghold traps, Conibear traps, neck snares, non-strangling foot snares. Cage and box traps, suitcase-type live beaver traps, and common rat and mouse traps shall not be considered body-gripping traps.

(3) *Person* means a human being and, where appropriate, a public or private corporation, an unincorporated association, a partnership, a government or a governmental instrumentality.

(4) *Raw fur* means a pelt that has not been processed for purposes of retail sale.

(5) *Animal problem* means any animal that threatens or damages timber or private property or threatens or injures livestock or any other domestic animal.

SECTION 4. If any part, section, or subsection of this legislation, or the application thereof, shall be held invalid, unconstitutional or inoperative, as to any particular person, persons or conditions, the remainder thereof, or the application of any such part, section or subdivision to other persons and conditions, shall not be affected thereby.

Measure No. 97

EXPLANATORY STATEMENT

Measure 97 prohibits the use of body-gripping traps with certain exceptions discussed below. The measure defines a body-gripping trap as a trap that grips an animal's body or body part, and specifically includes but is not limited to steel-jawed leghold traps, padded-jaw leghold traps, Conibear traps, neck snares and non-strangling foot snares. Cage and box traps, suitcase-type live beaver traps, and common rat and mouse traps are specifically excluded from the definition.

Measure 97 prohibits trapping with body-gripping traps and also prohibits the buying and selling of unprocessed fur from animals caught in body-gripping traps.

Certain body-gripping traps may be used after a special permit has been requested and obtained from the Director of the Oregon Department of Fish and Wildlife. These traps are Conibear traps in water, padded-jaw leghold traps, and non-strangling foot snares, which may be used for the purpose of health and safety, animal control, legitimate wildlife research and protection of endangered species. No other types of body-gripping traps may be used under the permit process.

To obtain a special permit, a person must show that there exists an animal problem which has not and cannot be reasonably addressed by the use of non-lethal control tools, including but not limited to guard animals, electric fencing, or a box and cage trap. In the alternative, they must show that non-lethal control tools cannot be reasonably applied.

Upon making a finding in writing that the animal problem has not and cannot be reasonably addressed by non-lethal control tools, or if the non-lethal control tools cannot be reasonably applied, the Director may authorize these permitted traps for a period not exceeding 30 days. Persons using traps by special permit must check their traps every 24 hours. Under current law, trappers are required to check their traps every 48 hours for non-predatory animals. They are not required to check any traps set for predatory animals.

Measure 97 prohibits the poisoning of any vertebrate animal through the use of sodium cyanide or sodium fluoroacetate, also known as Compound 1080. Both poisons are regulated by the Oregon Department of Agriculture. Sodium fluoroacetate cannot currently be used in Oregon. Sodium cyanide can only be used by the federal government in limited circumstances and cannot legally be used by anyone else.

A violation of Measure 97 would be a Class A misdemeanor punishable by a fine not to exceed \$5,000 and/or a maximum term of imprisonment of one year.

Under this measure and current Oregon law, animals may be trapped to prevent the damage they cause to private property or threats to public health. Other mammals may be trapped just for their fur, even if they do not threaten property or public health. The Oregon Department of Fish and Wildlife and the Oregon State Police Fish and Wildlife Division will continue to be responsible for enforcing and regulating the trapping of animals in Oregon.

Committee Members:

Scott Beckstead, Esq.
Daniel Stotter
Senator David Nelson
Paul Phillips
Greg McMurdo

Appointed by:

Chief Petitioners
Chief Petitioners
Secretary of State
Secretary of State
Members of the Committee

(This committee was appointed to provide an impartial explanation of the ballot measure pursuant to ORS 251.215.)

Measure No. 97 Arguments

ARGUMENT IN FAVOR

Protect Pets and Wildlife Urges Yes on Measure 97

Restrict the use of cruel and dangerous traps and poisons

Each year in Oregon, more than 40,000 animals are killed in traps for sport and for the purpose of selling their fur. Measure 97 will restrict the use of cruel and dangerous traps and will prohibit the use of two toxic chemical poisons. Nothing more.

Traps and poisons are cruel and inhumane

Steel-jawed leghold traps, snares, and Conibear traps cause severe injury and suffering to wildlife and pets. Trapped animals suffer in pain for days, sometimes even chewing off their own legs to escape. The steel-jawed leghold trap has been declared "inhumane" by the American Veterinary Medical Association, and the American Animal Hospital Association.

M-44s are baited spring-activated devices that propel sodium cyanide poison into an animal's mouth. Compound 1080, or sodium fluoroacetate, is a highly lethal, slow acting poison that causes immense suffering to its victims. There is no antidote.

Traps and poisons are non-selective

Like landmines, they are hidden and waiting to explode, posing serious danger to children, family pets, and endangered species.

Measure 97 is a moderate measure

This measure balances public safety and humane treatment with the interests of property and livestock owners. It bans the most inhumane body-gripping traps, while allowing the selective use of certain traps by permit to protect public health and safety, livestock, threatened and endangered species, and to conduct wildlife field research. Homeowners can continue to use common rodent and gopher and mole traps.

Measure 97 has broad support

Protect Pets and Wildlife-Oregon is endorsed by elected officials and more than 60 humane, conservation and veterinary groups. An all-volunteer signature gathering drive collected over 104,000 signatures to qualify Measure 97 for the ballot.

Oregonians support humane treatment of animals, vote yes on Measure 97

Former Congresswoman Elizabeth Furse
Co-Chief Petitioner, Protect Pets and Wildlife-Oregon

For more information, visit our website: www.bancrueltraps.org

(This information furnished by Former Congresswoman Elizabeth Furse, Co-Chief Petitioner, Protect Pets & Wildlife-Oregon.)

(This space purchased for \$500 in accordance with ORS 251.255.)

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ARGUMENT IN FAVOR

Vote Yes on 97

Protect people, pets and wildlife

I live in rural Oregon. Two years ago a conibear trap slammed shut on my wrist. I have never experienced such unrelenting agonizing pain. I lost the use of my hand for nearly nine months.

I found a trap in a pond near my home where many local residents walk their dogs and recreate. There were no warning signs. I lifted the trap from the water and it snapped shut on my wrist. The pain was incredibly intense. I could not get the trap off. I struggled against panic, knowing I had to keep control and get help.

Within an hour the trap was removed, but the pain did not stop. My hand was paralyzed and had no sensation except pain. I had sustained nerve damage that took almost a year to heal, and no medication alleviates the pain of nerve damage. Sometimes it felt like needles being shoved into it, or that my fingernails were being pulled out by the roots. Some days all I could do was wrap myself in a blanket and crippling me physically and emotionally. I lost all use of my hand and could not work, or take care of myself without help.

I will never forget the pain, shock, fear and desperation I felt when that trap slammed shut. However, I had the ability to get help and knew that somehow I would get it off. I now know how an animal feels when caught in a trap; terrified, in excruciating pain, and desperate enough to chew off its own limb to get free. The agony inflicted on living beings by traps is almost beyond description. I know, I have experienced it. Let my voice speak for those who cannot speak for themselves.

Jennifer Kirkpatrick
Scappoose

(This information furnished by Jennifer Kirkpatrick.)

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Measure No. 97 Arguments

ARGUMENT IN FAVOR

Veterinarians Urge YES on Measure 97

Veterinarians throughout Oregon oppose the use of steel-jawed leghold traps and poisons to capture and kill wildlife. The American Veterinary Medical Association, American Animal Hospital Association, and the Oregon Veterinary Medical Association have declared the use of these traps to be inhumane. Marion-Polk Veterinary Medical Association endorses ballot Measure 97.

These organizations, charged with over-seeing humane animal treatment around the world, recommend alternatives, such as guard animals and improved husbandry techniques be used whenever possible to protect livestock. Trapping animals for fur is indefensible and has no place in a civilized society. Four states and 89 countries have banned steel-jawed traps. It's time for Oregon to join them.

Animals caught in these barbaric devices suffer agonizing physical pain and severe psychological trauma. Lax, or no trap-check requirements, as when trapping coyotes, allow animals to languish for days awaiting death from dehydration, exposure or exhaustion as they struggle to escape. Suffocation at the hands of the trapper, wishing to avoid damage to the pelt, is the reward for those that live. The lucky ones manage to chew off a leg or paw, escaping with an injury that will greatly diminish their chance of survival in the wild and likely result in a slow and premature death. This is animal cruelty in its simplest form and it must be stopped.

As veterinarians we take an oath to relieve animal suffering and protect animal health. Each year we care for family pets, birds of prey, fox, rabbits and other unintended victims ensnared by traps. These injuries are needless and the suffering endured is unacceptable. It can be prevented.

We can stop this senseless slaughter by voting "YES" on measure 97.

- Steve Amsberry, DVM
- Michael Booth, DVM
- Dale Bush, DVM
- Sally Conklin, DVM
- Robert Franklin, DVM
- Laird Goodman, DVM
- Stephanie Hazen, DVM,
- Richard Hillmer, DVM
- Byron Maas, DVM
- Larry Peetz, DVM
- Melissa Turnbull, DVM

(This information furnished by Melissa Turnbull, DVM, President, Marion-Polk Veterinary Association; Larry Peetz, DVM, Salem, Veterinarians Against Inhumane Traps; Dr. Byron Maas, Bend; Richard Hillmer, DVM, Salem; Robert Franklin, DVM, Portland; Sally Conklin, DVM, Corvallis; Dale Bush, DVM, Talent; Michael W. Booth, DVM, Salem; Stephanie Hazen, DVM, Salem; Laird Goodman, DVM, Beaverton; Steve Amsberry, DVM, Salem.)

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ARGUMENT IN FAVOR

The Humane Society of the United States Urges a "YES" vote on Measure 97

Don't Be Tricked by the Opponents' Scare Tactics and False Information

Measure 97 targets steel-jawed leghold traps and other inhumane and indiscriminate devices used for fur trapping and two deadly poisons – nothing more, nothing less. Measure 97 was carefully crafted to target the use of particularly barbaric traps used to kill animals for their fur and two poisons used for predator killing. When it's necessary to remove or kill an animal, people can use more humane and equally effective traps or other techniques.

Measure 97's opponents can't defend fur trapping, so they mislead voters with outrageous and false information. Opponents of Measure 97 engage in bald-faced fear-mongering. The measure imposes restrictions on the use of body-gripping traps - not box or cage traps or other humane traps. Measure 97 is so moderate that it includes exceptions for the use of leghold traps and other body-gripping traps to protect health and safety, property, livestock, and endangered species. We talked to and listened to ranchers and others before drafting Measure 97 and included these exceptions to accommodate them. Measure 97 does not ban trapping of moles, gophers, mice, or rats - animals not trapped for fur. Ever see a mole or gopher coat? Neither have we.

Fur trapping is not wildlife management. Fur trapping amounts to random and indiscriminate killing of wildlife. Trappers set out more traps when pelt values increase. For example, if pelt prices for otters or bobcats double from one year to the next, we may see a tripling in the number of bobcats killed in the state. That's not science; that's commercially driven killing of our wildlife with inhumane traps.

Vote YES on Measure 97 to protect wildlife and family pets from the use of steel-jawed leghold traps and other body-gripping traps set out to kill animals for their fur.

- Dr. John Grandy, Senior Vice-President
- Wayne Pacelle, Senior Vice-President

(This information furnished by Dr. John Grandy, Senior Vice President, Wildlife and Habitat Programs, Wayne Pacelle, Senior Vice-President; The Humane Society of the United States.)

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Measure No. 97 Arguments

ARGUMENT IN FAVOR

Oregon victims of trapping and poisoning tell their stories:

"We found Buddy's body, our German Shepherd, not more than 100 yards from our back door. Bloody foam was around his mouth and nose. We also found pink film can objects on the pathway where we found him. These were M44s, poison capsules containing deadly sodium cyanide gas." -- Dixie and George Tippet (Estacada)

"Lucky was a puppy, just barely alive, strangling in a neck snare and severely dehydrated. The snare had tightened further and further as she struggled against the wire biting into her neck. Part of it was still embedded in her neck and had to be surgically removed!" -- Toni Walter (Tigard)

"Natasha, my German Shepherd pup, was near death. Somehow she managed to crawl home, her front paw crushed in the jaws of a steel leghold trap, dragging a log attached to the trap behind her. Her mangled paw had developed gangrene. There were no leash laws or domestic stock in the area." -- Barbara Kelley (Eugene)

"We located our beloved family dog, Siddha, in a steel-jawed leghold trap, chained to a rod that had been driven into the ground. He was barely breathing, laying in a six-foot circle of snow and frozen blood. The steel jaws had cut completely through the skin on both sides of his paw, exposing bones and tendons. His efforts to pull himself free of the trap had caused tearing and further damage to his joint." -- James Ince, rancher (Azalea)

"Our son was able to crawl under the children's playhouse and free the kitty from where he had gotten stuck after dragging a trap home on his right forefoot. Thumpy, as he was to be named, suffered from severe frostbite, dehydration, shock, infection, malnutrition and was very near to death. Due to the severe frostbite, his ears were lost, as was his foot." -- Roberta Vandehey (Fossil)

Vote Yes on 97!
Protect our pets and wildlife

(This information furnished by Kelly Peterson, Protect Pets & Wildlife - Oregon.)

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ARGUMENT IN FAVOR

The Oregon Humane Society strongly supports Measure 97

Oregon's largest private animal shelter, serving the state with legislation and animal advocacy for over 130 years with over 34,000 supporters believes that now is the time to make Oregon a safer place for humans, companion animals and wildlife. We proudly participated in the all-volunteer effort to collect over 104,000 signatures to place Measure 97 on the ballot.

Dogs and cats are often the unwitting victims of the body-gripping traps and poisons targeted in this measure. The wording of this measure was carefully crafted to provide protection to dogs, cats, and children. Instead, of randomly setting out indiscriminate, deadly traps, Measure 97 provides a balanced approach. It would require the use of less deadly methods and targeting the actual wild animals causing the problem or safety concerns.

The Oregon Humane Society values Oregon's wildlife population. If management is needed, animals should be treated with compassion and respect. Animals caught in steel-jawed leghold traps and neck snares suffer terribly. Oregon's lax trap check laws, allow trappers to only visit their traps every 48 hours. Traps set for coyotes do not require checking at all! There is no reason for any animal, domestic or wild to die a slow, terrible death in the year 2000. Better methods exist and it is time to use them.

There is good reason why the Oregon Humane Society has been a lead proponent of Measure 97. It is our mission to make Oregon a better place for all animals by creating a community of compassion for all living things. Eliminating careless and inhumane killing, eliminating the indiscriminate use of deadly poison in the environment and promoting more humane methods of managing the animals that live in our state, is well within our mission.

Please join The Oregon Humane Society and vote "YES" on Measure 97!

Sharon Harmon, Executive Director

(This information furnished by Susan Mentley, Oregon Humane Society.)

(This space purchased for \$500 in accordance with ORS 251.255.)

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Measure No. 97 Arguments

ARGUMENT IN FAVOR

Ranchers and farmers protect their livelihood, pets and wildlife without traps and poisons.

The key to protecting livestock and crops from predators, and to decreasing losses in general, is good husbandry. Traps and poisons are not necessary to ranching or crop operations. They present a danger to you and your neighbor's stock and pets, in addition to wildlife. Improved husbandry, and other non-lethal control methods really work to keep herds and crops healthy and protected -- it also makes you a good neighbor to wildlife and to families living close by.

Livestock and wildlife, including predators, aren't mutually exclusive. It's possible and desirable to protect livestock and crops without harming other animals. The focus of farming and ranching is production, NOT removing predators and other wildlife. There are many types of non-lethal controls available and it's time to shift public funds and educational efforts away from killing wildlife to environmentally sensitive methods of livestock and crop production.

Sally Conklin has raised sheep in the Willamette Valley for over 20 years and has never lost sheep or lambs to predators. "Bringing ewes into my barn during lambing and keeping lambs inside for a week afterward has been the most important and cost-effective thing I've done to protect my herd," Sally states. She rounds up and confines up to 100 sheep by herself, without any additional expense.

Guard animals are widely and successfully used for livestock protection. Certain breeds of dogs, llamas and donkeys are very effective in reducing predation and in deterring unwanted animals, domestic and wildlife, from pastures and pens. "The beauty of guard dogs is they're on duty 24 hours a day, their daily activity patterns match those of most predators", states Jay Lorenz, Ph.D, leading researcher on livestock guard dogs.

Responsible Ranchers and Farmers Urge YES on 97!

Beth Ashley, Rancher, Maupin
 Sally Conklin, Rancher, Corvallis
 Marty Ginsburg, Rancher, Azalea
 Jim Ince, Rancher, Azalea
 Jay Lorenz, Ph.D, Corvallis
 John Platt, Helvetia Winery, Hillsboro

(This information furnished by Jim Ince.)

(This space purchased for \$500 in accordance with ORS 251.255.)

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ARGUMENT IN FAVOR

Oregon Wildlife Federation Urges "YES" on 97

The Oregon Wildlife Federation believes in wildlife populations that do not interfere with human populations. We also believe people have the right to protect their property. Measure 97 does not threaten wildlife management or private property rights. Traps and poisons are not selective; they injure and kill whatever animal (including domestic animals, endangered species and people) comes into contact with them. In addition, they have been shown to be ineffective in controlling or limiting predators, which is a primary reason for their use. We do not believe the questionable benefits of traps and poisons outweigh the risks they pose to the public and the environment.

One teaspoon of the poison Compound 1080 (sodium fluoroacetate) can kill several adult humans. There is no antidote. Sodium cyanide (used in gas chambers) is the chemical inside small canisters known as M44s. They are baited, stuck into the ground. A blast of poison shoots into the face of whatever animal disturbs them. Measure 97 bans sodium cyanide and Compound 1080 from Oregon.

Trapping does not achieve a quick, clean kill, or selectively manage populations. Animals suffer in traps for days. Only bobcats have a bag limit. Pelt price, not biology, dictates the management of furbearers.

Biologists found that indiscriminate killing of predators with traps and poisons, which seeks to reduce the population, actually has the opposite effect - it causes populations to grow. In response to reduced numbers and disruption of pack social systems that effectively control breeding, more females produce larger litters, and survival is greater. The pressure of more mouths to feed forces predators to increase hunting and predation on livestock.

Traps and poisons cause more problems than they cure, it's time to control them.

Vote YES on Measure 97

Paul Loney, President, Oregon Wildlife Federation

(This information furnished by Paul Loney, President, Oregon Wildlife Federation.)

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Measure No. 97 Arguments

ARGUMENT IN FAVOR

Oregon Animal Welfare Alliance Urges Yes on Measure 97

The Oregon Animal Welfare Alliance (OAWA) urges Oregonians to join them in passing Measure 97. OAWA represents Humane Societies, Animal Control Agencies, wildlife advocacy and animal welfare groups throughout Oregon. All offer protection and support to companion pets and wildlife. All OAWA member organizations participated in a successful all-volunteer signature drive that placed this important issue before Oregon voters.

Traps and poisons present a very real and serious danger to family pets, endangered species, other wildlife and even children. Trapped animals suffer terribly. Some chew their legs or paws off, break and splinter their teeth and claws trying to escape during the long (sometimes days or even weeks) wait before the trapper arrives to stomp or beat them to death. Sodium cyanide and Compound 1080, deadly poisons that are equally nonselective, kill any animal or human who contacts them. It's time Oregon eliminated these dangerous, primitive, unnecessary practices. There are many other control options available; Measure 97 only restricts these cruel and indiscriminate methods for recreation and commerce in fur.

The sole intent of Measure 97 is to restrict the inhumane methods of fur trapping, while allowing certain traps to be used to protect private property and livestock. Measure 97 has no hidden agenda. It will not prevent homeowners from rodent control, or prevent animal workers from using common restraint equipment.

It's time Oregon joined the 89 countries and four states that have banned inhumane steel-jawed leghold traps. Trapping animals for fur is animal cruelty, and our family pets and wildlife deserve better than this.

Vote Yes on Measure 97.

(This information furnished by Susan Mentley, Treasurer, Oregon Animal Welfare Alliance.)

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ARGUMENT IN FAVOR

Oregon Audubon Chapters Urges "Yes" on Measure 97

Steel-jawed leghold traps are inhumane and indiscriminate. They break bones, dislocate joints, and cause excruciating pain for wildlife and family pets.

Victims that attempt to free themselves cause additional pain and suffering. If they do not die from thirst, starvation, and exposure, the trapper will kill them, usually by bludgeoning or stomping.

Animals caught in traps don't just linger for minutes, or hours, but for days. Oregon has one of the most lax trap-check laws, with trappers required to visit the traps only every 48 hours, except for coyotes for whom there is no trap check requirement.

Body-gripping traps catch any animal that triggers them including threatened and endangered species, young and juvenile wildlife, birds as well as family pets. These devices are like landmines for wildlife. Studies demonstrate that for every target animal caught in a trap, one to ten non-target animals fall victim to these devices.

Measure 97 would prohibit the use of steel jawed leghold traps and other body-gripping traps to capture any animal for recreational or commercial purposes.

It would allow, with a permit issued by the Oregon Department of Fish and Wildlife, trapping for animal damage control with non-strangling foot snares, padded jaw leghold traps and conibear traps in water. Farmers must first try non-lethal methods of controlling nuisance animals before obtaining a permit.

Permits may also be issued for trapping to protect public health and safety, to safeguard endangered species, and to conduct legitimate wildlife research.

Measure 97 also prohibits the use of Compound 1080 (sodium fluoroacetate) and sodium cyanide. These poisons are used to kill coyotes; however, unintended wildlife can trigger these devices, resulting in even more unnecessary killing.

Endorsed by:
Columbia Gorge Audubon Society
Kalmiopsis Audubon Society
Rogue Valley Audubon Society
Salem Audubon Society
Siskiyou Audubon Society

(This information furnished by Jim Britell, President, Kalmiopsis Audubon Society; John Taylor, Vice-President, Siskiyou Audubon Society; Dennis White, Conservation Chair, Columbia Gorge Audubon Society; James Conley, President, Salem Audubon Society; Thomas T. Smith, President, Rogue Valley Audubon Society.)

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Measure No. 97 Arguments

ARGUMENT IN FAVOR

Sportsmen For Measure 97 Urge "YES" on Measure 97

Ethical hunters support Measure 97. It provides Oregonians balanced and fair use of traps when they are necessary, such as for the control of nuisance animals. The core beliefs of ethical hunters are incompatible with the concept and deed of trapping animals for the purpose of personal profit or for sport.

Two of sport hunting's most important tenants are 'fair chase' and making a quick and clean kill. Trapping violates both concepts. There is no level playing field when taking animals with a trap line. Trapping is a passive pursuit --the trap is set, the trapper goes home. Any animal happening to stumble into the waiting trap becomes entrapped. There is no active stalking of a specific animal or pitting the hunter's capabilities against those of the prey species as there is in sport hunting. This violates the concept of fair chase. In addition, trapping does not provide a quick, clean kill. Animals caught in snares and traps suffer for prolonged periods, they do not die quickly. After days of struggling in traps or snares, they are killed at point blank range by suffocation (stomping on their chests), or are bludgeoned to death to avoid marring the pelt. This is not a quick or clean kill. In addition, numerous animals besides the one for which the trap is intended are caught, suffer and die needlessly.

Trapping violates the important hunting concept of eating what you kill, not selling or wasting it. Before game laws were enacted, animals were killed for the primary purpose of selling their parts. Today's game laws prohibit hunters from selling or otherwise profiting from harvested wildlife or parts.

By obeying game laws and a strict code of ethics, hunters manage wildlife and control game populations. Trapping is not a form of ethical hunting.

Loren Hughes, President, Sportsmen for Measure 97
Past Regional Director, Izaak Walton League

(This information furnished by Loren Hughes, President, Sportsmen for Measure 97.)

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ARGUMENT IN FAVOR

Oregon Chapter Sierra Club Urges YES on 97

Oregon's public lands are littered with dangerous and indiscriminate steel-jawed leghold traps. These devices and substances not only threaten wildlife and family pets, but also hikers and other outdoor enthusiasts.

Measure 97 will restrict cruel and indiscriminate traps and two deadly poisons.

Poisons are indiscriminate killers:

Measure 97 bars the use of Compound 1080 and sodium cyanide -- deadly poisons set out to kill wildlife. Compound 1080 is a highly lethal poison with no known antidote. Compound 1080 not only kills its targeted victims, but also animals that feed on poisoned carcasses, such as raptors. Originally banned throughout the West in 1972 because of secondary poisoning of wildlife, it is now creeping back into use in western states. Measure 97 will establish state law prohibiting its use in Oregon once and for all.

Sodium cyanide -- loaded into spring-activated ejector devices known as M-44s -- is used in Oregon by U.S. Department of Agriculture to kill predators, often on public lands, at taxpayer expense. Sodium cyanide is a highly toxic and indiscriminate poison that causes a violent death for both target and non-target animals, including threatened and endangered species. It can take several minutes of suffering before the animal succumbs to the poison and dies.

Commercial Trapping Wildlife Exploitation:

Trapping is the only state-sanctioned form of commercial wildlife killing, where individuals kill animals and sell their parts, the fur, for profit. It is a vestige of the long-discredited era of market killing of wildlife. Trappers don't kill the animals for food, but simply to sell the parts to the international fur trade.

Protect our public lands and wildlife:

Commercial and recreational trapping and deadly wildlife poisons disrupt natural ecosystems, create dangerous situations for hikers and other outdoor enthusiasts, and cause untold suffering for tens of thousands of animals.

Please join the Oregon Chapter Sierra Club in voting YES on 97.

(This information furnished by Mari Margil, Conservation Coordinator, Sierra Club, Oregon Chapter.)

(This space purchased for \$500 in accordance with ORS 251.255.)

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Measure No. 97 Arguments

ARGUMENT IN FAVOR

THE FUND FOR ANIMALS URGES "YES" ON 97

The Fund for Animals, on behalf of more than 1,000 Oregon members and supporters, urges a "Yes" vote on Measure 97. This sensible measure will prohibit the use of cruel and outdated traps for recreation and commerce in fur, and prohibit the use of two deadly poisons.

At The Fund for Animals' animal care facilities, we have seen first-hand the effects that indiscriminate traps can have on both "target" and "non-target" victims. An orange tabby kitten named Peg once came crawling toward the main house at our Black Beauty Ranch, step by painful step, all the time dragging a steel-jawed leghold trap behind her. A veterinarian had to remove her front leg all the way up to the shoulder. And at our Wildlife Rehabilitation Center, we have provided medical treatment to several protected species injured in traps, including a great horned owl and a juvenile red-tailed hawk who both had their legs snapped off in the jaws of leghold traps.

The small number of animals who receive our help pales in comparison to the tens of thousands who suffer for days with broken bones, lacerations, joint dislocations, and other injuries. As the animals struggle to free themselves, they may break their teeth or injure their gums by chewing on the metal traps. They may pull the stakes out of the ground and drag the traps with them for several days, or they may even chew off their own legs in desperate attempts to escape. Their misery only ends when they finally die of infection, parasites, blood loss, or at the hands of the trapper.

Measure 97 will prohibit the use of these inhumane traps for recreation and commerce, but will still allow the use of some traps to ensure public health and safety, to protect livestock or property, to safeguard threatened and endangered species, or to conduct field research on wildlife.

Please vote "Yes" on Measure 97.

(This information furnished by Michael Markarian, The Fund For Animals.)

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ARGUMENT IN FAVOR

Oregon victims of trapping and poisoning tell their stories:

"Suddenly our West Highland Terrier, who was a little behind us, cried out. We turned to see her writhing on the ground, her leg caught in a steel-jawed leghold trap. In the desperate, bloody minutes that followed, Kerstin was severely bitten twice before we could find a way to release the traumatized dog." -- Robert and Kerstin Adams (Astoria)

"A neighbor found Dante, our year-old Aussie/Chow mix pup, in a weakened condition, but still alive. Mangled flesh, and precious little of it, was all that was left of his right foreleg. My wife and our two toddlers took him to the veterinarian who had to remove Dante's entire leg at the shoulder." -- Luke Gregg (North Plains)

"One Sunday, as we walked along in a nearby national forest, Nellie became a target of a leghold trap that had been set along the left edge of the path. Her yelps were pitiful as my husband wrenched open the trap and freed Nellie's injured front leg." -- Diane Gange Landers (Corvallis)

"A neighbor came by one day and told me he was putting out some snare traps. Sure enough, several days later some kids came up to our house and told us a cat was trapped in one of the snares. The cat was obviously terrified and in pain. Somehow I managed to free it without getting seriously clawed or bitten. It hobbled off before I could determine if the leg was broken. Any child or pet could have gotten caught and injured in his snares." -- Bill Wood, M.D. (Clackamas)

Vote Yes on 97!
Protect our pets and wildlife

To view a short video about the Oregon trapping campaign, go to: http://www.stream.realimpact.net/?file=realimpact/hsus/video_features/hsus_feature_leghold.rm

(This information furnished by Kelly Peterson, Protect Pets & Wildlife-Oregon.)

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Measure No. 97 Arguments

ARGUMENT IN OPPOSITION

The **Oregon Society of American Foresters** has approximately 1200 members, including foresters, scientists, administrators and educators who contribute to the management of public and private forest lands throughout Oregon. We work for many different employers and hold a variety of professional viewpoints, but **we strongly oppose Measure 97**. It would greatly restrict animal control practices in Oregon, affecting not only foresters **trying to control rodents or other animals that damage or destroy seedlings and young forests**, but also homeowners dealing with problems from gophers, moles and other pests.

Oregon Society of American Foresters opposes Measure 97 because:

- Animal damage to Oregon's young forests continues to be a significant management problem in sustaining Oregon's forests.
- Measure 97 uses broad, restrictive language that would eliminate effective tools needed by foresters to reduce animal damage to young forests. In many locations animal damage control is needed to promptly establish new forests and to ensure sustainable forest management.
- Carefully planned trapping by professional foresters is biologically sound and environmentally safe. Current trapping methods have been developed and tested over time and have proven highly effective and environmentally sound. In many situations, alternatives to such methods that are as safe and effective do not exist.
- Measure 97 does not allow exceptions for any body gripping traps except when set in water. This prevents using traps to control gophers, moles, and rodents that are damaging forest regeneration.
- The complex and cumbersome process included in the measure to allow exemptions is not practical. By the time a permit is obtained serious damage can occur.

The Oregon Society of American Foresters supports professional, conscientious management of Oregon's forest resources. Oregon is a leader in reforestation and sustainable forestry. Measure 97 would threaten this status by eliminating important tools and practices prudently used by professionals to achieve sustainability.

(This information furnished by Carrie Sammons, Society of American Foresters.)

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ARGUMENT IN OPPOSITION

OREGON'S WATER, SANITARY, PARK, IRRIGATION AND VECTOR CONTROL DISTRICTS URGE A NO VOTE ON 97

Measure 97 bans the use of one of our most effective ways of controlling rats, mice and other destructive animals.

Measure 97 will make the control of rats in sewer systems more difficult, making it easier for rodents to enter homes.

Measure 97 will prohibit the use of gripping traps to catch moles that create holes in soccer fields creating a safety hazard for children.

Measure 97 will make it more difficult to control gophers that tunnel into irrigation ditches creating flooding hazards.

MEASURE 97 IS A WELL INTENTIONED MEASURE BUT IT JUST GOES TOO FAR

Measure 97 applies to "...any non-human vertebrate." The measure is too broad.

Measure 97 defines "Body-gripping trap" to include most common lethal and non-lethal traps but adds that phrase "...but is not limited to..." which makes the definition open-ended and subject to interpretation by lawsuit.

Measure 97 applies to governments as well as individuals, making public control of destructive animals by gripping traps a crime.

VOTE NO ON MEASURE 97

(This information furnished by Greg Baker, Executive Director, Special Districts Association of Oregon.)

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Measure No. 97 Arguments

ARGUMENT IN OPPOSITION

Mothers Ask Oregonians to Vote "No" on Measure 97

Measure 97 is so poorly written that its intent seems to be to hurt Oregon's family farms and ranches.

Our families raise livestock and crops for a living, so like other farm and ranch families we live close to nature. Our children and grandchildren have learned a strong work ethic and responsibility by raising calves and lambs. They have learned the heartbreak of having their livestock and pets hurt or killed by coyotes and other predators.

We have come to expect a certain amount of wildlife damage because it occurs every year on farms and ranches but sometimes we find it necessary to control over-populations of pests like moles, gophers and predators like coyotes.

The definition of a body-gripping trap in Measure 97 is so broad as to appear foolish.

The language used in Measure 97 includes squeeze chutes and head gates. These things are used every day on the ranch for life-saving treatment of cattle, sheep and horses. Even lariats, snares and catchpoles meet the definition of "body gripping" traps. At the very least, this measure is an invitation to lawsuits by animal rights extremists.

No one supports the needless suffering of animals.

Nor do we support allowing dangerous animals to threaten our family's safety. In order to protect a healthy and safe environment for all Oregonians, we must keep tools available and our options open. The use of traps in Oregon is strictly regulated by Oregon Department of Fish & Wildlife and enforced by the Oregon State Police Fish & Wildlife Division. Changes to these regulations should go before the Oregon Fish & Wildlife Commission... we should not manage wildlife with the ballot box.

PLEASE VOTE NO ON MEASURE 97.

IT'S AN ALL AROUND BAD DEAL

Margaret Magruder
Clatskanie, Oregon

Sharon Livingston
Long Creek, Oregon

Marjorie Nichols
Canby, Oregon

Sharon Beck
Cove, Oregon

(This information furnished by Sharon Livingston, Margaret Magruder, Marjorie Nichols, Sharon Beck.)

(This space purchased for \$500 in accordance with ORS 251.255.)

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ARGUMENT IN OPPOSITION

"Measure 97 is poorly written"

Major Roy Hyder, retired
Oregon State Police Fish & Wildlife Division

As a retired Oregon State Police Officer, I'm proud to have worked 29 years protecting Oregon's wildlife. I have some very serious concerns with Measure 97 that I ask Oregonians to consider before voting.

Oregonians should read the measure to understand that Measure 97 threatens the very wildlife it claims to protect.

- **Definition of a "body-gripping" trap in Measure 97: "Body-gripping trap means a trap that grips an animal's body or body part."**

This extremely broad definition opens the door to lawsuits against farmers and ranchers using animal management tools like squeeze chutes that grip a calf or a lamb's body. This definition also includes humane instant-kill mole and gopher traps used by private property owners to protect their lawns and gardens.

- **Section 1 (3) in Measure 97: No person shall use or authorize the use of any steel-jawed leghold trap or any other body-gripping trap to capture any animal except as provided in subsection 4 or 5 of this section.**

The inclusion of "any other body-gripping trap" is a blanket ban on the use of any traps in Oregon. While the proponents claim to want to stop certain types of trapping, Measure 97 bans all trapping except under certain circumstances where a special permit must be issued. I've reviewed the permit process and I believe it is unworkable.

Measure 97 ignores strict trapping laws already in place. It could result in law enforcement officers citing citizens for trapping nuisance animals instead of enforcing important existing wildlife laws.

Measure 97 is a poorly written measure that goes too far. The measure includes a "notwithstanding any other provisions of Oregon law" that overrules existing laws. It also bans two poisons that already cannot be used in Oregon today!

I ask that you join me in voting "No" on 97.

Thank you.

Roy Hyder

(This information furnished by Roy Hyder, Retired, Oregon State Police.)

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Measure No. 97 Arguments

ARGUMENT IN OPPOSITION

Oregon State Police Enforce State Trapping Laws

Dear Oregonians,

As a retired Oregon State Police officer with the Fish & Wildlife Division, I'm very familiar with the existing laws that govern the use of traps in Oregon.

Any person trapping in Oregon must be licensed. A requirement of the licensing process is that each person successfully finishes a training program sanctioned by the State of Oregon. The required training program teaches ethics, humane trapping, resource management and trapping laws. The training program helps ensure the law is followed and humane treatment of wildlife is practiced.

Oregon State Police officers routinely check traps and trappers to ensure laws and regulations are followed. In the field, officers check traps for a required brand, a number that identifies the trapper who owns it, so they know who is out there and where. They also ensure seasons and bag limits are abided by to protect the health of our wildlife populations.

Lawbreakers that trap in an unsafe or inhumane manner violating existing laws are arrested and prosecuted. Placing a trap on private property without permission from the owner or within city limits or parks is illegal.

Enforcing a ban on mole and gopher traps and other trapping of nuisance animals will prove difficult. It is also a waste of valuable time. Oregon State Police have many important wildlife laws to enforce and responding to complaints of illegal mole and gopher trapping in lawns, gardens and golf courses is not one of them.

Measure 97 is unnecessary and goes too far.

Please Vote "No" on 97

Sincerely,

Lieutenant Dudley Nelson, retired
Oregon State Police
Fish & Wildlife Division

(This information furnished by Dudley Nelson, Retired, Oregon State Police.)

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ARGUMENT IN OPPOSITION

Former Chairs of the Oregon Fish & Wildlife Commission
Urge Oregonians to vote NO on Measure 97

The ban is extreme and goes too far because
it is poorly written

Measure 97 – bans common mole and gopher traps

Moles and gophers can destroy home gardens, city parks, school playgrounds, cemeteries, nurseries and golf courses. They are a nuisance because of their mounds and burrowing systems that create several hundred feet of holes and mounds. They also chew on underground cables and pipes, causing damage that may be difficult to find and expensive to repair.

Measure 97 – imposes extreme permit process and fines

Violations for trapping a mole or a gopher could result in a Class A misdemeanor with fines of up to **\$5,000 and up to a year in jail per animal.**

You will only be able to protect your property with a "special permit" from the Director of the Department of Fish and Wildlife. This process will be a slow, cumbersome, bureaucratic, red-tape mess from an already overworked and understaffed department.

Only after you have applied in writing and proven that a problem exists, will you be allowed to trap. What good is mole and gopher control after crops have been destroyed or after a child has been injured after tripping in a gopher hole?

Measure 97 - does more harm than good

We've reviewed thousands of regulations and laws as Oregon Fish & Wildlife Commissioners. Measure 97 is not good for Oregon or Oregon's wildlife.

Don't get trapped by the ban!

VOTE NO on Measure 97

Pete Barnhisel, Corvallis

Bob Jacobson, Newport

Jim Habberstad, The Dalles

Jim Van Loan, Steamboat

(This information furnished by Jim Habberstad, Jim Van Loan, Bob Jacobson, Pete Barnhisel, former commissioners, Oregon Dept. of Fish & Wildlife.)

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Measure No. 97 Arguments

ARGUMENT IN OPPOSITION

Rudy Rosen, Ph.D.

Former Oregon Department of Fish & Wildlife Director

As a biologist and former director of the Oregon Department of Fish & Wildlife, I've reviewed thousands of regulations and laws. While Measure 97 appears as an attempt to protect wildlife... it threatens to do more harm than good.

Measure 97 threatens the public health and safety of Oregonians by limiting the tools used to manage wildlife populations.

Examples from other states that passed similar bans:

- Tragedy struck a young family when their baby boy in California was left brain-damaged after ingesting droppings from raccoons, a population described as an "infestation" by wildlife professionals.
- An over-population of coyotes around the Colorado Springs Airport has resulted in numerous planes hitting coyotes on the runway. One strike caused over \$500,000 in damage to the airplane's landing gear.

Consider this Bend Bulletin editorial (August 14, 2000)

"If you want to know how Measure 97 would work, consider what's happened in Massachusetts since voters approved a similar initiative - one that included the trap loophole - in 1996. Prior to the ban, there were fewer than 24,000 beaver in the state, says state wildlife biologist Susan Langlois. As of this fall, the population will top 61,000. With the explosion, naturally, have come serious problems. Roads have been washed out by collapsing beaver dams, Langlois says, and just last year beaver activity forced four towns to pass ordinances requiring residents to boil their drinking water."

The consequences of a Measure 97 just weren't thought out. It binds the hands of professional biologists who work to manage the balance between man and nature. Our wildlife biologists need tools to guard against diseases and parasites such as gardias, round worm and Lyme disease.

**Oversimplified ballot measures to solve complex biological issues just don't work.
That's why I hope you'll vote "No" on 97**

Rudy Rosen
Former Director, Oregon Department of Fish & Wildlife (1994-1997)

(This information furnished by Rudy Rosen, Ph.D., former director, Oregon Dept. of Fish & Wildlife.)

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ARGUMENT IN OPPOSITION

Oregon Farm Bureau Opposes Measure 97

Measure 97 defines a trap "that grips an animal's body or body part." This broad definition opens the door to farmers and ranchers being sued over the use of head gates and squeeze chutes.

If Measure 97 passes, Oregon farms will be struck with an explosion of animal damage. Even with sensible animal control, rodents alone cost Oregon farms over \$16 million annually (Oregon Agricultural Statistics Service 1998). Many other animal populations need to be managed to minimize losses to Oregon's farmers.

Here's how some of the damage is done...

Moles -- Their mounds of loose soil are only an indication of the extensive tunneling activity underground. Moles eat and damage: tulips, lilies, iris, carrots, potatoes, peas, beans, corn, oats and wheat.

Gophers -- The burrow system of a single gopher may range over several hundred feet. Gophers feed on roots, stems and leaves. Gophers even damage trees by stem girdling and root pruning.

Nutria -- A non-native animal to Oregon that burrows into river banks and irrigation canals and ditches. This burrowing activity can destabilize banks and cause serious erosion.

Coyotes -- While impossible to get rid of, coyote populations can be managed. Yet even with current management tools, coyotes kill thousands of baby lambs and calves each year in Oregon.

Measure 97 restricts common sense methods for controlling nuisance animals.

Measure 97 leaves poisons as a poor option to the use of traps.

Join Oregon's Farmers in Saying "No" to Measure 97

(This information furnished by Andrew Anderson, Oregon Farm Bureau.)

(This space purchased for \$500 in accordance with ORS 251.255.)

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Measure No. 97 Arguments

ARGUMENT IN OPPOSITION

Measure 97 permit process is flawed and unworkable

Measure 97 reads:

"SECTION 1. (4)(b) The Director may grant a special permit to use traps listed in subsection 4 to a person who applies for such permit in writing and establishes that there exists on a property an animal problem which has not been and cannot be reasonably abated by the use of non-lethal control tools, including but not limited to guard animals, electric fencing, or box and cage traps, or if such tools cannot be reasonably applied."

We ask: How is this process supposed to work?

- How long must we attempt the non-lethal control tools?
- Establish a problem how? A bureaucratic form? Video tape?
- How many sheep have to be killed on our private land before it is considered a problem?

Measure 97 reads:

"Upon making a finding in writing that the animal problem has not been and cannot be reasonably abated by non-lethal control tools or if the tools cannot be reasonably applied, the Director may authorize the use, setting, placing or maintenance of such traps for a period not exceeding 30 days."

We ask: How is this process supposed to work?

- When will the Director review our requests?
- What is considered reasonable?
- After 30 days – we guarantee you – predator animals will return and the flawed, unworkable process will begin again.

Measure 97 supporters stated in written testimony:

"...there is nothing to preclude the ODFW [Oregon Department of Fish & Wildlife] from charging a minimal fee for processing permits..."

We ask: How will this fee be administered?

- What is the proposed fee?
- How many times a year should we pay a fee to protect our sheep?

Measure 97 is flawed

Measure 97 is unworkable

Vote No on Measure 97

Cleve and Ellie Dumdi
Sheep Ranchers in Lane County

Carey Moffett
Sheep Ranchers in Lane County

(This information furnished by Cleve and Ellie Dumdi, Carey Moffett.)

(This space purchased for \$500 in accordance with ORS 251.255.)

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ARGUMENT IN OPPOSITION

**ATTENTION SPORTSMEN. WILL YOU BE NEXT?
VOTE NO ON MEASURE 97**

In 1994, using emotional rhetoric and graphic videos of illegal hunts and hunts in other states, animal rights extremists misled Oregon voters into supporting a ban on certain cougar and bear hunting techniques. At the time they stated that their only purpose was to ban these few "unfair" practices. Now they are back attacking scientific wildlife management with an attempt to stop already well regulated trapping. What will be next, Bow Hunting, Muzzle Loaders, All "Sport" hunting? Lets look at the havoc created by the ban on cougar and bear hunting brought about by the passage of Measure 18.

WILDLIFE MANAGEMENT HAS SUFFERED. "We think Measure 18 is one of the most unfortunate incidents that has happened to wildlife management in this state, this century." Jim Haberstadt, Vice Chairman, Oregon Fish and Wildlife Commission 12/14/94. *Eugene Weekly.*

HUNTING OPPORTUNITY IS REDUCED. The May 3, 2000 issue of *The Observer* had this to say about the recommendation to reduce elk tags in Wallowa County. "Over the past four years, elk populations have plummeted because of predation, wildlife officials say. Consequently tags have been reduced by 6,000." ODFW District Biologist Vic Coggins believe the reduction in numbers is a predation problem, "probably mostly cougars". "Cougars are believed to be preying primarily on elk calves," Coggins said. *The Observer*, La Grande, OR, May 3, 2000.

Measure 97 is a continued attack on Sportsmen. The moving force behind Measure 18 was the Humane Society of the United States. Once again they have pledged enormous amounts of money to support Measure 97. Their leader, Wayne Pacelle has repeatedly attacked "sport hunting", saving his most vicious attack for muzzle loaders and bow hunters. Washington State University Speech 4-19-93. Will your sport be next?

**SPORTSMEN UNITE
PROTECT YOUR OUTDOOR HERITAGE
VOTE NO ON MEASURE 97**

(This information furnished by Rod Harder, Oregon Sportsman's Political Victory Fund.)

(This space purchased for \$500 in accordance with ORS 251.255.)

The printing of this argument does not constitute an endorsement by the State of Oregon, nor does the state warrant the accuracy or truth of any statement made in the argument.

Measure No. 97 Arguments

ARGUMENT IN OPPOSITION

Pest Control Businesses know 97 will Ban Mole and Gopher Traps

The definitions and language of Measure 97 goes way beyond the claims of the proponents. We've read the measure and we know that it bans common mole and gopher traps... its there in black and white.

Measure 97 threatens our ability to get the job done. It also threatens the property of our customers.

We work to keep lawns, gardens, parks, school playgrounds, cemeteries, nurseries and golf courses safe and beautiful. Moles cause extensive damage to lawns, home gardens and farms because of their mounds. The burrowing of gophers is not only a nuisance, but also causes erosion and lost water. A variety of tools are used to effectively manage these critters, many are banned by Measure 97.

If Measure 97 becomes law, it is reasonable to think that additional poisons will be released into the environment and highly populated areas. More poisons are not a responsible approach to nuisance animal control and can be very expensive.

Consider this: violations for trapping a mole or gopher could result in a Class A misdemeanor with fines of up to \$5,000 and up to a year in jail per animal. This is extreme for controlling these animals.

The proponents of Measure 97 dreamed up a permit process that is so unworkable, it wouldn't even allow the issuance of a permit for mole and gopher traps!

The proponents say Measure 97 does one thing, yet the measure does another.

Measure 97 is so poorly written and thought out. It will create unacceptable damage to the environment and to homeowners. The safest and most efficient method to retaining the natural balance of nature is with the responsible and regulated use of traps by educated and trained professionals.

Thank you for voting NO on 97

Guaranteed Pest Control Services
Beaverton

Eastside Mole Works
Gresham

American Extermination Plus, Inc.
Portland

(This information furnished by Wes Lydell, Guaranteed Pest Control Service Co.)

(This space purchased for \$500 in accordance with ORS 251.255.)

The printing of this argument does not constitute an endorsement by the State of Oregon, nor does the state warrant the accuracy or truth of any statement made in the argument.

ARGUMENT IN OPPOSITION

Manager of Pioneer Cemetery Urges Oregonians to Vote "No" on 97

Cemeteries need to be safe places to visit.

Maintaining the safety of visitors and the appearance of a cemetery grounds as a place of respect and honor for the dead is a costly endeavor.

For many pioneer cemeteries the expense and responsibility falls directly on volunteer board members and local community support.

However well intentioned, the proponents of Measure 97 have gone too far!

The language and definitions they want us to put into law bans the use of safe, humane traps used by cemeteries across Oregon to maintain the safety of their grounds.

If our grounds aren't safe, this will drive up liability insurance costs. Many small cemeteries throughout Oregon can't afford any additional costs. Measure 97 may threaten their financial well-being

Government permit process is Confusing and Unworkable!

The government bureaucracy made by Measure 97 doesn't even allow cemeteries to obtain a permit from the Department of Fish & Wildlife for mole and gopher traps. Besides, the hundreds of cemeteries around the state and the people trying to maintain them shouldn't have to get a permit to trap moles and gophers!

Please vote "No" on Measure 97!

Charlotte Benz,
Pioneer cemetery manager, Washington County

(This information furnished by Charlotte Benz.)

(This space purchased for \$500 in accordance with ORS 251.255.)

The printing of this argument does not constitute an endorsement by the State of Oregon, nor does the state warrant the accuracy or truth of any statement made in the argument.

Measure No. 97 Arguments

ARGUMENT IN OPPOSITION

State Labor Commissioner Jack Roberts

Measure 97 will not do what the sponsors say it will do.

As the current Labor Commissioner and a former Lane County Commissioner, I have read thousands of pieces of legislation. Laws need to make sense. Laws need to do in practice what the writers intend them to do.

Read all of Measure 97. When you do, you see will it doesn't make sense!

Vote NO on Measure 97

MEASURE 97 – TOO MANY UNINTENDED CONSEQUENCES

This measure far goes beyond the simple rhetoric of the sponsors

- By not using the most effective tool, **defenseless** lambs, cattle, and other livestock will be hunted and killed by predator animals. There will be no efficient way to deter these predators from entering family farms and killing domestic pets and livestock.

Why pass a law that could have such dramatic effects?

- Since this measure is so poorly written it could ban lariats (a rope to round-up livestock); head gates (used to restrain cattle, sheep and horses to receiving medicines and treatment); and catch poles and snares (to capture runaway animals)

MEASURE 97 – BANS HUMANE MOLE & GOPHER TRAPS

This measure bans all traps for all reasons

- Measure 97 bans the humane instant kill traps that protect home gardens and crops from moles and gophers.

Measure 97 is too extreme. It goes far beyond what the sponsors say it will do

(This information furnished by Jack Roberts, Commissioner, Oregon Bureau of Labor & Industries.)

(This space purchased for \$500 in accordance with ORS 251.255.)

The printing of this argument does not constitute an endorsement by the State of Oregon, nor does the state warrant the accuracy or truth of any statement made in the argument.

ARGUMENT IN OPPOSITION

**OREGONIANS IN ACTION PAC
Representing rural property owners**

And

**OREGON FAMILY FARM PAC
Representing small family farms in Oregon**

Urge a **NO** Vote on Measure 97

Measure 97 will hurt Oregon's family farms.

Raising crops and livestock is hard work. Measure 97 makes it harder. It takes away a tool that helps us manage wildlife populations that can cause immense damage. Rodents cost farms and ranches over \$16 million dollars in 1998 alone while coyotes killed nearly a \$1,000,000 in lambs and calves.

Measure 97 restricts property owners from common sense practices.

Moles, gophers and other nuisance animals can cause extensive damage to private lands. Yet Measure 97 forces private landowners to obtain permits to control some animals...and flat out bans common mole and gopher traps.

"Body-gripping" trap definition will result in lawsuits.

The over-broad language in Measure 97 is an open invitation to lawsuits by animal rights extremists and trial lawyers. The language used in Measure 97 includes squeeze chutes and head gates. These things are used every day on the ranch for life-saving treatment of cattle, sheep and horses. Yet anyone operating one under Measure 97 could be sued.

PLEASE VOTE NO ON MEASURE 97

(This information furnished by Larry George, Oregon Family Farm PAC, Oregonians in Action.)

(This space purchased for \$500 in accordance with ORS 251.255.)

The printing of this argument does not constitute an endorsement by the State of Oregon, nor does the state warrant the accuracy or truth of any statement made in the argument.

Measure No. 97 Arguments

ARGUMENT IN OPPOSITION

Measure 97 threatens sustainable forests

Field foresters, forest economists and wildlife biologists of the Oregon Forest Industries Council evaluated the potential impacts of Measure 97. This study of Measure 97 revealed serious flaws in the measure's language and potential impacts that hurt reforestation efforts.

- **Current animal damage control programs would be banned**

The breadth of the measure's language would stop current trapping methods for mountain beaver, also known as "boomers." These rodents, unrelated to river beaver, destroy seedling trees by eating their roots.

- **Permit process would cause delays in responding to animal damage**

The amount of damage being incurred during a permit process by the government is expected to be extreme. Damage must be proven before a permit is issued and re-applications for new permits every 30 days will prove burdensome.

- **Alternative methods are expected to increase costs by 720%**

These methods include tubing to protect seedlings, feeding programs to deter animals from feeding on or damaging trees, and a more labor intensive hunting programs. The effectiveness of these programs is uncertain.

- **A dramatic increase in animal population**

Estimating animal population growth is difficult, but it is reasonable to expect a significant increase without current programs. This increase coupled with the loss of control methods would have devastating effect on our ability to maintain viable and future healthy forests.

- **Non-compliance with Oregon Forest Practices Act**

The Oregon Forest Practices Act requires maintenance of roads and forestlands for healthy rivers and streams. While a landowner is proving damage to receive a permit, as required by this measure, that landowner could fall out of compliance with other regulatory requirements such as the Forest Practices Act. A classic catch-22: fulfilling the requirements of one law violates another.

Measure 97 threatens our ability to successfully replant Oregon's forests and should be defeated.

(This information furnished by Mike Dykzeul, Oregon Forest Industries Council.)

(This space purchased for \$500 in accordance with ORS 251.255.)

The printing of this argument does not constitute an endorsement by the State of Oregon, nor does the state warrant the accuracy or truth of any statement made in the argument.

ARGUMENT IN OPPOSITION

"Outsiders can take credit for placing an animal trapping ban on Oregon's November ballot"
Associated Press - August 22, 2000

Oregonians will take credit for defeating Measure 97

Oregon Farm Bureau

Oregon Cattlemen's Association

Oregon Sheep Growers Association

Oregon Association of Nurserymen

Oregon Women for Agriculture

Oregonians for Food & Shelter

Oregon Cranberry Farmers' Alliance

Oregon Dairy Farmers

Oregon Seed Growers

Agricultural Cooperative Council of Oregon

AG-PAC

Association of Oregon Counties

Oregon Golf Course Owners Association

Oregon Forest Industries Council

Oregon Forest Protection Association

Oregon State Grange

Oregon Hunters Association

Oregon Guides & Packers Association

Oregon Fur Takers

Oregon Safari Club

Oregon Sportsman's Defense Fund

And many more...

Please Join

OREGONIANS FOR RESPONSIBLE WILDLIFE MANAGEMENT

And Vote NO on 97!

(This information furnished by Paul Phillips, Oregonians for Responsible Wildlife Management.)

(This space purchased for \$500 in accordance with ORS 251.255.)

The printing of this argument does not constitute an endorsement by the State of Oregon, nor does the state warrant the accuracy or truth of any statement made in the argument.

Measure No. 98

Proposed by initiative petition to be voted on at the General Election, November 7, 2000.

BALLOT TITLE

98 AMENDS CONSTITUTION: PROHIBITS USING PUBLIC RESOURCES FOR POLITICAL PURPOSES; LIMITS PAYROLL DEDUCTIONS

RESULT OF "YES" VOTE: "Yes" vote prohibits using public resources to collect or help collect political funds

RESULT OF "NO" VOTE: "No" vote rejects prohibition on using public resources to collect or help collect political funds

SUMMARY: Amends Constitution. Prohibits using "public funds" to collect, assist collecting "political funds." "Public funds" defined to include public buildings, employee time, equipment and supplies; excludes voter pamphlet statement fees. "Political funds" defined to include expenditures for lobbying, supporting or opposing candidate, ballot measure or initiative petition. Prohibition applies even if public entity reimbursed for using public funds. Would prohibit public employee payroll deduction for union or any other entity using deduction for political purposes or commingling political, non-political funds. Requires monetary penalty for violation.

ESTIMATE OF FINANCIAL IMPACT: This measure is estimated to reduce state expenditures for voters' pamphlet publication by \$2,400,000 in even numbered years. State revenues from filing fees are estimated to decrease by \$464,000 in even numbered years.

Local government expenditures for voters' pamphlet publication are estimated to decrease by \$434,000 in even numbered years.

These reductions result from eliminating candidates' statements and arguments in state and local voters' pamphlets.

TEXT OF MEASURE

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OREGON:

The Constitution of the State of Oregon is amended by adding the following section to Article XV, which section shall be appropriately numbered and shall read:

Section 10 (1) No public funds shall be spent to collect or assist in the collection of political funds.

(2) For purposes of this section, money shall be deemed to be "political funds" if any portion of the money, including in-kind and pass-through contributions, is contributed to a candidate or political committee or party, or spent lobbying an elected official, or is spent, including independent expenditures, supporting or opposing a candidate for public office or a ballot measure, including efforts to collect signatures to place a measure on the ballot, and any efforts, including but not limited to direct mail and media campaigns, to solicit signatures for initiative petitions or to discourage electors from signing initiative petitions.

(3) For purposes of this section, public funds shall include public employee time on the job, public buildings, and public equipment and supplies; but shall not include the fee charged by the Secretary of State or a county elections division for placing a paid statement in an official Voters Pamphlet.

(4) Public entities are prohibited from providing a service prohibited by this section even if reimbursed for the cost of doing so.

(5) No public entity shall collect or assist in the collection of funds for any purpose for a person or organization, if, after the effective date of this Amendment, the person or organization has: (i) used for political purposes any of the funds collected for it by a public entity after the effective date of this Amendment, or (ii) commingled non-political funds collected by a public entity after the effective date of this Amendment with political funds.

(6) The state legislative assembly shall establish a financial penalty for persons and organizations which use for a political purpose money collected for them by a public entity. The penalty shall be not less than double the amount of money contributed to or spent for a political purpose.

(7) If any phrase, clause, or part of this section is found to be unconstitutional by a court of competent jurisdiction, the remaining phrases, clauses, and parts shall remain in full force and effect.

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Measure No. 98

EXPLANATORY STATEMENT

Ballot Measure 98 adds a new section to the Oregon Constitution that prohibits anyone from using public resources to collect or help collect political funds. Public resources that cannot be used to collect political funds include public moneys, public employee time, public buildings and public equipment and supplies.

The political funds that a person cannot collect by using public resources include money contributed to candidates, political committees or political parties, money spent lobbying an elected official and money spent supporting or opposing a candidate, ballot measure or initiative petition. This prohibition applies if any portion of the money collected with the assistance of public funds is passed through to another organization that, in turn, uses any portion of the money for a political purpose. Political funds do not include the fee charged by the Secretary of State or a county for placing a paid statement in an official voters' pamphlet, however, public resources are used to produce the voters' pamphlet.

A public entity is prohibited from using its resources to collect political funds even if the public entity is reimbursed for those resources.

Any person or organization violating this measure by using funds (collected with the assistance of public resources) for a political purpose, or by co-mingling those nonpolitical funds with political funds, shall lose the right to have money collected for it for any purpose by any Oregon public entity.

This measure directs the Oregon Legislative Assembly to establish a financial penalty for persons and organizations that violate this measure. The penalty must be not less than double the amount illegally contributed or spent for a political purpose.

This measure prohibits several activities currently allowed under Oregon law. For example, under this measure it would be illegal:

(1) For public entities to collect political funds for public employee unions by means of payroll deduction.

(2) To implement a public employee's request to deduct part of the employee's wages and transfer that deducted money to an organization that uses all or part of that money to lobby elected officials or to support or oppose candidates, political parties, initiatives or ballot measures.

(3) For any organization that receives money from public employees through payroll deductions or electronic transfers to use any portion of the money to lobby an elected official or to support or oppose candidates or ballot measures. Organizations that use payroll deduction include charities, insurance companies and financial institutions.

(4) For individuals and organizations that are involved in political activities, such as lobbying or supporting or opposing ballot measures or candidates, to use public buildings for meetings or other activities, if the individual or organization will seek or accept political contributions on the public property.

Committee Members:

Becky Miller
 Bill Sizemore
 Roger Gray
 Margaret Olney
 Cecil Tibbetts

Appointed by:

Chief Petitioners
 Chief Petitioners
 Secretary of State
 Secretary of State
 Members of the Committee

(This committee was appointed to provide an impartial explanation of the ballot measure pursuant to ORS 251.215.)

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Measure No. 98 Arguments

ARGUMENT IN FAVOR

MEASURE 98 IS FAIR TO EVERYONE
MEASURE 98 GETS GOVERNMENT OUT OF THE
BUSINESS OF COLLECTING POLITICAL FUNDS

Under current law, publicly owned buildings, computers, and supplies are being used to help collect millions of dollars in political campaign funds for certain political groups.

Currently, some public employees are even required, as part of their official, taxpayer funded jobs, to collect campaign money for groups that run huge, multi-million dollar political campaigns. These employees are actually spending time on the clock, at taxpayer expense, collecting political campaign funds.

This is an outrageous abuse of taxpayer dollars. It is an affront to every hardworking taxpayer, whose tax dollars should be used to pay only for legitimate functions of government. Collecting political funds is clearly not a legitimate function of government.

Measure 98 prohibits the use of our tax dollars or any other public resource to collect political funds. It does so in a fair and even-handed way.

Measure 98 treats Republicans, Democrats, Independents and other political parties all the same. It applies equally to liberals, moderates, and conservatives. It treats corporations the same as unions. Under Measure 98, no matter what your political stripe, taxpayer dollars and other public resources could not be used to collect your political campaign funds.

The status quo, on the other hand, is not fair. Currently, the only groups for which government collects large amounts of political money are those groups that campaign for higher taxes.

It is a conflict of interest for government to use taxpayer resources to help the campaigns of those groups that support higher taxes. Measure 98 would make this practice illegal.

Under Measure 98, all political organizations would have to collect their own political funds, which of course is as it should be.

Let's pass Measure 98 and get government out of the business of collecting political campaign funds. Let's insure that elections are fair and government is always a neutral party by passing Measure 98.

(This information furnished by Bill Sizemore, Oregon Taxpayers United.)

(This space purchased for \$500 in accordance with ORS 251.255.)

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ARGUMENT IN FAVOR

Stop using tax dollars to collect political funds

Who do you suppose are the top contributors to the election campaigns of those politicians who want to increase taxes and expand the size of government?

When a measure to increase taxes appears on the ballot, who spends the most money trying to pass it?

When a ballot measure would reduce taxes, who spends the most money trying to defeat the measure?

The answer to all three questions is the same: Public employee unions.

Public employee unions spend millions of dollars every election cycle trying to elect politicians who will expand government and increase taxes because that's good for them. The more money the rest of us pay in taxes, the more money government has available for hiring public employees. More public employees means more union dues for their unions. That's why increasing taxes is a top priority of public employee unions.

But the victims of this cycle are the taxpayers. Their tax dollars are being used to collect political campaign funds for those whose primary goal is to increase taxes.

Why do the public employee unions have what seems like an endless supply of political campaign funds? Because they have an advantage no one else has. **Government collects their campaign funds for them by taking political contributions out of public employee' paychecks before the employees even see a dime of their own money.** (And they don't even have to have the employee's permission.)

Of course, public employees have as much right to contribute to political campaigns as anyone else. And under Measure 98, public employees will still be free to contribute to any cause they personally believe in by simply writing out a check; just like everyone else does.

Measure 98 applies equally to everyone. It doesn't favor Democrats, Republicans, Independents, liberals or conservatives. **Under Measure 98, government simply will not collect political campaign funds for anyone. Period.**

That's the way it should be.

(This information furnished by Bill Sizemore, Oregon Taxpayers United.)

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Measure No. 98 Arguments

ARGUMENT IN FAVOR

IT IS ALL ABOUT FREE POLITICAL SPEECH

The unions say Measure 98 will take away public employees' rights to contribute to their unions' political activities and thus limit their political speech.

But that's just not true.

Measure 98 says public employee unions will no longer be able to collect political funds by deducting them from workers' paychecks. **But it doesn't stop workers from voluntarily contributing as much as they want to their union's political activities** by writing out a check or signing up for automatic checking account withdrawals.

The public employee unions know this. But they are pointing their finger at Measure 98 because they don't want you to know that they are the ones who are actually taking away the free speech of public sector workers.

They know that everywhere else this type of measure has been enacted, union members have exercised their freedom by not contributing to the union's political activities. The workers are in the union to collectively bargain with their employer, not to be a political action committee (PAC).

The union bosses know that, given the choice, the workers won't give them their money for politics.

Here's just one example. In 1998, 72% of Washington voters approved a measure to do pretty much the same thing as Measure 98. Within months, the number of teachers willing to finance their union's political agenda dropped from 45,000 (when forced to contribute) to 8,000. State worker support for the union's political activities dropped from over 40,000 forced contributors to a mere 82.

That's right. 82.

Similar results have occurred elsewhere.

The point is, Measure 98 won't take away public workers' rights. It will give them back. **Measure 98 will make sure that every political contribution a public sector worker makes to his or her union will be freely given.**

Please vote YES on Measure 98.

(This information furnished by Becky Miller, Oregon Taxpayers United.)

(This space purchased for \$500 in accordance with ORS 251.255.)

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ARGUMENT IN OPPOSITION

LEAGUE OF WOMEN VOTERS OF OREGON SAYS:

OREGONIANS DEFEATED THIS MEASURE TWO YEARS AGO.

LET'S DEFEAT IT AGAIN.

In 1998, voters in Oregon said "no" to Measure 59, which is virtually identical to this year's Measure 98. We recommend a "no" vote for the same reasons we did last time:

- **Measure 98 is unfair.** It curtails individual rights by denying some union members the right to choose a payroll deduction to have a political voice like any other citizen. It also takes away a worker's right to choose to participate or not in political education funding.
- **Measure 98 threatens the Voters' Pamphlet.** Today in Oregon, the Voters' Pamphlet is the most important election education tool we have to ensure that every voter has access to all of the information and arguments needed to make an informed choice. If Measure 98 passes, according to legal interpretation, the pamphlet you are reading right now would contain no election information, no arguments for and against issues, and no explanation of what a measure's consequences might be. The use of public funds for printing this publication would be prohibited by 98.
- **Oregon voters defeated this unnecessary and unfair measure in 1998.** The League of Women Voters of Oregon strongly recommends voting "no" on Measure 98.

It's still unnecessary, and it's still unfair.
Please vote "no" on 98.

LEAGUE OF WOMEN VOTERS OF OREGON

(This information furnished by Paula D. Krane, President, League of Women Voters of Oregon.)

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Measure No. 98 Arguments

ARGUMENT IN OPPOSITION

Measure 98 is about shutting people out of democracy. Oregon Action urges you to vote NO on 98.

Bill Sizemore wants Oregonians to think this is about campaign finance reform. OA has worked on campaign finance reform long enough to know that **Measure 98 is phony reform.**

Real campaign finance reform encourages citizen participation. Measure 98 discourages participation. It's undemocratic. It's unfair. It's wrong. It's phony.

Measure 98 will gut the Voters' Pamphlet. Oregon Action cannot afford TV or radio time to talk about the issues that matter to our members, but we can afford the \$500 for this space. If not, we could gather 1000 signatures. If you wanted to say something about the election, you could do the same thing. But Measure 98 wants to shut you and us out, leaving the political debate to those who can buy time on TV and the radio.

Measure 98 shuts out small donors, but doesn't do anything about big money. In 1999, OA released the *Undermining Democracy* report that looked at campaign contributions in Oregon. In the report, we compared some of the top 10 PACs in the state. In 1998, the Oregon Victory PAC got one hundred percent of their contributions from 39 individuals or corporations who gave \$1000 or more. More than two-thirds came from those who gave \$10,000 or more. In contrast, one hundred percent of the contributors to the public employees' PAC gave between \$1 and \$100. Measure 98 denies participation in our democracy to the public employees' PAC that represent small contributors and does nothing about the big money PAC.

Measure 98 endangers the chance for real reform. Measure 98 is so broad and so poorly written no one knows for sure whether it will allow real campaign finance reform such as Measure 6 to be enacted. Legal opinions differ. Don't give politicians an excuse to derail real reform. **Vote NO on Measure 98.**

Oregon Action is online at www.oregonaction.org.

(This information furnished by RuthAlice Anderson, Oregon Action.)

(This space purchased for \$500 in accordance with ORS 251.255.)

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ARGUMENT IN OPPOSITION

OREGON PTA SAYS:

MEASURE 98 IS A DIRECT ATTACK ON YOUR NEIGHBORHOOD PTA!

If this amendment passes, PTAs would no longer be able to educate our members on potential legislation or measures that may negatively or positively affect their children. We would no longer be able to write a letter to our state or federal representatives or senators telling them about an urgent need that Oregon's children might have.

Why would these amendments affect us? Because PTAs (Parent Teacher Associations) all use "public resources for political purposes" when we use our school buildings. We all collect dues or raise funds in these public facilities, and a part of these funds goes toward our child advocacy efforts. This activity is strictly forbidden by amendment 98.

The Oregon PTA works hard every legislative session to ensure that the budget gives adequate funds to schools, to child health care, and to services for children with special needs. Over the past 104 years, the PTA has been instrumental in:

- Promoting parent involvement in schools
- Securing child labor laws
- Promoting school safety
- Supporting compulsory public education
- Promoting education for children with special needs
- Establishing a juvenile justice system
- Implementing a nation-wide school lunch program

If this amendment passes, Oregon's children will lose one of the strongest voices they have: The voice of PTAs across this state, representing more than 27,000 concerned parents, grandparents, community members, teachers, and all children.

VOTE TO SUPPORT THE WORK THAT PTA DOES FOR THE CHILDREN OF OREGON

VOTE NO ON AMENDMENT 98!

Kathryn Firestone, President
Lisa Laursen Thirkill, Vice President for Legislation
The Oregon PTA

(This information furnished by Kathryn Firestone, President, Lisa Laursen Thirkill, VP for Legislation; The Oregon PTA (Oregon Congress of Parents and Teachers).)

(This space purchased for \$500 in accordance with ORS 251.255.)

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Measure No. 98 Arguments

ARGUMENT IN OPPOSITION

Don't let 98 and 92 interfere with the Firefighter-MDA partnership

Fires aren't the only thing firefighters take on every day. We also partner with the Muscular Dystrophy Association to combat neuromuscular diseases that affect millions of Americans.

We work hard for our money. And it feels good to know that our voluntary contributions help families dealing with muscular dystrophy. But amendments 98 and 92 could end our partnership with MDA.

Through our paychecks every month, we make contributions that pay for things like research, physical therapy, support groups for families and even summer camp for kids. This partnership has been going strong since 1954.

Amendment 98 would bar us from making our monthly contributions to MDA. Why? Because like many charities, MDA works to pass legislation that would help its members. For example, MDA has succeeded in getting better long-term health care and better access in public facilities for people who use wheelchairs. But amendment 98 strictly forbids us from contributing to any group's political activities — even MDA's efforts to improve the lives of the disabled.

Please vote "no" on amendments 98 and 92.

They take choices away from firefighters.

They take money away from people who need it.

They don't belong in Oregon's Constitution.

Signed,

Bob Livingston

Oregon State Fire Fighters Council

Steven Kenney

Muscular Dystrophy Association

(This information furnished by Steve Kenney, Regional Director Muscular Dystrophy Association; Bob Livingston, Oregon State Firefighters Council.)

ARGUMENT IN OPPOSITION

Measure 98 hurts programs that help seniors

Measure 98 hurts programs that help seniors, and it deserves no place in Oregon's Constitution.

Measure 98 will hurt charities that help seniors and other people. Every pay period, thousands of working Oregonians voluntarily donate money to hospice programs, Red Cross, and other charities that help seniors. Amendment 98 takes this right away from one group: Public employees. These are our firefighters, teachers and nurses. This measure would unnecessarily single them out and put millions of dollars at risk at the same time.

If this measure passes, charities like senior meal programs that receive donations through payroll deductions would have to make a choice: Either stop advocating for us when good or bad legislation comes up, or stop accepting any donations from teachers, nurses and other public employees who have been contributing through payroll deduction for years.

These non-profit groups would be severely punished if they mistakenly spent any of their payroll-deducted funds on political work.

Where will people go if they can't go to a charity for help? To public assistance. Our state budget has enough problems already.

Stand up for seniors and other groups who benefit from charitable contributions. Please join us in opposing Measure 98.

Signed,

Oregon State Council of Senior Citizens

United Seniors of Oregon

Gray Panthers of Oregon

Advocacy Coalition for Seniors and People with Disabilities

(This information furnished by Jim Davis, Oregon State Council of Senior Citizens, United Seniors of Oregon, Gray Panthers of Oregon, Advocacy Coalition for Seniors & People with Disabilities.)

(This information furnished by Steve Kenney, Regional Director Muscular Dystrophy Association; Bob Livingston, Oregon State Firefighters Council.)

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Measure No. 98 Arguments

ARGUMENT IN OPPOSITION

STATE TREASURER JIM HILL URGES A "NO" VOTE ON 98

Oregon has a rich history of diverse and progressive politics. We take pride in the high level of participation in which our citizens involve themselves in our state and local governments. **Measure 98 is a mean-spirited attempt to silence the voices of one group of Oregonians.**

Our public servants, the men and women targeted by Measure 98, are under unfair attack. These are our children's teachers, our neighborhood police and firefighters, and our nurses and health-care providers. **Measure 98 aims to keep these valuable Oregonians out of the political process by making it difficult for them to participate.**

Oregon's Voters' Pamphlet is a unique and valuable tool for voters to read about the candidates and the issues they will decide. I urge you to read the fiscal impact statement for Measure 98, which clearly reflects the loss of this important information. A portion of it is funded by the various candidates and political committees who pay to submit information that is mailed to every registered voter in the state. Another portion is paid by a fund that would be restricted by this measure. As responsible voters, we should be wary of any attempt to keep information from helping us make well-informed decisions. **Measure 98 is an attack on Oregonians' ability to educate themselves about their government and their vote. It will gut our Voters' Pamphlet.**

This dangerous measure would also make it tougher for public employees to use payroll deduction to contribute to the charity of their choice. Oregon has a vital network of private charities that serve our state's most vulnerable citizens. **Measure 98 would take money away from Oregon's valuable private charities.**

The individuals who crafted Measure 98 are trying to pull the wool over the eyes of Oregon voters. Don't be fooled. Please join me in voting NO on Measure 98!

Jim Hill
Oregon State Treasurer

(This information furnished by Jim Hill, Oregon State Treasurer.)

(This space purchased for \$500 in accordance with ORS 251.255.)

The printing of this argument does not constitute an endorsement by the State of Oregon, nor does the state warrant the accuracy or truth of any statement made in the argument.

ARGUMENT IN OPPOSITION

Oregon Secretary of State says, "Vote 'no' on 98 to save the Voters' Pamphlet"

As the Secretary of State, I respectfully ask you to vote "no" on Measure 98, and preserve the very Voters' Pamphlet you are reading right now.

How would 98 affect the Voters' Pamphlet?

Measure 98 would forbid the use of public funds to pay for printing and distributing the state's voter pamphlet. If Measure 98 passes, this could be the last Voters' Pamphlet as we know it.

Here's how: Everyone who submits a statement pays a fee to the state. These fees, along with public funds, pay for a copy to be delivered free to every registered voter in Oregon.

Oregonians then get to read where candidates stand on the issues they care about. They also read arguments for and against ballot measures, so they can understand the consequences before they vote.

Doesn't Measure 98 exclude the Voters' Pamphlet?

Even though the amendment has language that says voters' pamphlet fees would be allowed under the law, the experts who drafted the fiscal impact statement concluded that candidates' statements and arguments would be eliminated. That is because part of the printing and mailing cost would be covered by "public funds" — an act that would be forbidden by amendment 98.

How do I know Measure 98 will really gut the Voters' Pamphlet?

See the Financial Impact Statement for yourself at the beginning of this section. The unbiased team of experts who analyzed the measure and wrote the statement concluded the state would save little by not printing the information we rely on in the Voters' Pamphlet - but really we will all lose a lot.

Please vote no on Measure 98 -- the voters' pamphlet is too important to lose.

Bill Bradbury
Secretary of State

(This information furnished by Bill Bradbury, Secretary of State, Oregon Secretary of State's Office.)

(This space purchased for \$500 in accordance with ORS 251.255.)

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Measure No. 98 Arguments

ARGUMENT IN OPPOSITION

UNITED WAY URGES A "NO" VOTE ON 98: IT WILL HURT OREGONIANS IN NEED

Measure 98 is unfair to Oregonians who support charities, and unfair to Oregonians who need the services provided by these charities. It will end charitable contributions to many groups that help Oregonians.

The United Way is Oregon's largest human services fundraising organization. Our agencies help seniors, children, disabled citizens, and many other Oregonians with special needs. Because many of the non-profit agencies that receive funding from us inform the legislature on matters that affect the people we serve, our work and theirs is considered "political" and would be seriously impacted by amendment 98.

Amendment 98 would prohibit public employees from making voluntary payroll donations to the United Way in the same way they have for years. Since payroll deduction programs are the mainstay for United Way fundraising, this could result in millions of dollars in losses to programs like hospice care, The Salvation Army, The American Red Cross, and The YMCA/YWCA.

Due to the elimination of the payroll deduction option and the high cost of complying with amendment 98, United Way will have less funding to support necessary programs for seniors, low-income and disabled Oregonians. These deserving people will have nowhere to turn to but public support. That could mean a greater need for tax-supported programs.

Please vote "no" on 98 and keep the path open for charitable workplace giving.

Signed,
**Members of the Board of Directors, and Staff
The United Way of the Mid-Willamette Valley**

Russell Beck, Executive Director
Robert Ruck, Chair of the Board
Gregory Astley
Randall Franke
George Gent
Tom Golden
Carolyn Gorsuch
Judy Grant
Delilah Ginther
Stacy Hartline
George Jennings
Paul Krissel
Jennifer Larsen Morrow
Keeta Lauderdale
Kay Marikos
Ed Martin
Raquel Moore-Green
Don Myers
Lee Pelton
Bruce Rogers
Ted Stang
Betty J. Youngblood

(This information furnished by Paul Krissel, Member of the Board.)

(This space purchased for \$500 in accordance with ORS 251.255.)

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ARGUMENT IN OPPOSITION

GOVERNOR KITZHABER URGES YOU TO VOTE "NO" ON AMENDMENT 98

As an Oregonian, I know the importance our citizens place on making the right choices for Oregon's future. In any election, we may not all agree on the issues, but we want the right to make an informed, fair decision. That's why I'm asking you to join me in voting "no" on Amendment 98.

Amendment 98 is unfair. It denies some of our friends and neighbors who are union members the right to choose a voluntary dues deduction to have a political voice like any other citizen. These are the men and women of Oregon who are firefighters, police officers, nurses and teachers. They save lives and educate our children.

Amendment 98 is unnecessary. Right now in Oregon, no worker can be forced to contribute to their union's or anyone else's political fund. Legal protections already allow workers to "opt out" of union political contributions, and many Oregonians already choose to "opt out." Amendment 98 doesn't protect these workers. It takes away their right to choose for themselves.

Amendment 98 is underhanded. Its sponsors call it "paycheck protection," but it is actually an attack on public employees. Bill Sizemore's plan to single out public employees is wrong for Oregon. It doesn't belong in the Constitution.

Amendment 98 threatens the Voters' Pamphlet. Even though Sizemore tried to reduce amendment 98's impact on the Voters' Pamphlet, legal experts say he failed. See the Financial Impact Statement and the Explanatory Statement in the front of this section. Both clearly show that the Voters' Pamphlet as we know it could cease to exist — it could include no arguments for and against candidates and causes, and no explanation of what a measure's unintended consequences might be. We need to protect the Voters' Pamphlet, one of the best sources of information for Oregon's citizens.

PROTECT OREGON'S WORKERS AND THE VOTERS' PAMPHLET

VOTE "NO" ON AMENDMENT 98

Governor John A. Kitzhaber, M.D.

(This information furnished by John A. Kitzhaber, M.D., Governor of Oregon.)

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Measure No. 98 Arguments

ARGUMENT IN OPPOSITION

"I can make 50 phone calls and raise quite a lot of money very quickly."

-- Bill Sizemore, Sponsor of Measures 98 and 92
Quoted in *The Oregonian*, May 17, 1997

Our constitution should embody the highest principles of good government. These principals should be fair and apply equally to all citizens. Measures 98 and 92 are not fair, and do not apply equally to all citizens. They are meant to eliminate the voices of working people from participating in the political process.

Consider this.

- Some sponsors of measures can raise money to further their political agenda with a few phone calls to big contributors. Working people of more modest means must pool their resources in small amounts in order to be heard above the clamor of corporate and moneyed interests.
- Working people use payroll deductions for personal banking, making charitable contributions and to support their unions and professional associations. The Sizemore measures 98 and 92 are meant to eliminate these options.
- Measures 98 and 92, by attacking the use of payroll deductions, attempt to still the voices of employees, while they do nothing about the free flow of checks, cash and gifts that come from wealthy contributors and corporations.

These attempts to restrict participation of working Oregonians in the political process of their state is a betrayal of the initiative system which was established to broaden participation in government. This repeated attempt to restrict the collective voice of working people, while leaving unaffected the major sources of big money contributors, should be rejected by voters.

Don't Let Our Constitution Be Used for Unfair Politics

Vote "No" on Measures 98 and 92.

Lawrence Perry, President
Oregon Common Cause

(This information furnished by Larry Perry, Chair, Oregon Common Cause.)

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ARGUMENT IN OPPOSITION

NURSES URGE "NO" VOTES ON CONSTITUTIONAL AMENDMENTS 98 AND 92

As Registered Nurses, we care about what happens to our patients and the care they receive. When legislation comes up that affects our patients' care and rights, we use the small political contributions voluntarily deducted from our paychecks as a resource to ensure that patient care wins out over the interests of pharmaceutical companies, HMO's and tobacco companies.

Silencing nurses' voices for quality care.

Constitutional amendments 98 & 92 would restrict our ability to have voluntary political contributions deducted from our paychecks. That would make it very difficult for our professional association – the Oregon Nurses Association – to have a voice in the policies that shape health care for all Oregonians.

These measures do not address the real problem.

Pharmaceutical companies, HMO's, and tobacco companies will not be affected by these measures. They will still have the right to spend millions of dollars to influence our legislators. In fact, by silencing nurses, the business of health care will have more influence on the quality of care you receive.

98 and 92 are unfair and unnecessary.

Nurses have been voluntarily making contributions through our paychecks for years. This money is used to protect nurses' rights, patients' rights, and to support charitable organizations like the Mid-Valley Women's Crisis Service. Any member of the Nurses' Association can choose not to participate. Please vote no on 98 & 92 to safeguard our freedom to participate.

Please vote no on 98 & 92

Galen Thompson, RN, Pendleton
Demetra Apperson, RN, The Dalles
Maye Thompson, RN, PhD, Portland
Patricia DeShazer, RN, Lakeview
Debra Cassell, RN, Albany
Chris O'Neill, RN, Eugene
Susan Aronson, RN, Corvallis
Gayle Lewis, NP, Jacksonville
Terri Hansen, RN, Medford
Jean DeJarnatt, NP, Salem
Barbara Geiszler, RN, Phoenix-Talent
Gail Pray, RN, Coos Bay

(This information furnished by Martin Taylor, Nurses Unite.)

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Measure No. 98 Arguments

ARGUMENT IN OPPOSITION

We, the undersigned charities, advocates and businesses, urge a “NO” vote on proposed Constitutional amendment 98.

Charities and businesses often come together to help Oregonians who need assistance. Measure 98 would take away a choice from working Oregonians and hurt the thousands of Oregonians who receive assistance and support from work-place giving programs.

CHARITIES/ADVOCATES:

- Advocacy Coalition for Seniors and People with Disabilities
- American Association of University Women of Oregon
- American Civil Liberties Union
- Canyon Crisis Center
- Children First for Oregon
- Ecumenical Ministries of Oregon
- House of Zion Ministries, Inc.
- Human Services Coalition of Oregon
- League of Women Voters of Oregon
- Mid-Valley Women's Crisis Service
- Muscular Dystrophy Association, Inc.
- National Committee for Responsive Philanthropy
- Oregon Alliance of Children's Programs
- Oregon State Council of Senior Citizens
- Oregonians for Public Safety
- Portland Gray Panthers
- Salem Childbirth Education Association
- United Seniors of Oregon
- United Way of the Mid-Willamette Valley
- United Way of Columbia County
- Willamette Valley Child Care Federation

BUSINESSES:

- Associated Business Systems
- B'For Publishing Services
- B.D. Consulting, Inc.
- Bennett, Hartman & Reynolds Attorneys at Law
- Brices Catering
- C & E Systems, LLC
- Celilo Group
- Charles R. Williamson, Attorney, Kell Alterman & Runstein, LLP
- Clackamas County Veterinary Clinic
- Discover Mortgage-North Greeley Branch
- FamilyCare, Inc.
- Labor's Community Service Agency, Inc.
- LGD Insight, Ltd.
- Mark E. Horstmann, CPA
- Microtech Systems
- Pac/West Communications
- Portland Teachers Credit Union
- Smith, Gamson, Diamond & Olney Attorneys at Law
- The Bentley Gilbert Firm
- Three Rivers Farm
- Unions-America.com
- Wiser & Associates

BUSINESS ASSOCIATIONS:

- National Electrical Contractors Association (NECA), Oregon-Columbia Chapter
- Oregon Association of Hospitals and Health Systems
- Oregon Credit Union League
- Osteopathic Physicians and Surgeons of Oregon

(This information furnished by Mike Fahey, President, Discover NW Union Mortgage; Gina Mattioda, Co-Chair, Human Services Coalition of Oregon.)

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ARGUMENT IN OPPOSITION

Measure 98 is Unnecessary: I've already “opted out.”

I have exercised my right to “opt out” of contributing to my union's political fund, without any hassle whatsoever. Measure 98 would not protect my right to “opt out” but it would take away my right and the right of my co-workers to “opt in” and participate in politics like anyone else. That's not fair to me or to any other Oregon worker who would be excluded by this measure.

Choice is one of the fundamental rights of all Oregonians and the backers of Measure 98 want to take that away from me. Currently, I have the choice of whether I want to participate in the process. Don't let the backers of Measure 98 take that choice away from me.

No employee can be forced to contribute to a union's political campaign. It's a right upheld by the U.S. Supreme Court. It's even listed in the Official Ballot Title Summary and in the Explanatory Statement that Bill Sizemore signed off on. The law says my job is secure regardless of whether I contribute. I have seen firsthand that it's true.

Please vote “no” on 98.

It doesn't give me rights. It takes my rights away.

Sincerely,
Danielle Fischer

(This information furnished by Danielle Fischer.)

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