

Measure No. 98 Arguments

ARGUMENT IN OPPOSITION

A Message from Working Oregonians

Bill Sizemore, the sponsor of Measures 98 and 92, is singling out payroll deduction because he knows we have to put 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 up 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 take away the rights of working Oregonians.

Please join us in rejecting these unfair and unnecessary constitutional amendments.

Vote No on Measures 98 and 92.

Sally Tulley, Registered Nurse, Oregon Federation of Nurses, AFT 5017, Oregon City
John Cornelius, Flight Attendant, Flight Attendants 39, Portland
Lee Lasse, Tire and Wheel Specialist, Transit Union 757, Springfield
Charles Calkins, Environmental Specialist, State, County and Municipal Employees 3336, Bend
Maggie Robb, Lead Sanitation Technician, Bakers and Grain Millers 114, Tualatin
Jim Stith, County Equipment Operator, Oregon Public Employees, SEIU 503, Medford
James Neal, Road Maintenance Worker, Communications Workers 7955, Seal Rock
Cindy Van Ortwick, School Custodian, Service Employees 140, Portland
James Sullivan, Gas Corrosion Technician, Office Professional Employees 11, Gates
Sheirll Edwards, Grocery Checker, Food and Commercial Workers 555, Roseburg
Kevin Jackson, Correction's Sergeant, State, County and Municipal Employees 3940, Ontario
Tom Weaver, School Maintenance Worker, Classified Employees, AFT 3662, Scappoose
Terri Wilson, Cold Mill Operator, Steelworkers 6163, Albany

(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

Democrats say "no" to 98 and 92.

Proposed Constitutional Amendments 98 & 92 are unnecessary and unfair. Measure 98, in particular, singles out one group and puts the Voters' Pamphlet at risk. The Constitution is no place for this kind of law.

These two measures are so poorly written, vague and far reaching that common ground is shared by a wide political spectrum. See for yourself the list of endorsers calling for a "no" vote: It includes Democrats, Republicans, environmental groups, seniors groups, businesses and unions. Here's why:

- Measures 98 and 92 would dramatically alter the landscape of Oregon's political debate by excluding one side: working Oregonians like teachers, firefighters and nurses. Everyone has the right to have his or her voice heard.
- 98 and 92 would undermine the work charities do for Oregonians. We all understand the importance of charities and their advocacy in combating hunger and providing hospice care. Creating extensive and unnecessary paperwork means less time to fulfill their mission.
- 98 puts the Voters' Pamphlet at risk. The Financial Impact Statement reflects the major reduction of this pamphlet, one of Oregon's best election resources.

Please vote "no" and keep these unfair and far-reaching amendments out of our Constitution.

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
Diana 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.)

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Measure No. 98 Arguments

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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ARGUMENT IN OPPOSITION

Measure 98 Unfairly Targets Public Employees

Measure 98 takes an already unfair proposal and applies it unfairly to one group of citizens – to us, the workers who provide Oregon's public services.

Like Measure 92, Measure 98 is designed to limit our ability to participate in the political process on matters that affect our lives as workers and citizens. Both measures apply only to payroll deduction, the best way for working people to make our voices heard in the political process. There are no similar restrictions on wealthy citizens or corporations to make their voices heard.

Measure 98 would prohibit organizations that receive our payroll-deducted funds — whether unions, charities or professional associations — from representing our interests and fulfilling the purposes for which we support them. Even writing a letter to a legislator would be banned if supported in any way by payroll-deducted funds.

Worse yet, Measure 98 applies only to us as public employees — further evidence that this constitutional amendment is designed to be unfair.

We believe it is unfair to single out public employees, to limit our rights as workers or to restrict our voices as citizens. But that is exactly what Measure 98 does.

We should have the same rights as other workers to use payroll deductions and to direct our contributions and dues to the organizations of our choice.

Finally, Measure 98 is unnecessary. All workers — in the public sector, just like the private sector — already have the right to opt out of paying for political expenditures with which we disagree. And thousands in Oregon already do.

Please join us in rejecting these unfair and unnecessary constitutional amendments. Vote “No” on Measures 92 and 98.

Zita Ingham
Professor
American Federation of Teachers, OR 3190
Bandon

Paul Zebell
City Electrician
International Electrical Workers 48
Portland

Michael Brown
Police Officer
State, County and Municipal Employees 1847
Portland

Jo Ann Kuhnhausen
Ranger Aide
Oregon Public Employees, SEIU 503
The Dalles

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

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Measure No. 98 Arguments

ARGUMENT IN OPPOSITION

If you want big money out of politics

Vote "Yes" on 6

And

"NO" on 98

Organizations including seniors, environmental, labor and consumer groups are working together to take the influence of large money contributions out of Oregon politics. The Oregon Accountability Act – Measure 6 is a large step in that direction. **Measure 98 is not!**

Measure 6 is an attempt to clean up politics.

Under Measure 6 a candidate may voluntarily choose to run as a "clean money" candidate by demonstrating enough public support and agreeing to limit spending and reject private contributions.

Measure 98 could threaten good reform.

Bill Sizemore, the sponsor of Measure 98, said in an *Oregonian* article, this "proposed constitutional amendment (Measure 98) would trump Measure 6." Measure 98 would forbid the use of public funds to collect money for political purposes. Since taxpayers' money would be used to support a candidate under Measure 6, the implementation of Measure 6 may be threatened.

Let's not risk the opportunity for fair politics in Oregon.

Vote "no" on 98 and "yes" on 6 for real campaign finance reform.

Signed,

Maureen Kirk

Oregon State Public Interest Research Group

(This information furnished by Maureen Kirk, Oregon State Public Interest Research Group (OSPIRG).)

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ARGUMENT IN OPPOSITION

Public Service Workers Say NO to Measure 98

We are 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 98 and 92 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 \$1000, or more. We can not. Only by setting aside a small amount each month are we able to get our story told.

Measure 98 is UNFAIR and UNBALANCED.

It unfairly targets middle-class public service workers while leaving corporations and special interests unchecked.

Measure 98 is UNNECESSARY.

In our union, members make the rules. We don't need Bill Sizemore to tell us how to operate our union. 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 98.

- 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
- 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
- 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. 98 Arguments

ARGUMENT IN OPPOSITION

Oregon Public School Teachers Ask You To Vote "No" on Measure 98

Oregon does not need Measure 98. All public school teachers currently have the ability to "opt out" of a political contribution if we don't wish to participate. Most teachers value our right to "opt in" because so many of the decisions that are made about Oregon's public schools come through the Oregon legislature. Measure 98 would take away our right to pool our resources for a political voice.

Measure 98 is unfair to teachers. All teachers and other public employees should have the freedom to choose how our dues are spent. This measure targets one group of Oregonians – and denies us the same rights as individuals who are employees of private businesses and big corporations.

Measure 98 doesn't belong in Oregon's Constitution. Constitutional language that denies some Oregonians the freedom to choose how their money is spent should never happen. And it is probably unconstitutional.

Measure 98 says one thing, but does another. It changes how teachers and other public school employees can participate in the political process – the process that determines how public schools are funded, how many students can be placed in a classroom, even what may or may not be taught. This measure will ultimately hurt education in Oregon.

Please Vote No on Measure 98.

Paul Duchin
Middle School Teacher
Eugene

Sharon Shannon
High School Teacher
La Grande

(This information furnished by Sharon Shannon, Paul Duchin.)

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

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ARGUMENT IN OPPOSITION

MEASURE 98 IS EXPENSIVE & UNNECESSARY

Measure 98 would interfere with the contract we have negotiated with our employees:

- Our employees already pay the expense of payroll deductions for their representation costs, as agreed to in our contract, so no public funds are expended for that purpose. There is no problem to be solved by this measure.
- It would increase, not decrease, the public expense of our payroll systems, by making us "watchdogs" of every Oregon bank, credit union, or charity an employee designates for payroll deduction, to insure those organizations are in compliance with this constitutional amendment.
- This measure makes activities in other states a cause for investigation and punishment of public employers in Oregon. For example, if an organization receiving a payroll deduction from one of our employees also lobbied state government in some other state, we have violated this law. That's the way this measure works.
- Please join us in voting "NO" on this poorly drafted, unnecessary measure.

David Frohnmayer President, U of O *	Paul Risser President, OSU *	Daniel Bernstine President, PSU *
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Betty Youngblood President, WOU*	Joseph W. Cox Chancellor Oregon University System*
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* 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; Chancellor of Oregon Universities.)

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Measure No. 98 Arguments

ARGUMENT IN OPPOSITION

Measure 98 would hurt Oregon's students

As student advocates here in Oregon, we feel threatened by amendment 98 and its impacts on us and our fellow students.

We care deeply about issues that affect us all, and we enjoy the freedom to express ourselves politically. These are skills that help students become effective leaders.

Amendment 98 would shut us out of the political process by restricting our use of our student fees and even our own campuses. The following activities — typical of any university — would likely be declared ILLEGAL under this measure:

- A student sends an alert from a university-owned computer urging members of his human rights' organization to call their senators on an upcoming vote. (Illegal under 98)
- The student body president writes a letter on student body letterhead asking the legislature to improve her university's library. (Illegal under 98)
- A paid member of an environmental group organizes volunteers on campus to make phone calls on a ballot measure. (Illegal under 98)
- The Republican student group passes around a hat at an on-campus gathering and later contributes part of it to any campaign. (Illegal under 98)

Let us learn to participate in the political process now, and we will become effective leaders for tomorrow.

LIBERAL – CONSERVATIVE – INDEPENDENT

IT DOESN'T MATTER.

WE ALL LOSE WITH 98.

VOTE NO ON 98!

Signed,

Jay Breslow, President

Associated Students of the University of Oregon*

Scott Young, President

Associated Students of Southern Oregon University*

Andy High, President

Associated Students Western Oregon University*

Justin Roach, President

Associated Students of Oregon State University*

Susan Whitmore, President

Associated Students of Lane Community College*

* For identification purposes only. The endorsement is of the individual, and not of the university.

(This information furnished by Scott Young, Associated Students of Southern Oregon University; Jay Breslow, President, Associated Students of University of Oregon.)

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ARGUMENT IN OPPOSITION

MEASURE 98 IS UNNECESSARY AND UNFAIR: PLEASE VOTE "NO" ON 98!

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
- Pineros 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 Locals 290, 598
- 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. 98 Arguments

ARGUMENT IN OPPOSITION

OREGON CONSERVATION AND ENVIRONMENTAL GROUPS SAY "NO" ON 98

This is what you'll get by voting "no" on 98:

- **You will protect the right of all Oregonians to have a political voice.** Everyone has the right to be heard. That's how we get the most innovative solutions to the problems we face. Remember the Bottle Bill? That started in Oregon and has since gone nationwide.
- **You will help advocates for clean air and water.** The Environmental Federation of Oregon, the Sierra Club Foundation, Pacific Rivers Council, and hundreds of other groups receive voluntary contributions through payroll deductions from generous public employees who choose to support our efforts. This measure would mean the loss of countless dollars for organizations that work to keep Oregon's air and water clean.
- **You will protect the Voters' Pamphlet.** Even though the sponsors of this amendment say that it will not harm the Voters' Pamphlet, legal experts believe otherwise. In fact, the Fiscal Impact Statement in this very pamphlet show that the Voters' Pamphlet as we know it would no longer be printed.
- **You will keep our Constitution free** from a poorly written, vague and far-reaching amendment that could end up in court and costing all of us a lot of money. Amendments are for serious issues that are fair to all Oregonians — not for vague amendments with far-reaching consequences.

Vote "no" on 98!

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 Jonathan Poisner, Oregon League of Conservation Voters.)

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ARGUMENT IN OPPOSITION

Measure 98 is vague and far reaching

Measure 98's vague language and consequences are misleading to the voters of Oregon. As a former law professor at Willamette and a former Oregon State Legislator, I contend Oregon will likely face the following consequences if Measure 98 passes:

- It will change the Voters' Pamphlet. It is effective now because voters can read statements and arguments made by candidates. Because the measure won't allow for some costs of the voter's pamphlet to be paid from state funds, Oregon voters will see a new, less helpful pamphlet.
- It will effectively prevent our Parent Teacher Association's and many charities from advocating on behalf of Oregon's children. Monies, or support, that reached these organizations through the deduction method will not be available for these advocacy purposes.
- It will cause costly legal battles as concerned parties try to discover exactly what it does and if it is constitutional. Our sister states of Ohio and Nevada have already overturned similar laws.
- It will make it more difficult for public employees, including fire-fighters and teachers, to make and collect voluntary political deductions. The voice of these workers will be harder to hear in the public discussion.

Measure 98 is vague. It doesn't cure a real problem and its consequences are worse than the problem it imagines. It doesn't belong in our Constitution.

Please Vote No on Measure 98.

Bryan Johnston, Dean
 Atkinson Graduate School of Management
 Willamette University

(This information furnished by Bryan Johnston, Dean, Atkinson Graduate School of Management at Willamette University.)

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Measure No. 98 Arguments

ARGUMENT IN OPPOSITION

We, the undersigned Community Advocates, Environmentalists and Educators, urge you to vote "no" on 98.

We have offered our endorsement here because our organizations and the community we support all stand to lose under Measure 98. Measure 98 has far-reaching effects that will harm charities, and it will shut some Oregonians out of the political process. It's unnecessary and unfair.

Please Vote No on 98!

ENVIRONMENTAL:

- Environmental Federation of Oregon
- Forest Service Employees for Environmental Ethics
- Oregon Environmental Council
- Oregon League of Conservation Voters
- Oregon Natural Resources Council
- Oregon Public Interest Research Group
- Pacific Rivers Council
- Recycling Advocates
- Sierra Club

COMMUNITY ADVOCATES

- Basic Rights Oregon
- 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

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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Measure No. 98 Arguments

ARGUMENT IN OPPOSITION

ACLU RECOMMENDS A "NO" VOTE ON MEASURE 98

IT'S UNNECESSARY

Oregon law already prohibits public employees from doing anything while they're on the job to support or oppose political candidates or ballot measures. (ORS 260.432) All workers already have the right and ability to opt out of paying the portion of union dues that supports their union's political activities, and many do.

IT'S FAR-REACHING

Among its likely consequences are:

- Forbidding public employees like teachers and nurses from contributing to their favorite charities in the same way they have for years. This could mean big losses for groups including the United Way and the American Cancer Society. Charities are affected because many occasionally take positions on ballot measures and legislation such as the tobacco tax approved by voters four years ago.
- Blocking groups like the PTA from political expression by undermining their on-campus fundraising activities.

IT'S NOT ABOUT SAVING TAX MONEY

Measure 98 appears to aim for tax savings by limiting voluntary payroll deductions. Yet Section 4 of the measure specifically says that even if the state or local government is reimbursed for the cost of setting up a payroll deduction, it is still forbidden. This measure is built for one purpose: to exclude the participation of public employees. The savings will be the small amount from the loss of the Voters' Pamphlet as we know it. (See Measure 98's Fiscal Impact Statement at the front of this section.)

IT DOESN'T BELONG IN OUR CONSTITUTION

Similar laws have been overturned in other states because they unfairly limit workers' rights to pool their resources to have a political voice. Oregonians should not have to pay for an expensive legal defense for laws that aim to take away rights.

VOTE "NO" ON MEASURE 98 AND KEEP THE CONSTITUTION FAIR FOR EVERYBODY

**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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ARGUMENT IN OPPOSITION

Not again!

In 1998, Oregonians defeated Ballot Measure 59, a Bill Sizemore-authored measure that targeted the right of public employees in Oregon to deduct union dues using payroll deduction. There were many reasons why that was a bad measure, but one of the biggest was its language would have disallowed the Secretary of State to print the Oregon Voters' Pamphlet.

Now we are faced with Measure 98. Measure 98 is supposed to be the "son of Measure 59," but without the Voters' Pamphlet language. So guess what? **Legal experts are now saying that Measure 98 may still put the Oregon Voters' Pamphlet at risk.**

And it's not just the Voters' Pamphlet that's at risk. Measure 98's vague language could also hurt the ability of charities to collect donations via payroll deductions.

What's most frustrating is that this measure is so unnecessary. This measure has nothing to do with most Oregonians. Measure 98 is a deliberate attempt by supporters to deny public employees the right to make **voluntary** political contributions through payroll deduction.

The key word is "voluntary." No one is forcing public employees to donate this money. Public employees should have the same right as anyone else to express their opinions. Measure 98 is a blatant attempt by Mr. Sizemore and others to target a specific group of people ... those who work for the government ... and gag their right to speak.

Unfortunately, the spillover from Measure 98 again forces unintended consequences on all Oregonians: threats to the Voters' Pamphlet, threats to charitable deductions and so on.

Are you tired of voting on these same issues over and over? Are you tired of voting on issues that have no grassroots support, but instead are brought about only by zealous paid signature gatherers?

Join us and Vote NO! on Ballot Measure 98.

**Chuck Geyer, Portland
AFSCME Local 3336 (DEQ)**

**Ronald Lopez, Ontario
AFSCME Local 3763 (Treasure Valley Community College)**

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

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Measure No. 99

Proposed by initiative petition to be voted on at the General Election, November 7, 2000.

BALLOT TITLE

99 AMENDS CONSTITUTION: CREATES COMMISSION ENSURING QUALITY HOME CARE SERVICES FOR ELDERLY, DISABLED

RESULT OF "YES" VOTE: "Yes" vote creates commission ensuring quality home services for elderly, disabled receiving publicly-funded care.

RESULT OF "NO" VOTE: "No" vote rejects commission ensuring quality home services for elderly, disabled receiving publicly-funded care.

SUMMARY: Amends constitution. Creates nine-member commission ensuring high-quality home care services for elderly, disabled receiving publicly-funded personal care. Members appointed by Governor for three-year terms, confirmed by Senate. Commission would establish home care worker qualifications, registry; provide routine, emergency, respite referrals of qualified care providers; provide training opportunities. Clients would retain right to hire provider of their choosing. Commission would be home care workers' employer for collective bargaining purposes. Home care workers would have public employees' collective bargaining rights, could not strike.

ESTIMATE OF FINANCIAL IMPACT: This measure requires state expenditures of \$938,646 in the year of implementation and \$928,106 annually thereafter.

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

TEXT OF MEASURE

WHEREAS, thousands of Oregon seniors and persons with disabilities live independently in their own homes, which they prefer and is less costly than institutional care (i.e. nursing homes), because over 10,000 home care workers, (also known as client employed providers), paid by the State of Oregon provide in-home support services;

WHEREAS, home care workers provide services that range from housekeeping, shopping, meal preparation, money management and personal care to medical care and treatment, but receive little, if any, training in those areas resulting in a detrimental impact on quality of care;

WHEREAS, the quality of care provided to seniors and people with disabilities is diminished when there is a lack of stability in the workforce which is the result of home care workers receiving low wages, minimal training and benefits;

WHEREAS, both home care workers and clients receiving home care services would benefit from creating an entity which has the authority to provide, and is held accountable for the quality of services provided in Oregon's in-home system of long-term care.

Be It Resolved that the people of the State of Oregon adopt a Home Care Quality and Accountability Act of 2000 as a new provision of the Constitution of the State of Oregon.

Section 1. Ensuring High Quality Home Care Services: Creation and Duties of the Quality Home Care Commission.

(A) The Home Care Commission is created as an independent public commission consisting of nine members appointed by the Governor.

(B) The duties and functions of the Home Care Commission include, but are not limited to:

- (1) Ensuring that high quality, comprehensive home care services are provided to the elderly and people with disabilities who receive personal care services in their homes by home care workers hired directly by the client and financed by payments from the State or by payments from a county or other public agency which receives money for that purpose from the State;
- (2) Providing routine, emergency and respite referrals of qualified home care providers to the elderly and people with disabilities who receive personal care services by home care workers hired directly by the client and financed in whole or in part by the State, or by payment from a county or other public agency which receives money for that purpose from the State;
- (3) Provide training opportunities for home care workers, seniors and people with disabilities as consumers of personal care services;
- (4) Establish qualifications for home care workers;
- (5) Establish and maintain a registry of qualified home care workers;
- (6) Cooperate with area agencies on aging and disability services and other local agencies to provide the services described and set forth in this section;

Section 2. Home Care Commission Operation/Selection

(A) The Home Care Commission shall be comprised of nine members. Five members of the Commission shall be current or former consumers of home care services for the elderly or people with disabilities. One member shall be a representative of the Oregon Disabilities Commission, (or a successor entity, for as long as a comparable entity exists). One member shall be a representative of the Governor's Commission on Senior Services, (or a successor entity, for as long as a comparable entity exists). One member shall be a representative of the Oregon Association of Area Agencies on Aging and Disabilities, (or a successor entity, for as long as a comparable entity exists). One member shall be a representative of the Senior and Disabled Services Division, (or a successor entity, for as long as a comparable entity exists).

(B) The term of office of each member is three years, subject to confirmation by the Senate. If there is a vacancy for any cause, the Governor shall make an appointment to become immediately effective for the unexpired term. A member is eligible for reappointment and may serve no more than three consecutive terms. In making appointments to the Commission, the Governor may take into consideration any nominations or recommendations made by the representative groups or agencies.

Section 3. Other Provisions – Legal Duties and Responsibilities of the Commission

(A) The Home Care Commission shall, in its own name, for the purpose of carrying into effect and promoting its functions, have authority to contract, lease, acquire, hold, own, encumber, insure, sell, replace, deal in and with and dispose of real and personal property.

(B) When conducting any activities in this Section or in Section 1 above, and in making decisions relating to those activities, the Home Care Commission shall first consider the effect of its activities and its decisions on improving the quality of service delivery and ensuring adequate hours of service are provided to clients who are served by home care workers.

(C) Clients of home care services retain their right to select the providers of their choice, including family members.

(D) Employees of the Commission are not employees of the State of Oregon for any purpose.

(E) Notwithstanding the provisions in subsection (D) of this section, the State of Oregon shall be held responsible for unemployment insurance payments for home care workers.

(F) For purposes of collective bargaining, the Commission

Measure No. 99

shall be the employer of record of home care workers hired directly by the client and paid by the State, or by a county or other public agency which receives money for that purpose from the State. Home care workers have the right to form, join and participate in the activities of labor organizations of their own choosing for the purpose of representation and collective bargaining with the Commission on matters concerning employment relations. These rights shall be exercised in accordance with the rights granted to public employees with mediation and interest arbitration as the method of concluding the collective bargaining process. Home care workers shall not have the right to strike.

(G) The Commission may adopt rules to carry out its functions.

EXPLANATORY STATEMENT

Ballot Measure 99 amends the Oregon Constitution to create the Home Care Commission. The commission, an independent public commission, would be responsible for ensuring high quality home care services for elderly and disabled persons who receive publicly funded personal care in their homes.

The State of Oregon funds in-home support services for eligible elderly and disabled persons. Home care workers provide in-home services, including but not limited to housecleaning, shopping, meal preparation, money management, transportation, personal care and medication management. Home care workers are hired directly by the client. Clients would retain the right to hire home care workers of their choice, including family members.

The Home Care Commission would consist of nine members appointed by the Governor for three-year terms, subject to confirmation by the Senate. Five members would be current or former clients who have received home care services. The Oregon Disabilities Commission, The Governors' Commission on Senior Services, The Oregon Association of Area Agencies on Aging and Disabilities, Senior and Disabled Services or their successor entities, would have one representative each on the Home Care Commission. In making appointments, the Governor may consider any nominations or recommendations made by the representative groups or agencies.

Ballot Measure 99 directs the commission, in its performance of its duties, to first consider the effect of its activities and decisions on improving the quality of service and ensuring that adequate hours of service are provided to clients. The duties of the commission would include but not be limited to providing routine, emergency and respite referrals of qualified home care workers; providing training opportunities for home care workers and their clients; establishing qualifications for home care workers; establishing and maintaining a registry of home care workers; and cooperating with area agencies on aging and disability services and other local agencies to provide these services.

The commission would have authority to contract, lease, acquire, hold, own, encumber, sell, insure, replace, deal in and with and dispose of real and personal property.

Employees of the commission would not be employees of the State of Oregon for any purpose. The state, however, would be responsible for paying the unemployment insurance payments for home care workers.

The commission would be the employer of record of home care workers for collective bargaining purposes. Home care workers would have the right to form, join and participate in the activities of labor organizations of their own choosing for the purpose of representation and collective bargaining with the commission on matters concerning employment relations. Home care workers would have public employees' collective bargaining rights, with mediation and interest arbitration as the method of concluding the collective bargaining process. Home care workers would be prohibited from striking.

The commission would have the authority to adopt rules to implement its duties and responsibilities.

Committee Members:

Kase Kasemeyer
Karla Spence
Earlene Berry
Connie Lough
Rick Stucky

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. 99 Arguments

ARGUMENT IN FAVOR

OREGON STATE COUNCIL OF SENIOR CITIZENS
GRAY PANTHERS
UNITED SENIORS OF OREGON
ALL SUPPORT MEASURE 99

Oregon is the nation's model for community-based care system. But, senior and disabled Oregonians lose out when they are unable to find the quality of care they need because the best workers can make more money at the local pizza parlor than they can as a client-employed caregiver.

BALLOT MEASURE 99 WILL IMPROVE CARE

Ballot Measure 99, the Quality Homecare Act, will improve the standard of care for senior and disabled Oregonians. That's why the Oregon Council of Senior Citizens, the Gray Panthers and United Seniors of Oregon urge a YES vote on Measure 99.

IN-HOME CARE IS LESS COSTLY THAN INSTITUTIONAL CARE

Care in your own community, in your own home, is the highest quality of care for elderly and disabled Oregonians. In this state, we provide various levels of care, including in-home care, assisted living, with nursing homes being the last option, so that senior and disabled Oregonians receive the appropriate, most cost-effective, level of care. Because community-based care costs one-half to one-third as much as care in institutions (like nursing homes), this is the best use of these public dollars.

CAREGIVERS: THE CORNERSTONE OF IN-HOME CARE

The cornerstone of Oregon's model of care for elderly and disabled citizens are quality homecare workers. It takes a special type of person to provide care to the elderly. The people who have it in their hearts to provide care for the elderly deserve to get the training they need to provide proper care for their clients. Ballot Measure 99 will improve our model of care and increase the oversight, selection and training of homecare workers. And that will improve the safety and care of elderly and disabled Oregonians.

JAMES A. DAVIS, on behalf of
Oregon State Council of Senior Citizens
United Seniors of Oregon
Portland Gray Panthers

(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 FAVOR

For Our Families. For Our Health.
Vote Yes on 99.

Allow our Elderly to Remain in their Homes

Every year, thousands of elderly or disabled Oregonians are forced to move into a nursing home because they need help with the routine tasks of daily living. For many people, staying in their own home with the assistance of a homecare worker is a better choice.

Improve Quality of Care for Disabled and Elderly

Because we care about elderly and disabled Oregonians, Measure 99 will reduce turnover and improve the quality of care by providing training to caregivers and establishing professional standards.

Give Fair Treatment to Our Home Health Care Workers

Because we care about caregivers, Measure 99 will- for the first time- provide them with basic job protections like minimum wage, workers compensation and the right to collective bargaining.

Save Taxpayer Dollars

Because we care about taxpayers, Measure 99 will strengthen and improve a system that has already saved millions of dollars by avoiding expensive and unnecessary nursing home placements.

Please VOTE YES on MEASURE 99.

Betty Johnson, Benton County

Janet Miltenberger, Clatsop County

Barbara Leff, Lincoln County

Margaret Hallock, Lane County

Because We Care About Oregon PAC
Beverly Stein, Chair

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

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Measure No. 99 Arguments

ARGUMENT IN FAVOR

Disabled Oregonians: "YES on Measure 99"

We are two disabled Oregonians who receive in-home care through Oregon's homecare program. **Measure 99** will help to greatly improve this program.

Homecare is crucial to thousands of disabled Oregonians who live at home. It allows us to lead productive, independent and dignified lives. But the program also has serious flaws that make it difficult for us to find and retain trained, qualified home-care providers. Measure 99 fixes those flaws. It ensures that quality homecare will be available for those of us who choose independence over institutions like nursing homes.

Homecare workers provide us with the care we need. Imagine what it would be like if you couldn't bathe yourself or use the toilet. What if you needed help to get out of bed? What if you were unable to button your clothing? What if you couldn't hold a fork or cook for yourself? Homecare workers help us with all these things and much more.

Everyone will eventually grow old and some of us will become disabled long before then. One of us, Beth, broke her neck in a swimming pool accident at 15, and the other, Susan, has been disabled since 1989. Susan was a tax preparer before she got too ill to work. Beth will graduate from college in June 2001 to work with young people. If we were forced into nursing homes, the quality of our lives would be severely diminished. **With quality in-home care we can lead full lives.**

Every year up to seven of ten elderly or disabled Oregonians in the homecare program face the prospect of finding someone to care for them. We need qualified, professional, dependable care. We need a stable, qualified, professional workforce to care for us and the thousands of others who seek care for themselves or a family member.

Please vote YES on Measure 99.

Beth Marcum
Silverton

Susan Marie House
Medford

(This information furnished by Beth Marcum, Susan House.)

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

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ARGUMENT IN FAVOR

ALZHEIMER'S ASSOCIATION: YES on 99

Oregonians who suffer from Alzheimer's benefit from familiar surroundings with family and friends nearby. Some need the help of a qualified caregiver in order to live at home.

Alzheimer's patients and their families recognize the need for support for in-home caregivers, whether they are family members or paid caregivers, who care for our most vulnerable citizens.

In Oregon, 13,000 men and women provide care to elderly and disabled citizens in their own homes. That includes housekeeping, shopping, meal preparation, feeding, bathing, personal care, transportation, and administering medications. These caregivers provide health care services to low-income elderly and disabled consumers, yet have no health care as an employment benefit. They are not covered by workplace health and safety regulations. Many times there is no respite or emergency care backup. Caregivers do not have sick leave or vacations. Training is inconsistent and in some cases non-existent.

QUALIFIED CAREGIVERS HARD TO FIND

Not surprisingly, there are issues regarding quality of care and difficulty in recruiting and retaining qualified caregivers. The turnover rate in some areas is over 100% which has a serious impact on the stability and quality of life of Alzheimer's patients and other consumers of homecare. Some are forced into institutional settings while waiting for an appropriate caregiver.

MEASURE 99 WILL IMPROVE CARE

Measure 99 will allow consumers, public agencies and homecare workers to join forces to address issues of quality care for the elderly and disabled. This measure will create a nine-member consumer-directed commission to ensure high quality homecare, establish qualifications and a statewide registry, and provide training. In addition, caregivers may begin to receive wages and benefits that reflect the value of their services and stabilize this important workforce.

The Alzheimer's Association, Oregon Trail Chapter welcomes and supports Ballot Measure 99. **YES on 99** will help Oregon to address the important issues confronting our elderly and people with disabilities.

Liz McKinney, Executive Director
Alzheimer's Association, Oregon Trail Chapter

(This information furnished by Liz McKinney, Executive Director, Alzheimer's Association.)

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Measure No. 99 Arguments

ARGUMENT IN FAVOR

Nurses Support YES on 99 – The Quality Homecare Act

When someone comes into your home to care of you, whether you're elderly or disabled (or suffering from a treatable disease), personal safety and the quality of care are your highest considerations. The Oregon Federation of Nurses & Health Professionals, AFT Local 5017, urges a "YES" vote on Measure 99 because it will improve the safety and care of some of our state's most vulnerable citizens.

SAFETY FOR CLIENT AND CAREGIVER

Oregon's elderly and disabled citizens have been well-served by most of the in-home, client-employed caregivers working in Oregon today. Still, it is a job that almost anyone can "walk in off the street" and get. Often, good homecare workers are hard to find or leave for better-paying jobs elsewhere. This means that some of our most vulnerable citizens go without the care that will enable them to remain safe and healthy in their own homes.

Ballot Measure 99 will protect seniors and people with disabilities by making sure that homecare workers are properly trained and have the skills for the job.

PROMOTES GOOD HEALTH; SAVES MONEY

Through the homecare program, low-income elderly and disabled Oregonians receive help with such critical daily living tasks as medical care, personal care, dressing, cooking, money management and housework.

By living independently in their own homes, elderly and disabled Oregonians are happier and healthier until nursing home care becomes medically necessary. Providing the most appropriate care in this way has saved all of us more than \$400,000,000.

The Oregon Federation of Nurses & Health Professionals represents 900 nurses and health care professionals in hospitals, clinics, nursing homes and in private practice throughout Oregon. We support Measure 99 — the Quality Homecare Act — because it will improve the safety and training for in-home caregivers. And that will improve the health of all Oregonians.

Vote YES on Ballot Measure 99.

Kathy Schmidt, RN, President
Oregon Federation of Nurses & Health Professionals

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

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ARGUMENT IN FAVOR

Senior Citizen Center Supports Ballot Measure 99

We ask you to vote YES on 99 to ensure that Oregon seniors receive quality homecare

Senior citizen centers serve elderly Oregonians every day. We see the dignity and independence that seniors possess when they live in their own homes, in their own communities. Oregon's homecare system allows over 10,000 elderly and disabled Oregonians to remain in their homes by providing them with in-home caregivers. This system has saved the state over \$400,000,000 because in-home care is less expensive than nursing homes. We need ballot measure 99 to ensure that quality in-home care is an option for seniors who wish to live independently.

Ballot measure 99 ensures the quality of homecare by:

- Creating a commission to ensure the quality of care.
- Providing training so homecare workers can better meet their clients needs.
- Providing a registry of homecare workers, so seniors can find a qualified caregiver.
- Providing routine emergency respite referrals so that a workers emergency doesn't leave a senior without care.
- Creating a commission to develop baseline standards of medical expertise for homecare workers.

At senior centers we understand how important it is to Oregon seniors to have quality homecare available for them and their loved ones. We understand how important it is to be able to stay at home with our families and our familiar surroundings when confronting illness or disability. We understand how important it is to have trained and qualified caregivers. For these reasons we ask you to join us in supporting Ballot Measure 99.

Help Oregon seniors stay in their homes – vote YES 99

**Lola Burge, on behalf of
Molalla Adult Community Center
Molalla Area Seniors, Inc.**

(This information furnished by Lola Burge, Molalla Adult Comm. Center and Molalla Area Seniors, Inc.)

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Measure No. 99 Arguments

ARGUMENT IN FAVOR

CAREGIVERS SUPPORT 99

More than 13,000 Oregon workers provide in-home care for the elderly and disabled. The care we provide enables our clients to live in their own homes. We do for them what they can no longer do for themselves.

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.

We provide care to Oregon's grandparents, parents, family, friends, and our neighbors -- people who need assistance due to injury, illness, age or disability.

We're the backbone of Oregon's community-based care system. We need adequate training to provide the best possible care. The health of our clients is too important to settle for less. The qualifications for this job should be more than just a criminal background check and being over 18.

We may need to lift someone from the bathtub to their wheelchair and from their chair to their bed, but we are not entitled to workers' compensation protection (that other Oregon workers receive) should we throw out our backs.

We take care of the elderly, quadriplegics, and people suffering with Alzheimer's yet receive no training about those conditions. What we learn, we learn on our own or from our clients.

Your YES vote on Measure 99 will help us and our clients by:
Ensuring that the elderly and disabled have trained caregivers.
Creating a registry of qualified caregivers to help our clients find caregivers whose skills match their needs.
Providing for routine and emergency respite care. This ensures that if a caregiver is sick the client does not go without care.
Giving caregivers the ability to make homecare a profession we can be proud of, not just another low-paying, dead end job.

Vote YES on Measure 99. Make quality homecare a reality.

Caregivers:
Diane Chandler, Coos Bay
Elyse Scott-Burnett, Woodburn
Kimberly Powell, Eugene
Caroline Mitchell, Bandon

(This information furnished by Diane B. Chandler, Home Care Provider, Elyse Scott-Burnett, Kimberly Powell, Caroline Mitchell.)

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ARGUMENT IN FAVOR

HOMECARE PROGRAM HAS ALREADY SAVED TAXPAYERS MORE THAN \$400 MILLION BY KEEPING ELDERLY AND DISABLED OUT OF EXPENSIVE NURSING HOMES

(Source: The Oregonian, June 22, 2000)

Measure 99 will expand the availability of in-home care for Oregon's elderly and disabled. According to the Fiscal Impact Committee (which is comprised of the Secretary of State, State Treasurer, Director of the Department of Administrative Services, and the Director of the Department of Revenue), the direct cost of Measure 99 will be less than a million dollars.

The homecare program has already saved taxpayers nearly half a billion dollars by helping people stay out of nursing homes. By making homecare more accessible, Measure 99 will save the state additional money.

VOTE YES ON MEASURE 99.

**Jim Duncan
Advocate for the Elderly**

(This information furnished by Jim Duncan, Advocate for Elderly.)

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Measure No. 99 Arguments

ARGUMENT IN FAVOR

Advocates for Seniors, the Disabled, Human Rights, and Working Families Say Vote YES on 99

The following organizations are among those supporting Measure 99 – for Quality Homecare for Oregon's elderly and disabled.

- Oregon State Council of Senior Citizens
- Alzheimer's Association, Oregon Trail Chapter
- United Seniors of Oregon
- Molalla Adult Community Center
- Molalla Area Seniors, Inc.
- Advocacy Coalition for Seniors and People With Disabilities
- American Disabled for Attendant Programs Today (ADAPT)
- Portland Gray Panthers
- Older Women's League, Portland Chapter
- Oregon Federation of Nurses & Health Professionals
- Oregon Human Rights Coalition
- Human Services Coalition of Oregon
- Oregon AFL-CIO
- Northwest Oregon Labor Council
- Service Employees International Union
- Oregon Public Employees Union, SEIU Local 503
- AFSCME Council 75
- Oregon School Employees Association
- Association of Western Pulp and Paper Workers
- Oregon Education Association
- Portland New Party
- Pacific Green Party of Oregon
- Portland Jobs With Justice
- Mid-Willamette Valley Jobs With Justice
- Oregon Catholic Conference

(This information furnished by Arthur Towers, Oregonians for Quality Homecare.)

ARGUMENT IN FAVOR

Independence is a powerful word. For people with disabilities it is even more powerful. It is the benchmark by which we view our quality of life. But it doesn't mean going it alone. We have allies in our quest for independence. The people who help us do the tasks we cannot do by ourselves, everything from housekeeping and cooking, to bathing and toileting. A good working relationship between an attendant and consumer means the difference between living free, or living in an institution. But in Oregon, and across the nation our access to community based attendant services is threatened by the working conditions that our attendants are forced to work under by the State of Oregon. The state refers to them as Client Employed Providers. But as employers we are not allowed any control over the wages and other conditions they work under. They do not even get workers compensation. Measure 99 provides a framework for consumers and attendants to work together for their common good. Measure 99 reforms attendant services by:

- Providing an employer of record for fiscal purposes. Providers would no longer be treated as independent contractors.
- A majority of Commission members would have to be consumers of attendant services. Consumers could still have the right to decide who provides services to them.
- Creates a statewide registry of qualified providers.
- Creates training standards for providers and consumers.

You may not be disabled, but as we grow older the chances of our needing these services increase.

VOTE YES ON MEASURE 99! THE INDEPENDENCE YOU ARE PROTECTING MAY BE YOUR OWN!

(This information furnished by Ric Burger, Oregon ADAPT.)

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Measure No. 99 Arguments

ARGUMENT IN FAVOR

MEASURE 99 BACKED BY OLDER WOMEN'S LEAGUE

Our population is growing older. As we grow older, we'll need quality care available in our homes to maintain our health and independence. Statistics show that more women rely on Medicaid for health care coverage in their older years. For those reasons, the passage of Ballot Measure 99 — the Quality Homecare Act — is important to Oregon's women.

SCREENED AND TRAINED CAREGIVERS

Oregon values the ability of elderly and disabled people to live in their own homes. The Older Women's League wants to make sure that all Oregonians, whether elderly or disabled, have access to caregivers who are adequately screened and trained before they come to work in our homes. Ballot Measure 99 will make these improvements to our care and safety.

MAJORITY OF CAREGIVERS ARE WOMEN

It's important that voters realize that the majority of in-home caregivers are women. This ballot measure will give these dedicated workers the opportunity to improve their working conditions. For many of these caregivers, this job may be their only source of income. They struggle to support themselves and their families, and are often forced to leave this field in order to bring their family above the poverty line.

INDEPENDENT LIVING

Older women prefer to live in our own homes with our family, friends and cherished possessions around us. And, all of us, young or old, want to retain our independence. We shouldn't be forced into nursing homes because of the lack of in-home caregivers.

SAFETY AND COMPETENCY

Older and disabled Oregonians need to be assured of the competency and qualifications of the people who are coming into their homes to provide care. Ballot Measure 99 will give us the protection of screened and trained caregivers who are able to do the job.

The Older Women's League urges your YES vote for Measure 99.

RUTH CURRIE

Executive Director, Portland Chapter, Older Women's League

(This information furnished by Ruth Currie, President, Older Women's League, Portland Chapter.)

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ARGUMENT IN FAVOR

DISABILITIES LEADER SUPPORTS QUALITY HOMECARE MEASURE 99

Oregon has a nationally recognized system of care for seniors and people with disabilities. But, it also includes low pay and no benefits for the in-home caregivers who are essential to the success of Oregon's system of long-term care. Ballot Measure 99, the Quality Homecare Act, will rectify that.

CAREGIVERS IMPORTANT TO OUR CARE

From my job working with disabled Oregonians and my own experience with multiple sclerosis, I know the important role homecare workers play in our lives. Right now, my family and I are able to cope with my condition. As my condition deteriorates, we may not be able to cope without the help of an in-home caregiver. Because I know how vital these workers are to Oregon's system of care for disabled and elderly persons, I decided to sponsor Measure 99.

OUR SYSTEM BUILT ON CAREGIVERS

Oregon's homecare system is built on the backs of in-home caregivers. They have a critical role in assisting their clients. They enable us to live in our own homes where we are healthiest and happiest and the care is most affordable. They bathe us, help us dress in the mornings, prepare meals, administer our medication, and help maintain our homes. **In-home caregivers help us live to our full potential.** This profession is a calling. It takes a special person to properly care for the elderly and disabled. They should be rewarded and recognized, not punished with working conditions that force them into a life of poverty.

MEASURE ASSURES SCREENED, QUALIFIED WORKERS

Measure 99 will call for training and respite leave that caregivers need. Measure 99 assures Oregon's disabled and elderly citizens that they will have screened and qualified people in their homes helping them. Measure 99 will make it much easier to match a caregiver with the proper skills to a client with special needs.

Vote YES on Measure 99, the Quality Homecare Act.

EUGENE ORGAN

Chief Sponsor, Eugene

(This information furnished by Eugene Organ.)

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ARGUMENT IN FAVOR

Working Families Support Quality Homecare

Vote YES on 99

Working families in Oregon understand the challenges of providing care for a family. Sometimes that includes providing care for an elderly parent, grandparent or a disabled family member. Some are fortunate enough to be in a position to provide that care. However, some of our elderly and disabled citizens do not have families to provide the care they need. Homecare workers fill an important, humanitarian role in helping us care for our loved ones.

These workers are defined as "domestic servants," yet the work they do is similar to paraprofessional health care workers. There are no safety nets under this group of workers who are the safety net for our most vulnerable citizens.

They are denied basic benefits typically extended to American workers. There are no minimum wage laws for these workers, no on-the-job safety standards, no workers' compensation for work-related injuries, no vacations, sick leave, pensions or health insurance. They do not have the right to form and join a union to negotiate for better working conditions. They have been a silent, invisible workforce.

The value of the work is indisputable. It's physically and emotionally challenging. Yet the compensation keeps many of these workers in poverty. Many are forced into other fields because they cannot support themselves or their families.

Measure 99 is a step towards improving the lives of our elderly and disabled loved ones. Measure 99 is also a step towards giving homecare workers that which they deserve, our respect and compensation that reflects the value of their work.

Join us in supporting Ballot Measure 99.

Oregon AFL-CIO
 Northwest Oregon Labor Council
 Service Employees International Union
 Oregon Public Employees Union, SEIU Local 503
 AFSCME Council 75
 Oregon School Employees Association
 Association of Western Pulp and Paper Workers

(This information furnished by Nancy Padilla, Oregon Public Employees Union, SEIU.)

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ARGUMENT IN FAVOR

ECUMENICAL MINISTRIES OF OREGON ENDORSES BM 99

Ecumenical Ministries of Oregon strongly supports creation of a homecare commission to ensure the quality of publicly funded in-home care services. This measure allows consumers of homecare services, local agencies and communities to begin addressing well-documented issues in one of Oregon's most important long-term care system; training, respite care, recruitment and retention.

Each stakeholder in this program stands to benefit from the passage of this measure. Oregon voters will be approving a measure with vision and capacity to strengthen and prepare for a growing population of seniors as well as people with disabilities. In-home care has proven to be the most humane and respectful method of caring for our most vulnerable citizens. It's also the most cost-effective. By investing in this system of care we are creating the foundation necessary to meet Oregon's future needs.

Ecumenical Ministries of Oregon worked to pass legislation similar to BM 99 during the 1999 legislative session. Unfortunately, the legislature failed to act on this important policy package. It is now before Oregon voters to act in the best interest of our elderly and people with disabilities...as well as the dedicated workers who care for them.

In short, we believe Measure 99 to be fundamentally a matter of human rights, civil rights and labor rights.

"A wise...Government...shall not take from the mouths of labor the bread it has earned." Thomas Jefferson, First Inaugural Address, 1801.

Join us in supporting BM 99.

*The Roman Catholic Archdiocese of Portland and the Greek Orthodox Church abstained from EMO's deliberations regarding the November ballot measures.

(This information furnished by David Leslie, Ecumenical Ministries of Oregon.)

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

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Measure No. 99 Arguments

ARGUMENT IN FAVOR

QUALITY HOME CARE FOR SENIORS THREATENED BY MEASURES 88, 91, 92, 93, 98, AND 8

The positive impact of Measure 99 – improved home care for elderly and disabled Oregonians at a cost savings to taxpayers – will be severely limited if any of six other measures are approved by voters.

Measures 88, 91, 93, and 8 reduce the availability of funds for vital public services like homecare for the elderly and disabled. Measure 99 improves the homecare system in Oregon. But without adequate funding, seniors and the disabled will not get the care they deserve. Measure 91 hits homecare workers doubly hard by increasing taxes on working Oregonians who make what we make – about \$8/hour.

Measures 92 and 98 restrict the involvement of homecare workers in the political process. If we as homecare workers had not stood up for improved care for their clients and for improved working conditions for themselves, Measure 99 would have never made it on to the ballot.

Homecare workers deserve the same opportunity to participate in the political process that nursing home owners have. We deserve to be able to pool our efforts and pool our resources to fight for quality care for our clients. Measures 92 and 98 would severely limit our ability to work together to fight for improved working conditions or quality care. Measures 92 and 98 would effectively silence our voices as we work to educate voters and politicians about the dire state of homecare in Oregon.

Support quality home care for the elderly and disabled: Vote YES on Measure 99 and NO on Measures 88, 91, 92, 93, 98, and 8.

Caregivers for the elderly and disabled:

Esther Doramus, Eugene
Risa Northway, Oregon City
Rita Sparks, Eugene
Tena Vazquez, Oregon City
Karen Thompson, Scio

(This information furnished by Esther Doramus, Risa Northway, Rita Sparks, Tena Vazquez, Karen Thompson.)

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

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Measure No. 1

Proposed by initiative petition to be voted on at the General Election, November 7, 2000.

BALLOT TITLE

1 AMENDS CONSTITUTION: LEGISLATURE MUST FUND SCHOOL QUALITY GOALS ADEQUATELY; REPORT; ESTABLISH GRANTS

RESULT OF "YES" VOTE: "Yes" vote requires legislature to fund school quality goals adequately, issue report, establish equalization grants.

RESULT OF "NO" VOTE: "No" vote rejects requirements that legislature fund school quality goals adequately, issue report, establish grants.

SUMMARY: Amends constitution. Current statutes establish quality goals for education; constitution does not require legislature to fund schools adequately to meet those goals. Measure requires that, in each biennium, legislature fund schools adequately to meet law's quality goals, publish report either demonstrating funding sufficiency or identifying reasons for insufficiency, its extent, and impact on state's ability to meet goals. Also requires establishing equalization grant system to eligible districts whose voters approve local option taxes, consistent with any legal obligation to maintain substantial equity in state funding.

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:

PARAGRAPH 1. The following Section is added to and made a part of Article VIII of the Constitution of the State of Oregon:

Adequate and Equitable Funding. (1) The Legislative Assembly shall appropriate in each biennium a sum of money sufficient to ensure that the state's system of public education meets quality goals established by law, and publish a report that either demonstrates the appropriation is sufficient, or identifies the reasons for the insufficiency, its extent, and its impact on the ability of the state's system of public education to meet those goals.

(2) Consistent with such legal obligation as it may have to maintain substantial equity in state funding, the Legislative Assembly shall establish a system of Equalization Grants to eligible districts for each year in which the voters of such districts approve local option taxes as described in Article XI, section 11(4)(a)(B) of this Constitution. The amount of such Grants and eligibility criteria shall be determined by the Legislative Assembly.

EXPLANATORY STATEMENT

Ballot Measure 1 amends the Oregon Constitution by adding a provision relating to public education funding to Article VIII. Public education includes education provided by school districts, community colleges, public universities and other public education providers.

Currently statutes establish quality goals for public education. The Oregon Constitution does not require the legislature to fund public education to meet these goals.

This measure requires the legislature to fund a sufficient amount of money to meet public education quality goals as established by the legislature. The measure also requires the legislature to publish a report that demonstrates to the public that the funding for public education is sufficient to meet the quality goals or must state the reasons for any insufficiency, the extent of the insufficiency and the impact that will have on the ability of public education providers to meet the quality goals.

Currently the Oregon Constitution and existing statutes allow a school district to levy local option taxes in excess of the amount of property taxes that may be approved under the school district's property tax rate limit. This would happen provided the tax is approved by a majority of the electors of the district in a general election or an election in which 50 percent of the eligible voters participate.

This measure requires the legislature to establish grants to property poor districts that levy the local option tax. The measure directs the legislature to determine the amount of the grants and to establish the criteria for the grants.

Committee Members:

Joanne Waller
Duncan Wyse
Senator Gene Derfler
Senator Marilyn Shannon
Ron Saxton

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. 1 Arguments

ARGUMENT IN FAVOR

OREGON'S PUBLIC SCHOOL LEADERS SAY VOTE YES ON MEASURE 1

Measure 1, introduced by Governor Kitzhaber and State Schools Superintendent Bunn, is a common-sense way to hold the legislature accountable for school funding. We support Measure 1 because it allows voters to understand where their education dollars are going.

Measure 1 is a simple, fair and long-overdue remedy to inadequate school funding.

The Oregon Legislature is obligated to provide a public school system. It has also set in law ambitious student achievement standards. Unfortunately, its appropriations have not matched its ambitions. Measure 1 will correct that problem by directing the legislature to underwrite its educational goals or explain why not.

Measure 1 recognizes that Oregon's local option law needs fixing.

The 1999 Legislature passed a law allowing school districts to raise up to \$500 per student through "local option" property tax levies. Measure 1 establishes grants allowing less wealthy districts to supplement local option money with state funds to the level of richer districts. This assures that equalization is not eroded.

Measure 1 preserves local control.

The state provides 70 percent of school funding. It requires school districts to pursue certain educational goals and standards. Local school boards, however, determine school budgets, guided by available resources, state law and local priorities. Measure 1 doesn't change this. Measure 1 simply holds state decision-makers responsible for their funding decisions.

Take the politics out of school funding decisions.

VOTE YES ON MEASURE 1.

Confederation of Oregon School Administrators Oregon School Boards Association

(This information furnished by John Marshall, Oregon School Boards Association; Ozzie Rose, Confederation of Oregon School Administrators.)

ARGUMENT IN FAVOR

Dear Oregonians,

Ballot Measure 1, the Accountability and Equity in School Funding Act, will fundamentally change how we fund schools in Oregon. It will also help poorer school districts afford to exercise the local option, to help pay for their schools. I urge your yes vote on Measure 1.

The measure was crafted to change the debate about school funding from "how much to spend?" to "what education services are we buying?" It does so by requiring the legislature to fund schools so students can reach the high standards set in law. If the legislature fails to do so, its members must detail the effects of their funding decision on the ability of our students to meet standards.

Currently, the school funding debate in the legislature focuses on large numbers rather than on what those dollars actually buy in terms of education. By requiring the legislature to develop the school budget in terms of student achievement - that is, to determine the relationship between dollars and student performance - the legislature can be held accountable for the consequences of its funding decisions. The governor will similarly be held accountable for the relationship between the recommended K-12 budget and anticipated student performance.

Equally importantly, Measure 1 will require the legislature to provide matching funds for poorer districts that wish to exercise the local option to help pay for their schools.

Many property poor districts simply cannot afford a local property tax. Measure 1 will require the legislature to help equalize the difference between wealthy and poor districts that choose the local option by grants, depending on the level of property value in a school district. This will help make a local option property tax more affordable for districts that pass one.

Measure 1 will deliver exactly what it promises: more accountability in school funding decisions, and greater funding equity for students across Oregon. I urge your yes vote on Measure 1.

John Kitzhaber

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

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Measure No. 1 Arguments

ARGUMENT IN FAVOR

THE OREGON PTA SUPPORTS MEASURE 1

The Oregon Legislature has mandated that our students meet certain goals and requirements before graduation. However, they have consistently refused to fund this mandate, leaving school districts and teachers with little or no training, few additional materials, more responsibilities, and longer hours with no additional compensation.

This is not only unfair for our school districts and our teachers, but ultimately it is the students who suffer most. While the notion of a level of requirement, and the pledge to help all of Oregon's students achieve that level is noble, and one that we fully support, the Oregon PTA feels it is unfair to set the level of expectation without giving it the monetary support that it requires.

It's time for the Oregon Legislature to put the financial commitment into their legal commitment. How can we expect our teachers to do more with less?

It's like giving a builder the blue prints to build your house, then giving them no money but demanding that the house be built anyway.

Only this isn't houses. These are our children.

Given the last two legislative sessions, it's obvious that the commitment to education was not a priority for the legislature. This measure would help take some of the politics out of the process of funding K-12 education. It would help to cut down on the biennial grab for money for the state budget that always seems to place our children at the end of the line.

Because this measure would help to stabilize school funding; because it would finally put financial support into the mandated school quality goals; and because this would help to keep equity between school districts, The Oregon PTA supports this measure.

PLEASE JOIN US - SUPPORT THE FUTURE FOR OREGON'S CHILDREN.

VOTE YES ON MEASURE 1

The Oregon PTA
Kathryn Firestone, President
Lisa Laursen Thirkill, Vice President for Legislation

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

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ARGUMENT IN FAVOR

OREGON EDUCATORS SAY "VOTE YES" ON BALLOT MEASURE 1. HERE'S WHY:

- Voters know that funding public schools adequately and equitably is vitally important.
- Voters deserve to know that their elected representatives have gotten that job done when they pass the education budget.
- In the absence of BM 1, voters don't always get the full story.

Students deserve the best education we can provide, so that every child has an equal opportunity to achieve in the 21st century world.

While Oregon law has mandated that students meet higher goals, those laws have been essentially unfunded mandates. Educators have been willing to embrace quality education goals and to take on new and greater responsibilities, but they need more training opportunities and supporting curriculum materials to make the new programs work.

By requiring the Legislature to provide adequate funding to meet Oregon's quality education goals, Measure 1 will hold the state accountable, just as schools are held accountable for using tax dollars wisely and well. Additionally, the measure requires the Legislature to report how their budget meets or fails to meet these goals — so that citizens do get the full story.

Measure 1 also provides a way to maintain the district-by-district funding equity that's taken a decade to achieve. By establishing equalization grants to assist poorer districts in obtaining local option funding, this measure provides a fair funding system for all students — no matter where they live.

EDUCATORS SUPPORT EDUCATIONAL QUALITY AND EQUALITY; THEY ASK YOU TO VOTE "YES" ON BALLOT MEASURE 1.

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

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Measure No. 1 Arguments

ARGUMENT IN OPPOSITION

All Oregonians desire good education. But to reach that goal, should we increase funding for public schools? **We think funding should be decreased** and therefore we oppose Measure 1. Why?

First, public schools **leave God out** of education. They are, at their heart, self-consciously secular. They say knowledge is ethically neutral, which it isn't (Prov. 15:26, 24:9; 2 Cor. 10:5; Rom. 1:18-21). They teach that the world can be truly known and understood without reference to its Creator. This is a lie. The truth is that "the fear of the Lord is the beginning of knowledge," and it is folly to ignore this.

Second, **its just not government's job to educate children**. The Bible says civil government's job is to restrain certain sins by punishing evildoers (Rom. 13:4) and to praise the righteous (2 Pet. 2:14). No matter how "good" government-run schools are, they cannot accomplish either of these God-given purposes. **Parents are responsible**, unless impoverished, to pay directly for the feeding, clothing, and education of their own children.

By assuming the responsibility to educate all children, the State has excluded God as the foundation for learning and has levied very high taxes. This makes it very difficult for most parents to fulfill their God given obligations to fund their children's education.

Don't feel guilty for saying "No" to more money for public schools. Like the leech's two daughters in Proverbs 30:15, **public school advocates ALWAYS cry, "Give, give."** Like the fire of Proverbs 30:16, they're never satisfied, they never say, "It is enough." Nor do they provide fruits worthy of such "giving."

The answer is not stabilized funding for public schools, but a gradual replacement of these schools through privatization and restoration to parents of their ability to discharge the duties graciously given to them by God.

We therefore oppose Measure 1.

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. 2

Proposed by initiative petition to be voted on at the General Election, November 7, 2000.

BALLOT TITLE

2 AMENDS CONSTITUTION: CREATES PROCESS FOR REQUIRING LEGISLATURE TO REVIEW ADMINISTRATIVE RULES

RESULT OF "YES" VOTE: "Yes" vote creates process for petitioning legislature to require its review of administrative rules.

RESULT OF "NO" VOTE: "No" vote keeps system not requiring legislative approval for administrative rules to remain in effect.

SUMMARY: Amends constitution. Current law does not require legislative review of administrative rules. Measure allows voters to require legislative review of administrative rules at next regular session when petition, signed by at least 10,000 voters, is filed listing affected rules. Rule remains effective until reviewed by legislature, but rule ceases to be in effect unless approved. If governor vetoes bill, rule is disapproved unless legislature overrides veto. If rule not approved, state agency may adopt new rule on same issue, but legislative review is required.

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:

PARAGRAPH 1. The Constitution of the State of Oregon is amended by creating a new section 34 to be added to and made a part of Article IV, such section to read:

SECTION 34. (1) The people reserve upon themselves the power to require that the Legislative Assembly review and approve any administrative rule in the manner provided by this section.

(2) The Legislative Assembly shall be required to review and approve an administrative rule or rules upon the filing of a petition with the Secretary of State that has been signed by at least 10,000 qualified voters. A petition filed under the provisions of this subsection shall identify the specific administrative rule or rules that the Legislative Assembly is required to review. All administrative rules identified in the petition must relate to one subject only and matters properly connected therewith.

(3) (a) Upon receiving a petition that meets the requirements of subsection (2) of this section, the Secretary of State shall cause written notice to be given to the President of the Senate. The President of the Senate shall thereafter cause to be prepared and introduced in the Senate at the next following regular session of the Legislative Assembly a bill approving the administrative rule or rules. If the petition is filed with the Secretary of State during a regular session of the Legislative Assembly, the bill required by this subsection must be introduced at the regular session of the Legislative Assembly next following the session during which the petition is filed.

(b) The Legislative Assembly may approve the administrative rule or rules specified in the bill introduced under this subsection by passing the bill. The Legislative Assembly by amendment of the bill may approve only some of the specified administrative rules or may approve only part of a specified rule. Any administrative rule or part of a rule not approved by the passage of the bill has no further force or effect after adjournment sine die of the legislative session in which the bill is introduced.

(c) A bill introduced under this section must receive at least one hearing in the Senate and must be submitted for a vote in the Senate before adjournment sine die of the legislative session in which the bill is introduced.

(4) (a) Disapproval of an administrative rule or part of a rule under subsection (3) of this section does not prevent a state agency from thereafter adopting another rule pertaining to the issue or issues addressed by the disapproved rule. If a state agency adopts an administrative rule or rules addressing the same issue that was the subject of a rule that was disapproved under subsection (3) of this section, the President of the Senate shall cause to be prepared and introduced in the Senate a bill approving the rule or rules. The bill shall be introduced at the next following regular session of the Legislative Assembly after the effective date of the administrative rule. If the administrative rule becomes effective during a regular session of the Legislative Assembly, the bill required by this subsection must be introduced at the regular session of the Legislative Assembly next following the session during which the rule becomes effective.

(b) The Legislative Assembly may amend a bill introduced under this subsection in the same manner as provided for bills introduced under subsection (3) of this section. Any administrative rule or part of a rule not approved by the passage of the bill has no further force or effect after adjournment sine die of the legislative session in which the bill is introduced. If an administrative rule or part of a rule is disapproved under the provisions of this subsection, any rule adopted by a state agency that addresses the same issue that was the subject of the disapproved rule is of no force and effect until such time as the Legislative Assembly by law approves the rule.

(c) A bill introduced under this section must receive at least one hearing in the Senate and must be submitted for a vote in the Senate before adjournment sine die of the legislative session in which the bill is introduced.

(d) Any person may seek judicial review of a determination made by the President of the Senate as to whether an administrative rule addresses the same issue that was the subject of a rule that was previously disapproved under subsection (3) of this section. Any person may seek a judicial determination as to whether an administrative rule adopted by a state agency after disapproval of a rule under this subsection addresses the same issue that was the subject of the disapproved rule. In any proceeding for judicial review under this subsection, the court shall liberally construe the language of a rule in favor of a finding that the rule addresses the same issue that was the subject of a previously disapproved administrative rule. The Legislative Assembly shall by law provide a process for seeking judicial review under this subsection.

(5) Any bill introduced under this section is subject to veto by the Governor in the manner provided by section 15b, Article V of this Constitution. If the Governor vetoes a bill introduced under this section, the administrative rule or part of a rule specified in the bill shall be considered disapproved for the purposes of this section unless the Legislative Assembly overrides the veto in the manner provided by section 15b (2), Article V of this Constitution.

(6) Nothing in this section affects any right of a person to seek judicial review of any administrative rule as otherwise provided for by law.

(7) As used in this section:

(a) 'Administrative rule' means any state agency directive, standard, regulation or statement of general applicability that implements, interprets or prescribes law or policy, or that describes the procedures or practices of a state agency, but does not include:

(A) Executive orders; or

(B) State agency internal management directives, regulations or statements if those directives, regulations or statements do not substantially affect the interests of members of the public.

(b) 'State agency' means any elected or appointed state officer, board, commission, department, agency or institution, except those in the legislative and judicial branches.

Measure No. 2

EXPLANATORY STATEMENT

Ballot Measure 2 would amend the Oregon Constitution to create a new process to review administrative rules by the Legislative Assembly upon the petition of at least 10,000 qualified voters. Administrative rules are state agency directives, standards, regulations, or statements that implement, interpret, or prescribe law or policy, or describe state agency procedures. Administrative rules do not include executive orders or internal management directives.

A petition under the measure must be filed with the Secretary of State. The petition may challenge more than one rule, but all rules challenged by the petition must relate to one subject only and to matters properly connected with that subject.

The Secretary of State must give notice to the President of the Senate of the filing of a petition meeting the requirements of the measure. The President of the Senate must then introduce a bill for approval of the rule or rules at the next following regular session of the Legislative Assembly. If the petition is filed during a legislative session, the bill must be introduced at the next following regular legislative session.

The Legislative Assembly may approve an administrative rule by passing the bill introduced by the President of the Senate. The Legislative Assembly, by amendment of the bill, may approve only some of the rules specified in the bill, or approve only part of a rule specified in the bill. Any administrative rule or part of a rule that is not approved by the passage of the bill has no further force or effect after the final adjournment of the legislative session in which the bill is introduced.

The disapproval of an administrative rule does not prevent a state agency from thereafter adopting another rule pertaining to the same issue addressed by a disapproved rule. However, if an agency adopts another rule pertaining to the same issue, the President of the Senate must introduce a bill to approve the new rule. The bill is subject to the same conditions and has the same effect as a bill submitted pursuant to a petition filed under the measure.

The measure allows any person to seek judicial review to determine whether an administrative rule adopted by a state agency addresses the same issue that was the subject of a previously disapproved rule.

If the new rule or any part of the new rule once again fails to gain approval, the agency loses its authority to adopt rules on that subject without prior Legislative approval.

All bills introduced under the measure must receive at least one hearing in the Senate and must be submitted for a vote in the Senate before the final adjournment of the legislative session.

All bills introduced under the measure are subject to veto by the Governor. If the Governor vetoes a bill introduced under the measure, the administrative rule or rules specified in the bill are disapproved unless the veto is overridden by the Legislative Assembly in the manner provided by the Oregon Constitution.

Committee Members:

Larry George
David Hunnicutt
Gail Achterman
Robert Liberty
Phillip Grillo

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.)

2

Measure No. 2 Arguments

ARGUMENT IN FAVOR

In ancient Athens, rulers had to post all laws, so people could know what actions could lead to their arrest. One clever tyrant wrote them in very small print, and posted them on a very tall pole! Since people no longer knew the laws, he could arrest his opponents at will.

We have a like system today. Go to the Oregon Revised Statutes (Section 657.072) and you'll find the law says nonprofit organizations don't have to pay unemployment taxes. But go to the Administrative Rules of this section, and you'll find that these groups DO have to pay unemployment taxes! **Observe the law and you're in violation of the rules, which have the force of law!**

There's an explanation, but here's the point. Unelected, unaccountable bureaucrats write and adopt thousands of rules, **all carrying the force of law.** Legislators like this because it gets them off the hot seat on controversial issues such as nonprofits having to pay unemployment taxes. But we elect **Legislators** to make laws, to make the tough decisions, not the bureaucrats!

Measure 2 provides a mechanism to force the Legislature to approve or disapprove controversial Administrative Rules. We support it for a couple of Biblical reasons.

First, the Scriptures exhort us to **truthfulness** (Pr. 23:231 Cor. 13:6) and **diligence** (Pr. 12:27) in our callings. Romans 12:8 cites diligence as a basic requirement for leaders. It's something less than truthful or diligent for someone elected to pass laws to give the dirty work to bureaucrats.

Second, our system of electing representatives to make laws is rooted in the Bible. Administrators are good in their place. But this Measure **restores accountability** to those who were elected by the people. It's a small but positive step in restoring the kind of representative government envisioned by our Founding Fathers and taught in the Bible.

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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ARGUMENT IN FAVOR

VOTE YES ON MEASURE 2

Whether you belong to the Democrat, Republican, Reform, Libertarian, Independent, or Green Party, Measure #2 is right for you.

No matter who controls the state legislature, citizens are locked out of the process as long as the state bureaucrats hold the power of administrative rules.

Administrative rules are just like laws passed by the elected officials, except they are proposed and adopted by non-elected state agencies. They are insulated and immune from the scrutiny of the voter.

Voters can change the Constitution
Voters can change the state statutes passed by legislators
Voter **cannot** change administrative rules

That's wrong.

Measure 2 creates an open, fair process that allows the citizens to require the legislature to review and vote on administrative rules.

Measure 2 is fair, open, and citizen driven. The special interests will hate it, but Oregonians should demand it.

Citizens For Accountability in Administrative Rules urges you to vote:

Yes on Ballot Measure 2.

(This information furnished by Larry George, Citizens for Accountability in Administrative Rules.)

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Measure No. 2 Arguments

ARGUMENT IN FAVOR

Administrative Rules:

Laws created with no vote / Laws with no accountability

Administrative Rules are laws created by non-elected bureaucrats in Salem.

Administrative rules are laws that have the same force and effect as laws passed by elected officials except that there is:

- No Vote by Your Elected Officials
- No Vote of the People
- No Accountability to the Citizens

Ballot Measure #2 sets up a simple review and approval process for administrative rules:

If 10,000 citizens say they want to have their elected officials review a rule, then the legislature is required to review the administrative rules.

Measure #2 creates citizen driven accountability.

A "Yes" vote creates a process to allow Oregonians to require accountability in administrative rules.

If you have any questions about the process created by Measure #2, please read the "explanatory statement" written and agreed to by both proponents and opponents of Measure #2. You will see that Measure #2 creates a simple and fair process open to all Oregonians.

(This information furnished by Larry George, Citizens for Accountability in Administrative Rules.)

ARGUMENT IN FAVOR

The Oregon Education Coalition urges you to vote yes on Measure 2.

As a grass roots education reform organization, we talk with hundreds of parents and community members each month about their hopes for Oregon's public school system, and their ideas for how it can be improved.

What most people don't know is that a major obstacle to improving our schools is the Byzantine maze of administrative rules written by un-elected bureaucrats. These rules have tied the hands of Oregon's school administrators and Oregon's thousands of talented and competent classroom teachers.

These rules have the force of law, yet were never voted upon by the legislature.

The process by which these rules are written and established is dominated by special interest groups, which know that by controlling the rule writing process, they can essentially make law circumventing the legislative process.

Worse, the ability for school administrators, parents and teachers to change rules that they find harmful (but that special interest groups find useful) is limited so severely as to make it next to impossible.

But Measure 2 solves this problem. It establishes a responsible, fair process by which citizens can get the legislature to review administrative rules that are not productive.

Measure 2 will increase citizen involvement in our government, and help citizens regain authority that has been consolidated in state agency bureaucracies.

Special interest groups will urge you to vote no on Measure 2, because their wishes are quite well served by the current system, which they find easy to dominate.

The Oregon Education Coalition urges you to vote YES on Measure 2

(This information furnished by Rob Kremer, Oregon Education Coalition.)

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Measure No. 2 Arguments

ARGUMENT IN FAVOR

PROTECT OUR NEIGHBORHOODS – VOTE YES ON MEASURE #2

The Neighborhood Preservation Committee is working to bring more notification, more information and more citizen control to Oregon's land use planning process.

Special interest groups are controlling the destiny of neighborhoods all over the Portland/Metro area, and all over Oregon.

Administrative rules, passed by a non-elected commission in Salem, are requiring higher and higher housing densities in existing neighborhoods.

These high-density housing "administrative rules" are forcing over-crowding of schools, more traffic congestion, loss of open space, and other problems, all with little public notice, and with little public input.

Measure #2 would allow neighborhoods to challenge administrative rules to protect and maintain their communities.

Measure #2 would require the special interests groups to work with neighborhood groups, and would require accountability in the process.

If you care about your neighborhood, if you care about accountability, if you care about citizen involvement in the land use planning system, please vote yes on Measure #2.

(This information furnished by Kathryn Schiele, Neighborhood Preservation Committee.)

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

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ARGUMENT IN FAVOR

Administrative Rules Are The The Laws of Narrow Special Interests

Break the Special Interest Stranglehold on State Government – Vote Yes on Measure #2.

Administrative Rules are laws passed by non-elected bureaucrats in Salem. These rules are passed without a vote of the people, without a vote of your elected officials, and without adequate opportunities for you to participate in the process.

As a result, special interests control the "administrative rules" process behind the scenes.

Many times the Legislature will pass intentionally vague laws so that special interests can work with the state agencies and draft special provisions for the special interest groups to get their way. These special provisions would never pass under the scrutiny of the public process with elected officials who are accountable to the citizens.

Special interests get their way, the politicians can duck tough issues – and Oregon citizens are left out of the process.

Measure #2 creates a simple process so that Oregon citizens can require the legislature to vote on the laws created by the bureaucracy. No more avoiding the tough vote by passing the buck to the state agencies.

Measure #2 holds the special interests and the politicians accountable – Oregonians are entitled to that.

(This information furnished by Larry George, Citizens for Accountability in Administrative Rules.)

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Measure No. 2 Arguments

ARGUMENT IN FAVOR

Protect the Oregon Family Farm Vote Yes on Measure #2

It is wrong for small family farmers and ranchers to be locked out of the process because we do not have powerful, high-paid lobbyists lurking the halls of state agencies.

Powerful special interest groups have a great deal of influence and power over administrative rules (laws created by state agencies).

Powerful special interests lobby for and testify in favor of state agency budgets, then those state agencies write administrative rules (laws) which benefit special interests.

Some administrative rules threaten the very existence of the small Oregon farmer. One administrative rule says that a small farmer isn't a farmer unless he/she makes \$100,000 per year -- state agencies believe that 80% of Oregon's family farmers are not farmers at all, just because they aren't corporate farms that make a lot of money. The \$100,000 rule doesn't make sense in agriculture, and it is bad public policy.

Measure #2 create a process which opens up administrative rules to a public process -- a process to assure elected legislators have the final say on lawmaking, as intended in the Oregon Constitution.

In the legislative process there are checks and balances, and there is accountability. Measure 2 allows the family farmer the opportunity to require agency laws to go through the same Constitutional process as every other law. Where the elected lawmakers make the laws.

Protect Oregon's family farmers by voting for accountability in state government, vote YES on Measure #2.

(This information furnished by Dave Hunnicutt, Oregon Family Farm PAC.)

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ARGUMENT IN FAVOR

Did you know that non-elected bureaucrats can:

- Raise fees that cost you money
- Allow polluters to foul our air and water
- Stop you from voting on local issue

The sad truth is that new rules are made every day.

And our elected officials are powerless to do anything about it.

They're called administrative rules.

Currently, numerous boards, commissions, and state agencies create administrative rules. The average voter doesn't know where they come from, who made them up, or even why we don't have some control over the agencies we created.

That's why we need to pass Measure 2.

Measure 2 is About Citizen Involvement

Measure 2 simply allows citizens to gather signatures on a petition. If enough signatures are gathered, the legislature is required to review administrative rules we think are unfair, unwise, too weak, too heavy handed, or too costly.

Like the rule that allow companies to dump toxic sludge in our rivers.

Or the one that says a barber can't let his dog lie in the corner of his shop.

Measure 2 Doesn't Change One Single Rule that Already Exists

But it does give citizens a voice...

A chance to tell the Legislature that our beliefs and feelings are being ignored...

A chance for average citizens to take control away from special interest groups.

Vote Yes on Measure 2

Vote Yes for More Citizen Involvement

(This information furnished by Rita Swyers.)

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Measure No. 2 Arguments

ARGUMENT IN FAVOR

Don't Let Special Interests Mislead You

How can a ballot measure that gives the people the power to petition their state government be anything but good?

Special interests will try to tell you giving citizens the right to challenge state agency "laws" as a bad thing -- Don't let them mislead you!!!

Measure 2 gives power back to the citizens

Measure 2 can save the taxpayers money

Measure 2 restores the checks and balances in state government

Measure 2 breaks the "special interest" control in state government

Thirty-three other states have now adopted laws requiring review of state agency laws, because this is good public policy.

Special interests know that Measure 2 would break their monopoly on state agency lawmaking. If you hear outrageous claims against Measure 2, remember, they are from special interests who have a great deal to lose when we allow and encourage citizen involvement in state government.

Vote Yes for Citizen Involvement

Vote Yes on Measure 2.

(This information furnished by Frank Nims, Oregonians In Action.)

ARGUMENT IN FAVOR

Help Protect The Family Farm Vote Yes on Measure 2

Measure 2 will help small farmers have a voice in state government, a voice we do not currently have.

Measure 2 creates a process that should already be the law, and one that many other states already have.

Measure 2 will help in several important ways:

- 1) Measure 2 would make state government more accountable to Oregonians
- 2) Measure 2 would counteract special interests' and lobbyists' influence
- 3) Measure 2 would open-up state government

Administrative rules are laws, just like those laws passed by a majority of our state senators and state representatives, and eventually approved by the governor -- but administrative rules do not go through the careful "checks and balances" of the legislative process.

Simply put: state agencies are writing laws. State agencies are lobbied and influenced by special interests and there are very few ways that the average citizen can influence this process. Measure 2 fixes this problem.

Family farmers have found that state agencies react to special interest lobbying and protect moneyed interests, many times to our detriment.

Rules have even been written to specifically limit small family farms. This must stop. It is not fair, and it not good public policy. Measure 2 will help fix this problem.

The Oregon Family Farm PAC urges you to vote YES on Measure 2

(This information furnished by Dave Hunnicutt, Oregon Family Farm PAC.)

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Measure No. 2 Arguments

ARGUMENT IN FAVOR

The Oregon Association of REALTORS® supports Ballot Measure 2.

Administrative agencies adopt rules that have the same effect on Oregonians as laws passed by the Legislature. These rules are adopted without any oversight or accountability because the bureaucrats that adopt these rules were not elected and cannot be voted out of office.

State administrative rules are usually meant to carry out the laws enacted by the Legislature, not to create new laws. However, administrative agencies use their rule-making powers to create new laws all the time.

Ballot Measure 2 would create oversight and accountability. Ballot Measure 2 requires that any rule challenged by a petition of 10,000 voters would need to be passed by the Legislature and signed by the Governor. Otherwise, the rule would have no further effect. To create a law, the Legislature must pass it and the Governor must sign it. Bureaucrats should be held accountable too!

If the bureaucrats enact a rule that takes away the property rights of Oregonians, the rule could be challenged under Ballot Measure 2. The bureaucrats could be forced to explain the reasons for the rule to the Legislature and to the public. Ballot Measure 2 could help to prevent the enforcement of rules that take away your rights.

Ballot Measure 2 is about fairness, democracy and accountability. Unelected bureaucrats should not have more power over Oregonians' lives than the people elected to the Legislature.

The Oregon Association of REALTORS® supports Ballot Measure 2 and urges you to VOTE YES on this important issue.

(This information furnished by Jana B. Jarvis, Oregon Association of REALTORS.)

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ARGUMENT IN FAVOR

Taxpayer Association of Oregon

Laws should be enacted by those who answer to the voters.

This is becoming more of the exception rather than the rule. For whatever reason, successive legislatures have essentially given non-elected state agencies enormous powers to affect the lives of our citizens and their businesses, by allowing them to create "administrative rules".

They may call them rules, but they have the force of law. These rules allow bureaucrats to impose arbitrarily large fees, severe penalties and restrictions to which citizens have little recourse.

There are countless stories of Oregonians who have been hit with rules that are often unnecessary ... but also are often unreasonable, unfair, intrusive, counterproductive, or just plain wrong.

Over 124,000 Oregonians have put Measure #2 on the ballot to provide relief from poorly thought out rules. Measure #2 simply provides a way for citizens to require the state legislature to review and vote on the rules.

Measure 2 can force elected officials to exercise oversight and ultimate responsibility for administrative rules, by giving citizens a workable avenue of appeal when they are unfairly abused by the bureaucracy.

Vote Yes on 2.

For more information on the Taxpayer Association of Oregon, visit our website at www.oregonwatchdog.com

(This information furnished by Jason D. Williams, Taxpayer Association of Oregon.)

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Measure No. 2 Arguments

ARGUMENT IN FAVOR

Oregon Grange

The Oregon State Grange Asks You To Vote Yes On Measure 2.

The Oregon State Grange is the largest grassroots, rural-based fraternal organization in the state with 246 local Granges.

Grange members believe that an open and responsive state government is vital for good government, and that is why we are urging you to vote yes on Measure 2.

No matter what issues you care about, the environment, education, or crime and punishment, Measure 2 gives Oregon citizens more power over their state government.

Citizens Should Have The Right To Petition Their Government.

Oregon was the first state to give its citizens the right to circulate petitions to change state law. The Grange was the first organization to fight for this important right in Oregon. Direct democracy has been a proud Oregon tradition for over 90 years.

Over the past 30 years we have seen a substantial growth in "administrative rules". Administrative rules are laws created by non-elected state bureaucrats who work in state agencies. Currently no process exists for citizens to petition their state government to review administrative rules. Measure 2 corrects this problem.

Measure 2 will require the Legislature to review "administrative rules" when citizens disagree with the actions of bureaucrats and then take action.

Measure 2 is about giving you more say over what happens in Salem. The Oregon State Grange urges your "Yes" vote on Measure 2.

(This information furnished by Catherine Johnston, The Oregon State Grange.)

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ARGUMENT IN FAVOR

Support People's Oversight on Government Regulations Vote Yes on Measure #2

People elect officials to represent them!

Elected officials are to represent the wishes of the people who elected them, and in most cases they pass laws that reflect the people's needs. Ballot Measures passed by the people, also become laws of the state. However, some state agencies ignore the people's voice and the legislative "intent" of law when they produce "administrative rules."

Non-elected bureaucrats create laws!

Administrative rules created by state agencies allow special interests and personal agendas to be implemented. This rulemaking avoids the voters, and avoids the check and balances of the legislature. Bureaucrats who work for state agencies are not elected by the public and therefore are not held accountable to the public. They create "law" by creating rules which govern the citizens of the state.

What is wrong with making agencies accountable?

Even elected officials cannot control the state agencies' rule making process. Measure #2 creates a straightforward, simple process which allows the citizens to challenge and require the legislature to review administrative rules. It is simple, it fair, and is long over due. People and the Legislature deserve accountability from state agency rule makers.

How much will it cost?

Do not let opponents fool you by saying that Measure #2 would cause long legislative sessions at a huge cost to state government. That simply is NOT the truth. If Measure #2 passes, state agencies will soon learn to create and administer rules with the "full and clear intent" of law the first time around so challenges to their rules become unnecessary.

Measure #2 allows for much needed accountability.

The Oregon Cattlemen's Association strongly urges you to support Measure #2

(This information furnished by John V. Hays, Oregon Cattlemen's Association.)

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Measure No. 2 Arguments

ARGUMENT IN FAVOR

I've been there; I have seen the special interests in action, and I urge you to vote yes on Measure #2!

In the early 1990's, I was elected to serve in the Oregon House of Representatives. I quickly realized that the special interest's secret that most Oregonians are unaware of is the administrative rules process.

Administrative rules are laws, but elected officials do not create these laws.

Administrative rules are created by non-elected bureaucrats in state agencies who are not accountable to the Oregon voter.

Special Interests like administrative rules because they can get laws outside public scrutiny.

Career Politicians like administrative rules because they can pass the responsibility for these laws on to the state agencies, and the politician can avoid public accountability.

In the 1993 legislative session, I tried to get a similar measure referred to the people through the legislature: career politicians and special interests killed the proposal. Finally, the citizens have said enough and collected the signatures needed to demand accountability in Oregon's administrative rule process.

Please Vote Yes for Accountability

Vote Yes for Measure #2

Fred Girod
Former State Representative
District #30

(This information furnished by Fred Girod.)

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ARGUMENT IN FAVOR

Strengthen Citizen Involvement – Vote Yes on Measure 2

Citizen Involvement and Legislative Review are Good Things, Unless You're a Special Interest Group

In the next few pages, you will read arguments from special interest groups talking about how the sky will fall if Measure 2 passes. What a joke.

All Measure 2 does is give you, the average citizen, the right to force your legislature to review an administrative rule passed by a non-elected board or commission. As citizens, we have the right to demand that our elected representatives take control over the laws they pass. Under our current laws, once the legislature creates a law, the non-elected boards and commissions take over, and the legislature (and citizens) loses all authority to make sure their law is carried out in the way it was intended.

Administrative rules are adopted by political appointees

The commission and boards that create administrative rules are filled with political appointees who supported the political winners in the last election. These people are not elected, are not accountable to the voters, and usually have a political agenda just like a legislator.

Unfortunately, although the boards and commissions are as political as the legislature, they are not elected, and the public has no way to review their actions. This is wrong.

Who will oppose Measure 2

Special Interests and extremist organizations.

The same people who oppose Measure 2 are those who opposed the citizen notification law, Ballot Measure 56. These extremists said notifying citizens of zoning changes to their property would "gut" Oregon's land use planning system. Oregonians rejected these outrageous claims and passed Measure 56 by over 80%. Measure 56 has strengthened citizen involvement – and so will Measure #2.

How can a Measure which requires a citizen petition and a legislative review be bad? If you do not like the scrutiny of public opinion! Reject the outrageous claims of special interests, Vote Yes on Measure #2.

(This information furnished by Larry George, Citizens for Accountability in Administrative Rules.)

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Measure No. 2 Arguments

ARGUMENT IN OPPOSITION

THE LEAGUE OF WOMEN VOTERS URGES YOU TO VOTE NO ON MEASURE 2

The League of Women Voters of Oregon asks you to oppose Measure 2.

Measure 2 would be an unnecessary and dangerous addition to Oregon's Constitution. Administrative rules are written to implement law made by the Legislature. Oregon's Constitution should not be cluttered with such legislative and administrative matters.

UNNECESSARY

Administrative rules are written to prevent agencies from arbitrarily or capriciously interpreting statute. Current law provides safeguards to the administrative rule-making process. It requires state agencies to give notice of rule-making, to disseminate proposed rules to interested parties, to hold public hearings. Current law provides both legislative and legal remedies to citizens believing an agency has exceeded its authority.

Oregon voters and the Oregon Legislature have repeatedly opposed creating a new process for legislative review of administrative rules. All state agencies would be affected including those dealing with public health, safety, the environment.

DANGEROUS

Unlike earlier ballot measures and bills introduced into the Legislature, Measure 2 would allow as few as 10,000 voters to petition the Legislature for a review of an administrative rule or rules. An individual or corporation with paid signature gatherers could file such a petition. Because Committee Chairs have the choice to hear or not to hear a bill, the bill/petition might never have a hearing. The dangerous result would be that the bill/petition in Measure 2 language "has no further force or effect after adjournment". The petition would, in such a situation, render the administrative rule null and void -- without any hearing at all.

This provision of Measure 2 raises the potential for an agency rule being negated without any public response what so ever.

Measure 2 is not in the public's interest. It is bad public policy. It is both unnecessary and dangerous.

The League of Women Voters of Oregon urges you to vote NO on Measure 2.

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

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ARGUMENT IN OPPOSITION

THE ACLU OF OREGON URGES YOU TO VOTE NO ON MEASURE 2

Measure 2 is anti-democratic

Currently, rule making in Oregon is an open process with public hearings and opportunities for citizens to work with public agencies to craft responsible rules. Measure 2 will allow rules that have been created in an open process to be nullified behind closed doors.

Measure 2 reduces political accountability

Measure 2 will allow a small number of voters to send state agency rules into limbo without any political accountability. Under our current system the presumption is that making or amending law requires action by the legislative and executive branches of government. However, Measure 2 reverses that presumption by allowing the **non-action** of the Legislature (i.e., not considering an administrative rule) to have a legislative effect—nullifying the rule.

Measure 2 undermines the balance of powers among our branches of government

Our constitutional form of government requires checks and balances among the three branches of government: executive, legislative and judicial. The ACLU of Oregon believes the separation of powers doctrine is essential to protecting the Bill of Rights because it keeps any one branch of government from becoming too powerful. Measure 2 inappropriately gives the Legislature the power to override executive branch decisions without requiring a vote of both houses of the legislature.

Measure 2 is not necessary

Checks and balances on administrative rules already exist. Under our current system, the Legislature already has the power to change an administrative rule – by changing the enabling law. Additionally, there already is a process for citizens to challenge administrative rules in court.

Please VOTE NO on Measure 2

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. 2 Arguments

ARGUMENT IN OPPOSITION

**Oregon Recreation & Park Association
Oregon Parks Association
Oppose Measure 2**

The Oregon Recreation & Park Association and the Oregon Parks Association, organizations representing over 500 professional members that provide park and recreation services throughout the state, urge you to vote "NO" on Measure 2.

Measure 2 is aimed at radically altering the governing process in Oregon. **It amends the Oregon Constitution to allow special interests to overturn any administrative rule. It could increase the cost of government while creating an unpredictable and unstable environment for business, government and ordinary citizens.** Measure 2 is a devious end run, aimed at universally accepted functions of representative government.

Oregon currently has over 12,000 administrative rules that implement legislation including: provisions for parks, trails and open space; land use goals, environmental protection; the Oregon Health Plan; local taxing authority; and more. Measure 2 could allow special interests to overturn any of these rules without a vote of the Legislature or the people.

The measure would require the Legislature to review any administrative rule that someone challenges by collecting only 10,000 signatures. At the going rate for signatures this could cost very little. Measure 2 gives special interests a big advantage over ordinary citizens and throws a monkey wrench into the public process of administrative rules setting.

Measure 2 is a reprise of Measure 65 which was defeated in 1998 by a broad coalition of citizen groups and businesses. While it was designed as an open and blatant attack on Oregon's land use planning system and sponsored by the anti-land use regulation group Oregonians in Action, it can result in a much broader impact.

Ballot Measure 2 is unnecessary, unreasonable, undemocratic and Oregon's voters should reject it.

**Save Oregon's Administrative Rules Process.
Vote "NO" on Measure 2.**

**Oregon Recreation & Park Association
Oregon Parks Association**

(This information furnished by Stephen A. Bosak, Oregon Recreation & Park Association, Oregon Parks Association.)

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

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ARGUMENT IN OPPOSITION

**Working Families Only Stand To Lose From Measure 2
Vote NO on Measure 2**

Many of Oregon's administrative rules directly affect the workplace of Oregon's workers - and many more affect and protect workers in their homes and in their neighborhoods. Measure 2 would give corporate or wealthy interests a tool with which to undermine these protections and safeguards.

Under Measure 2, any rule that protects the safety and health of Oregon's employees while on the job; that ensures evenhanded enforcement of minimum wage or anti-discrimination laws; that provides for fair handling of employer/employee disputes - all these rules could be in jeopardy.

Off the job, workers become citizens, residents, and consumers. Measure 2 provides an open door for special interests that want to undermine consumer protections, pollution controls, land use agreements, and other important safeguards of our quality of life in Oregon.

There is no need to jeopardize all of these important worker and consumer protections when the legislature already has the power to override the rule-making process with legislation. Measure 2 is unnecessary!

VOTE NO ON MEASURE 2

This voters pamphlet statement brought to you by the

Oregon AFL-CIO
OPEU, SEIU Local 503

(This information furnished by Rich Peppers, Oregon Public Employees Union, SEIU Local 503.)

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Measure No. 2 Arguments

ARGUMENT IN OPPOSITION

STATEMENT BY FORMER OREGON GOVERNORS MARK HATFIELD AND VIC ATIYEH In Opposition to Measure 2

We each have decades of experience in government, both as lawmakers and as Oregon's chief executive. That experience leads us to oppose Measure 2 for several reasons:

First, the measure is unnecessary.

The Oregon Legislature already has a process for reviewing administrative rules they consider inappropriate. State law already allows anyone affected by administrative rules to challenge them in court; if the court finds the rules exceed the authority granted the agency by the Legislature, it can invalidate those rules. Finally, the Legislature may pass legislation at any time to repeal or amend administrative rules they find objectionable.

Second, it is undemocratic.

Measure 2 creates a process by which a small number of petition signers, combined with a minority of the Legislature, can block the execution of laws passed by the full Legislature. This is not democratic.

Third, it gives the Legislature new and inappropriate power over the executive branch.

The Governor and the state agencies he or she directs are charged with carrying out the laws passed by the Legislature. Measure 2 would allow a small number of petitioners and a single powerful chair of a legislative committee to invalidate the rules state agencies adopted in order to carry out the laws. Measure 2 would give the Legislature the power not only to adopt the laws but also to control their administration. This is too much power in one branch of government.

Fourth, this measure does not belong in our state Constitution.

Our state Constitution, like our national Constitution, should be reserved for fundamental principles and the essential structures of government. We should not amend our Constitution to add an unnecessary and troubling provision like Measure 2.

We urge you to join us in voting "no" on Measure 2.

Mark Hatfield
Governor of Oregon, 1959-1967
U.S. Senator 1967-1996

Vic Atiyeh
Governor of Oregon, 1979-1987

(This information furnished by Mark Hatfield.)

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ARGUMENT IN OPPOSITION

OREGON'S BUSINESS COMMUNITY URGES YOU TO VOTE NO ON MEASURE 2

As members of Oregon's business community, we are proud of our role making Oregon work. Oregon succeeds when business, government and citizens can work in a partnership, creating an environment that makes our state a great place to live and do business.

For business, a critical part of that environment is a stable, rational system for making rules we must follow on a day-to-day basis. That includes health and safety rules, tax accounting procedures, air and water pollution control, food growing and packaging standards, and just about anything to do with employees' insurance coverage.

Right now, these rules are made by Departments, Board and Commissions that have expertise in their respective areas. And there is a process for us and everyone else to work with those officials as rules are drafted. We may not always agree with them. But there is a process to appeal. Most important, the system is stable and predictable.

Without that stability, Oregon would be a much less attractive state in which to do business. And it's precisely that stability which Measure 2 would destroy. It is a threat to every Oregon business -- from small family farmer to major corporation -- and those who are employed by them. Imagine playing a game where the rules changed whenever someone with an axe to grind didn't like them. It would create an intolerable situation which would threaten Oregon's strong economy.

Measure 2 is poorly written and has no place in Oregon's Constitution. Whatever the proponents of this measure intended, it will do much that is unintended. We urge you to defeat measure 2.

VOTE NO ON MEASURE 2 BAD FOR BUSINESS. BAD FOR OREGON.

Oregon Business Association
Northwest Environmental Business Council
Fred Miller, Portland General Electric
Bill Williams, Bear Creek Corporation
Brett Wilcox, Northwest Aluminum
Jim Johnson, Intel Corporation

(This information furnished by Nik Blosser, Oregon Business Association.)

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

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Measure No. 2 Arguments

ARGUMENT IN OPPOSITION

Oregon Police and Prosecutors Say MEASURE 2 ENDANGERS PUBLIC SAFETY

A dangerous initiative on the ballot this November could find a hiding place in Oregon's Constitution and steal away many of the crucial protections that keep our communities safe.

Measure 2 seems innocuous enough. After all, what could be wrong with letting the Legislature review administrative rules?

Plenty, as it turns out. For one thing, it is totally unnecessary. There are already many checks and balances on the administrative process, and many ways to challenge rules with which you do not agree. For another, it could tie the Legislature and the courts up with frivolous and petty challenges to all kinds of rules. There is certainly no need to put this untested scheme in our Constitution.

Moreover, Measure 2 is not really about reviewing rules. It's about repealing them—without giving the people an opportunity to have their say.

Under Measure 2, hundreds of rules that protect the public from dangerous criminals and ensure justice for law-abiding citizens could be repealed without a vote of the people or the Legislature.

That would be a crime.

What are some of the rules that could be put at risk under Measure 2's undemocratic process?

- Sentencing guidelines.
- Sex offender registration and community notification requirements.
- Rules governing crime victim compensation.
- Minimum standards for employment as a law enforcement officer.
- Regulations governing prison terms, parole, and post-prison supervision.

Protect yourself. Don't be fooled by this measure.

VOTE NO ON MEASURE 2.

Sheriff Ris Bradshaw Clackamas County	Sheriff Dan Noelle Multnomah County
Sheriff John Pardon Douglas County	Sheriff Stan Robson Benton County

(This information furnished by Sheriff Dan Noelle.)

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

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ARGUMENT IN OPPOSITION

GOVERNOR JOHN KITZHABER URGES YOU TO VOTE NO ON MEASURE 2

Dear Fellow Oregonians,

Measure 2 is another huge waste of taxpayer dollars that doesn't even solve a problem. Citizens already have plenty of ways to challenge administrative rules in Oregon. And Measure 2 doesn't just waste money – it will let any special interest or individual with an axe to grind tie up our Legislature and our courts with frivolous and petty challenges to all kinds of rules.

For instance, polluters could block rules protecting clean air and safe drinking water and requiring the cleanup of toxic waste, all without a vote of the people or the Legislature. And Measure 2 would lock all these costly and dangerous things in the Oregon Constitution.

I urge you to vote "no" on measure 2 this November.

KEEP OREGON'S ECONOMY AND ENVIRONMENT HEALTHY VOTE NO ON MEASURE 2

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

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Measure No. 2 Arguments

ARGUMENT IN OPPOSITION

PROTECT THE COLUMBIA GORGE VOTE NO ON 2

The Columbia Gorge is a national treasure that must be protected for our children and future generations.

Passage of Measure 2 could ruin this scenic treasure within a lifetime.

Measure 2 could allow special interests to overturn any state administrative rule that protects the Columbia Gorge from urban sprawl, rampant development, pollution, open-pit mining, or irresponsible clearcutting. For approximately \$10,000 of paid petitioning, special interests could derail existing Gorge protections if the Legislature failed to pass them. Yes, even the Legislature's failure to vote on a rule would result in the rule being overturned.

These are administrative rules that help keep the Gorge a national treasure:

- State rules that implement the Columbia River Gorge National Scenic Area Act.
- Rules that help Gorge communities plan urban growth to ensure livability.
- Rules to protect river corridors and salmon habitat.

Think about your favorite place in the Gorge and the times that you've spent with friends and family at this special place. Now imagine it forever ruined because special interests were able to erase rules that protect the Gorge.

Whether you live in the Gorge or experience it through sightseeing, hiking, picnicking or fishing – whether you go to the Gorge often or just once in a while, it's important to protect this priceless part of our natural heritage.

For big businesses, \$10,000 of paid petitioning would be a small price to pay for unchecked development, mining and logging in the Gorge.

Protect the Gorge and vote "No" on Measure 2.

ENDORSERS:

Nancy Russell, founder, Friends of the Columbia Gorge
 Dr. John Reynolds, chair, Friends of the Columbia Gorge
 North Cheatham, orchardist, Hood River
 Dr. William Bell, Columbia Gorge Community College President,
 The Dalles
 Barbara and Robert Bailey, orchardists, The Dalles
 State Representative Chris Beck
 Former State Senator Dick Springer

(This information furnished by Michael Lang, Friends of the Columbia Gorge.)

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ARGUMENT IN OPPOSITION

OREGON CHAPTERS OF THE AUDUBON SOCIETY URGE YOU TO VOTE NO ON MEASURE 2

Why Give Special Interests Greater Power To Undermine Oregon's Quality Of Life?

Why is Oregon special? We live here because of our love and respect for the natural world. Historically, Oregon's citizens have fought hard to protect wildlife and wild places.

But Measure 2 takes power away from citizens who want to defend the health of our state's environment and puts it in the hands of wealthy special interests who place their own interests above the rules and laws protecting our quality of life.

Measure 2 Devastates Citizens' Ability To Protect Fish And Wildlife Habitat

Measure 2 will let any special interest or individual opposed to protecting fish and wildlife tie up our legislature and our courts with baseless challenges. Polluters could block rules protecting clean air and safe drinking water and requiring the cleanup of toxic waste, and developers could eliminate safeguards for wetlands and streambank protections—all without a vote of the people or the Legislature.

And Measure 2 would lock all these costly and dangerous things in the Oregon Constitution.

Measure 2 Has Unknown, Dangerous Consequences

Measure 2 is vague, confusing, and poorly written. It could have devastating effects on the laws that protect our environment, our communities, and the health and safety of all Oregonians.

If Measure 2 passes, we lose our ability to keep our communities good places to live for both wildlife and people.

WE URGE YOU TO VOTE NO ON MEASURE 2

Audubon Society of Corvallis
 Audubon Society of Portland
 Cape Arago Audubon Society
 Central Oregon Audubon Society
 Columbia Gorge Audubon Society
 Kalmiopsis Audubon Society
 Lane County Audubon Society
 Rogue Valley Audubon Society
 Salem Audubon Society
 Siskiyou Audubon Society

(This information furnished by Ron Carley, Audubon Society of Portland.)

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Measure No. 2 Arguments

ARGUMENT IN OPPOSITION

OREGON FAMILY FARMERS OPPOSE MEASURE 2

As family farmers and ranchers from every corner of Oregon, we respectfully ask our fellow Oregonians to VOTE NO ON MEASURE 2 to protect Oregon's farm, ranch, and forest lands.

We are Oregonians who make our living by growing crops, livestock, and trees. Oregon's land use planning rules, including farm and forest zoning, are what has protected our land from uncontrolled urban sprawl and rural development. These rules have been essential to maintaining the basic livelihood of thousands of Oregon families who earn their living in agriculture, and have enabled Oregon's farms, nurseries, ranches, and forests to contribute billions of dollars to our state's economy.

MEASURE 2 WOULD HARM OREGON FARMERS

The sponsors of Measure 2 have made it very clear that they intend to use the measure to weaken or repeal the rules that promote responsible development and protect farm, range, and forest lands from being covered by subdivisions. This would threaten the viability of a major Oregon industry and undermine the quality of life for citizens of our state.

Please vote no on Measure 2.

Bob & Barbara Bailey
Cherries
Wasco County

Mark Tipperman
Cattle, Timber
Union County

Gary L. Harris
Onion & Carrot Seeds
Jefferson County

Donald Logan
Christmas Trees, Hay, Timber
Washington County

Lois & Clif Kenagy
Row Crops
Benton County

David and Diana Lett
Wine Grapes
Yamhill County

Ambrose & Susan McAuliffe
Cattle & Calves
Klamath County

Jim Monroe
Sheep, Timber
Linn County

Dave & Ellen Vanasche
Grass and Legume Seed
Washington County

Jim Wood
Cattle, Horses, Hay, Timber
Crook County

J & T Farms
Vegetable Seed, Grass Seed, Hay, Grain,
Commercial Horse Stables
Marion County

Jud & Diana Parsons
Timber, Christmas Trees, Grass Seed
Jackson and Marion Counties

Michael & Susan McCarthy
Pears, Apples, Hay, Timber, Cattle
Hood River County

(This information furnished by Diana Parsons, Hill Crest Orchards.)

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ARGUMENT IN OPPOSITION

OREGON NURSERY OWNERS AND OPERATORS OPPOSE MEASURE 2

As owners and operators of nurseries, we respectfully ask our fellow Oregonians to VOTE NO ON MEASURE 2 to protect the land base needed for our industry to continue to thrive and provide jobs for Oregonians.

Nurseries in Oregon are mostly small, owner-operated firms, but our industry is making a big contribution to our state's prosperity. Oregon's fast-growing nursery industry is now the largest contributor to our state's \$3.5 billion agricultural economy. In 1998, Oregon trailed only California and Florida in total horticultural production, with a record \$532 million in sales—an increase of 8% over 1997.

Unlike many other agricultural commodities, most of Oregon's nursery products are grown in counties that also have large urban populations. The top five nursery producing counties in the state are Marion, Clackamas, Washington, Yamhill, and Multnomah Counties.

By protecting our industry's land base from uncontrolled urban sprawl, Oregon's land use and farmland protection rules have enabled nurseries to flourish, even in the face of rapid population growth. These rules have been essential to maintaining the basic livelihood of thousands of Oregonians who earn their living in nurseries and other agricultural operations.

MEASURE 2 WOULD HARM OREGON'S NURSERY INDUSTRY

The sponsors of Measure 2 have made it very clear that they intend to use the measure to weaken or repeal the rules that promote responsible development and protect agricultural land from being covered by subdivisions. This would threaten the viability of Oregon's nursery industry and undermine the quality of life for citizens of our state.

PLEASE VOTE NO ON MEASURE 2.

Alice Doyle and Greg Lee
Log House Plants
Cottage Grove

Bob Iwasaki
Nurseryman
Washington County

Susan Anderson
Anderson Gardens
Hillsboro

Rod Park
Park's Nursery
Gresham

Drew Hunter
Nursery Operator
Salem

Marcus Simantel
Retired Nurseryman
Portland

Jim Gilbert
Northwoods Nursery
Molalla

(This information furnished by Greg Lee.)

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Measure No. 2 Arguments

ARGUMENT IN OPPOSITION

Teachers, Educators and School Boards Urge You to VOTE NO on 2

Professional educators establish rules for school districts to follow with respect to school curriculum, instructional guidelines, teacher licensing and school auditing and accountability. Measure 2 threatens the quality of public education in Oregon by allowing any special interest group to overturn rules without even a vote of the Legislature. We need professional educators, PTA's, teachers, superintendents and local school boards determining what our children learn, not narrow special interest groups.

Administrative rules dealing with curriculum, teacher licensing and other education functions must go through a lengthy, public process before being adopted. Citizens can have extensive input into this process, and rules can be overturned by the Legislature if needed. Measure 2 would throw that careful process completely out of balance by allowing a special interest to put rules at risk.

That's not good government, and it's not good for our children's education system.

In addition, Measure 2 will likely waste taxpayer dollars, impacting the state's ability to fund public education. We should be spending money directly in the classroom, not on lawyers and litigation.

Don't let special interests jeopardize our public school system. Measure 2 has many unintended consequences and does not belong in Oregon's Constitution.

PLEASE VOTE NO on 2

**Oregon Education Association
Oregon School Boards Association
Confederation of Oregon School Administrators
American Federation of Teachers -- Oregon**

(This information furnished by Tricia Bosak, Oregon Education Assoc.)

ARGUMENT IN OPPOSITION

PROTECT OREGON'S COAST VOTE NO ON 2

How much pride could we take in beaches we couldn't get to, views we couldn't see and rivers and estuaries we couldn't protect? Oregonians have a long tradition of stewardship over our coastal region. Measure 2 could have a devastating effect on Oregon's coast, by drastically eroding the laws designed to protect it.

Measure 2 would allow any special interest with an estimated \$10,000 to spend to place any administrative rule in limbo. These rules are the mechanism that make our coastal protection laws work. We can be certain that if this measure passes, we will see challenges to rules that assure public access and protect coastal resources.

What might Measure 2 do to Oregon's Coast? We would likely see attacks on any or all of the following rules that:

- Enforce Oregon's cherished Beach Law, which keeps our beaches open to all
- Protect public access to the shoreline
- Protect endangered coastal salmon runs and aquatic habitat
- Restrict inappropriate development on crumbling bluffs, dunes, flood-prone areas
- Conserve our estuaries
- Restrict landowners from drastically altering the shoreline for their convenience

BEWARE UNINTENDED CONSEQUENCES

Measure 2 is so poorly written no one knows just what the consequences would be. But the likely result is that when protections are thrown out to benefit the few, property values, livability and recreational opportunities will be reduced for everyone else.

Those who love Oregon's coast know that administrative rules protect everything from tidepools to scenic overlooks, from riparian areas to mudflats, from beach access to wildlife habitat. As citizens who value Oregon's tradition of coastal stewardship, we urge you to VOTE NO ON MEASURE 2.

Oregon Shores Conservation Coalition
Kalmiopsis Audubon Society
Citizens for Orderly Development, Curry County
Cape Arago Audubon Society
Oregon Chapter, Surfrider Foundation
Columbia Deepening Opposition Group
Citizens For Florence
Doug Thompson, Astoria City Councilor
Cheryl Thorp, Curry County Commissioner
Lori Hollingsworth, Lincoln City Councilor

(This information furnished by Phillip Johnson, Oregon Shores Conservation Coalition.)

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Measure No. 2 Arguments

ARGUMENT IN OPPOSITION

SALMON FOR ALL

URGES A NO VOTE ON MEASURE 2

Salmon for All knows what is good for the fish is good for the fishermen. Measure 2 would harm fisheries and the economies supported by coastal fisheries. Measure 2 would allow industrial polluters, politicians and special interests to overturn rules that protect salmon, essential fish habitat and water quality.

MEASURE 2 HURTS SALMON MEASURE 2 HURTS OREGON'S FISHERMEN

Here are five reasons SALMON FOR ALL members want you to join us in voting **NO on Measure 2**.

1. **THREATENS RULES PROTECTING SALMON.** The Oregon Salmon Plan, the Oregon Forest Practices Act, Select Area Fisheries and other key programs that offer protection to salmon will be in jeopardy if Measure 2 passes.
2. **MEASURE 2 DOESN'T BELONG IN OREGON'S CONSTITUTION.** Measure 2 is so poorly written, that it lets any special interest tie up our legislature and our courts with frivolous and petty challenges to all kinds of important rules.
3. **MEASURE 2 IS UNNECESSARY.** Measure 2 wastes the taxpayer's money on a poorly written constitutional amendment that creates more problems than it solves. We already have plenty of ways for citizens to challenge rules.
4. **MEASURE 2 WILL HARM FISHERIES.** Measure 2 could eliminate timing windows for industrial in-water work periods and water quality protections, which will harm salmon.
5. **MEASURE 2 WILL HARM FISHERIES WHICH SUPPORT COASTAL ECONOMIES.** Measure 2 would eliminate rules that protect valuable fisheries.

SAVE SALMON PROTECT OREGON'S FISHERMEN VOTE NO ON 2

Salmon for All

(This information furnished by Lovenia Warren, Salmon for All.)

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ARGUMENT IN OPPOSITION

NW STEELHEADERS

VOTE NO ON 2

MEASURE 2 HURTS OREGON'S FISH AND FISHERMEN

Under Measure 2 any special interest or individual with an axe to grind can repeal any kind of rule including important rules protecting fish and fish habitat. All you have to do to put a rule at risk is hire someone to gather 10,000 signatures. This measure would allow special interests and polluters to overturn rules that protect water quality, fish habitat, and fishing regulations.

Important Rules affecting fish that could be overturned:

- Wildfish Management Policies which protect naturally spawning wild fish.
- All Commercial and Recreational Angler Regulatory Limits

IT'S UNNECESSARY

Measure 2 doesn't solve a single problem. There are plenty of ways to challenge administrative rules. This just creates another way for special interests to hurt Oregon. Measure 2 allows any rule to be put at risk with only 10,000 signatures – it doesn't even require a vote of the legislature or the people – it's just too dangerous to put into Oregon's Constitution.

IT'S TOO EXPENSIVE

Oregonians will be spending more money on frivolous and petty challenges to all sorts of rules instead of spending money on important things like education, restoring fish habitat, and public safety. Measure 2 is a waste of taxpayer money. It will be a boon for special interests, polluters and signature gathering firms while average taxpayers like you and me will lose out.

NO ON 2

IT HURTS FISH

NW STEELHEADERS SAY VOTE NO ON 2

Association of Northwest Steelheaders

(This information furnished by Norman E. Ritchie, P.E., Association of Northwest Steelheaders.)

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Measure No. 2 Arguments

ARGUMENT IN OPPOSITION

STATEMENT IN OPPOSITION BY FORMER OREGON APPELLATE JUDGES

MEASURE 2 IN UNNECESSARY AND HARMFUL

If you find this measure confusing and poorly drafted, you are right. It is. It also threatens unexpected mischief for education, health care, and other public needs.

RULES ARE ADOPTED THROUGH AN OPEN PUBLIC PROCESS

The Oregon Legislature often assigns to state agencies the task of interpreting and carrying out laws, sometimes by administrative rules. Agencies can adopt permanent rules only after public notice and giving any citizen the opportunity to comment on the proposed rule. An oral hearing must be held if requested by ten or more people or an association having at least ten members.

THE LEGISLATURE CAN ALREADY REVIEW, REPEAL, OR AMEND AGENCY RULES

All new rules are already submitted to the Legislature for review, and lawmakers already "at any time, may review any proposed or adopted rule of a state agency" (ORS 183.725). Moreover, anyone can ask the Legislature to change any rule that departs from the Legislature's policies, without collecting 10,000 signatures.

COURTS CAN ALREADY OVERTURN RULES THAT CONFLICT WITH LAWS PASSED BY THE LEGISLATURE

Anyone affected by a rule who believes that it is unauthorized or contrary to a law passed by the Legislature can have it reviewed in court.

We heard many challenges to rules when we were active judges. Oregon courts invalidate rules that are not authorized or are inconsistent with the law.

A FEW PEOPLE SHOULD NOT BE ALLOWED TO STOP STATE AGENCIES FROM CARRYING OUT THE LAW

To permit a few people to stop agencies from administering existing statutes would be a radical and harmful departure from Oregon's constitutional separation of powers.

George M. Joseph
Chief Judge & Judge
Oregon Court of Appeals
1977-1992

Hans Linde
Justice
Oregon Supreme Court
1979-1990

William L. Richardson
Chief Judge & Judge
Oregon Court of Appeals
1976-1997

Betty Roberts
Justice
Oregon Supreme Court
1982-1986

Jacob Tanzer
Justice
Oregon Supreme Court
1980-1983

(This information furnished by Betty Roberts.)

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ARGUMENT IN OPPOSITION

RECREATIONAL AND COMMERCIAL FISHERMEN SAY, VOTE NO ON MEASURES 2 AND 7!

Everyone who cares about the future of fishing in Oregon should **VOTE NO ON MEASURES 2 AND 7.**

Why? It is harmful to Oregon's fish and fishermen.

Measure 2 - It's Unnecessary and Too Expensive

- Under Measure 2, any special interest or individual with an axe to grind can put any rule in jeopardy, including important rules protecting Oregon's fish and fish habitat, water quality and even fishing regulations.
- Some important rules which **could be overturned** include;
 - * Wildlife Management Policies which protect naturally spawning wild fish.
 - * All Commercial and Recreational Angler Regulatory Limits.
- Measure 2 doesn't solve a single problem, because there are already plenty of ways to challenge Oregon's administrative rules.

Measure 7 - Bankrupts Oregon - Reduces Access - Means Less Fish

- Could require taxpayers to **PAY** commercial developers to **NOT** destroy some of Oregon's most precious lakes and rivers. If the state or local county could not "pay up", then critical public resources that protect and replenish our watersheds, and nourish salmon and steelhead streams could be destroyed.
- Would overturn local zoning laws, opening up stream corridors to unregulated development, limiting access to Oregon's best salmon and steelhead rivers.
- Already adopted and reasonable limits on logging development along streams could be overturned. This would harm fish habitat and reduce fish runs.
- Rules ensuring instream flows for fish could **not** be enforced. No water? No fish!

VOTE NO ON MEASURES 2 AND 7

IT HURTS OREGON'S FISH AND FISHERMEN.

Pacific Coast Federation of Fishermen's Associations (PCFFA)
Oregon Council of the Federation of Fly Fishers*
Oregon Council, Trout Unlimited
Oregon Trout
Frank Amato, Frank Amato Publications

*Only opposed to Measure 2

(This information furnished by Caroline Fitchett, Oregon Community Protection PAC.)

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

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Measure No. 2 Arguments

ARGUMENT IN OPPOSITION

WHAT COULD MEASURE 2 DO? RUIN THE OREGON WE LOVE!

Oregon has the nation's strongest program to manage its growth.

It protects farmland and forestland. It curbs wasteful, sprawling development of endless strip malls that cause traffic congestion. It helps guarantee public beaches and makes more affordable housing available.

How? Through administrative rules. The Legislature itself decided to use rules instead of statutes to assure good planning. And three times, Oregon voters have rejected efforts to repeal this system—even during a recession.

Since they can't win in a fair process, anti-planning extremists are trying to deceive voters, and tilt the playing field by creating a new, dangerous process for repealing critical rules.

Measure 2 is Undemocratic and Dangerous

Measure 2 would lock into Oregon's Constitution an undemocratic process which would make it easy for a small group of extremists—or even an out-of-state corporation—to REPEAL the laws that protect our communities and our quality of life.

MEASURE 2 ALLOWS ANYONE WITH \$10,000 FOR PAID PETITIONING TO OVERRULE THE MAJORITY OF VOTERS—WITHOUT AN ELECTION OR A VOTE OF THE LEGISLATURE.

No wonder *The Daily Astorian* called Measure 2's predecessor, 1998's Measure 65, "The Frankenstein of ballot measures." (10/1/98)

LOVE OREGON? VOTE NO ON 2.

Friends of Douglas County
 Jackson County Citizens League
 Friends of Linn County
 Friends of Bend
 Oregon Shores Conservation Coalition
 Friends of Eugene
 1000 Friends of Oregon
 Friends of Yamhill County
 Hood River Valley Residents Committee
 Friends of Polk County
 Columbia County Citizens for Orderly Growth
 Citizens for Orderly Development (Curry County)
 Friends of Benton County
 Citizens For Florence
 Friends of Marion County
 Alliance for Responsible Land Use in Deschutes County

www.NoOn2and7.com

(This information furnished by Robert Liberty, 1000 Friends of Oregon.)

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ARGUMENT IN OPPOSITION

MEASURE 2 COULD BE HAZARDOUS TO YOUR HEALTH

There is a lot the supporters of Measure 2 won't tell you. Perhaps they are just interested in avoiding some of the rules they don't like. But in doing so, they could destroy a system that is absolutely critical for safeguarding the health of Oregonians.

Just about everything to do with protecting health and safety in Oregon comes through the administrative rules process. There is a good reason: these rules must be developed by professionals in health care, public health and other specialties. **But if Measure 2 passes, anyone can try to overturn important rules such as:**

- Communicable Disease Control in Day Care Facilities
- Rabies Control
- Confidential Government Reporting of Diseases
- Restaurant or Food Pushcart Inspections
- Tuberculosis Screening and Control
- Immunization Requirements
- Swimming Pool Regulations
- Certification of Public Drinking Water Systems
- Privacy of Medical Records

It is easy to imagine those who wish to increase their profits or reduce their responsibility challenging these rules and hundreds like them. It is also easy to imagine those with ideological agendas using this measure to force their beliefs on others – including trying to limit or disrupt access to family planning or other services that should be a matter between individuals, families and their doctors. **A measure as extreme as this does not belong in Oregon's Constitution.**

This is not a scare tactic: Measure 2 poses a direct threat to the system that protects the public's health in Oregon. It doesn't matter what the authors intended – this is what it actually could do.

Please don't be reckless with the health and safety of you and your family.

Vote NO on Measure 2

Oregon Nurses Association
 Planned Parenthood Affiliates of Oregon
 William Morton, MD, Portland
 David Fitchett, MD, Albany
 Eric Dover, MD, Portland
 Mary Ellen Coulter, MD, Bend
 Thomas Ewald, MD, Ashland
 Craig Mather, MD, Ashland

(This information furnished by Donald Skinner, Planned Parenthood of the Columbia/Willamette.)

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Measure No. 2 Arguments

ARGUMENT IN OPPOSITION

MEASURE 2 ALLOWS SPECIAL INTERESTS TO REPEAL CRITICAL CLEAN AIR AND CLEAN WATER RULES

This Measure's complicated process favors polluters who want to relax rules that protect Oregon's clean air and water. Because only 10,000 signatures are required to overturn a rule, any polluter with some money can pay a professional signature gathering company to challenge any rule.

Measure 2 Threatens Drinking Water

Measure 2 threatens Oregon's clean water rules, which limit the pollution allowed into our rivers, streams, and even our household tap water. Under Measure 2, these rules could be repealed, along with standards for cleaning up toxic pollution that contaminates our rivers and groundwater.

Measure 2 Threatens Healthy Air

Oregon's clean air rules have successfully reduced field burning, industrial emissions, and smog. Under Measure 2, polluters who fought these rules could challenge them, along with rules dealing with dangerous toxics like mercury, dioxin, and lead.

Measure 2 Doesn't Solve any Problems

Citizens already have ways to challenge or change rules. Interest groups already successfully challenge and overturn rules when the rule doesn't comply with the law. This measure is unnecessary and shouldn't be part of Oregon's Constitution.

Measure 2 Lets the Fox Guard the Hen House

Oregon's environmental rules result from years of research, negotiation, and public meetings. Decisions on health aren't made by "bureaucrats," as Measure 2 backers would have you believe, but rather by public health professionals.

Public health professionals should set regulations that protect Oregon's clean air and water, not politicians who take money from polluters. But under Measure 2, politicians and the polluters who fund their campaigns could weaken key clean air and water safeguards without any input from Oregon voters.

Measure 2 is a back-door attempt to let special interests re-write the rules that protect our families.

Don't be fooled. Vote **NO** on Measure 2.

Oregon Environmental Council	Columbia Riverkeeper
Oregon League of Conservation Voters	Tualatin Riverkeepers
Sierra Club	Willamette Riverkeeper

(This information furnished by Jeff Allen, Oregon Environmental Council.)

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ARGUMENT IN OPPOSITION

MEASURE 2 HURTS OREGON SENIORS

Measure 2 is an irresponsible ballot measure that would lock into our Constitution a wasteful and unaccountable process for eliminating administrative rules—including critical rules that protect seniors and other Oregonians.

UNINTENDED CONSEQUENCES FOR SENIORS

The sponsors of this measure may simply want to avoid having to obey rules they don't like. But they won't tell you that **Measure 2 will destroy a system that is absolutely essential for safeguarding the interests of senior citizens—and the health of all Oregonians.**

EXAMPLES OF RULES PROTECTING SENIORS THAT COULD BE OVERTURNED IF MEASURE 2 PASSES:

- Licensing and standards for operation of nursing homes and adult care foster care facilities.
- Residents' rights in nursing homes.
- Privacy of medical records.
- Consumer protections related to gas, water, electric, and telephone service, including rates and billing.
- Rules that prevent contamination of drinking water.
- Availability of and standards for emergency ambulance service in every county.
- Key provisions of the Oregon Health Plan.
- Protections for renters and senior mobile park residents.
- Building safety codes.
- Other consumer rights and protections.

HEALTH PROFESSIONALS SHOULD WRITE THE RULES—NOT POLITICIANS AND SPECIAL INTERESTS

Many of the most important protections for the interests of Oregon seniors come through administrative rules. There's a good reason for that: professionals in health, gerontology, energy policy, and other specialties must develop these rules. Measure 2 allows special interests to weaken the rules that protect seniors. This poorly drafted measure would insert into our Constitution a process allowing all of these protections to be easily overturned.

DON'T BE FOOLED.

VOTE NO ON MEASURE 2. IT HURTS SENIORS

**United Seniors of Oregon
Oregon Advocacy Coalition of Seniors and People with Disabilities
Oregon State Council of Senior Citizens
Portland Gray Panthers**

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

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

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Measure No. 2 Arguments

ARGUMENT IN OPPOSITION

SOUTHERN OREGONIANS

URGE YOU TO VOTE NO ON MEASURE 2

MEASURE 2 DOES NOT BELONG IN OREGON'S CONSTITUTION

Measure 2 allows anyone with \$10,000 for paid petitioners to overrule the majority of administrative rules – **without an election or a vote of the legislature**. It makes it easy for special interests – or even out-of-state interests - to repeal the rules that protect our communities and neighborhoods.

IT IS UNNECESSARY

Oregon's current system provides safeguards to the rule-making process. State agencies are required to hold public hearings, to disseminate proposed rules to interested parties and must give notice of all rule making. Measure 2 would be a waste of taxpayer money **for a problem that doesn't even exist.**

Oregon voters and the legislature have repeatedly opposed creating a new system for repealing administrative rules. Once again, Measure 2 is unnecessary and it doesn't belong in Oregon's Constitution.

IT HURTS SOUTHERN OREGONIANS

Critical rules protecting children, seniors, education, health, our environment and public safety could easily be repealed by any individual or special interest – and **without a vote of the legislature or the voters.**

Here are just a few examples:

- **Key Components of the Oregon Health Plan**
- **Standards for Clean Air and Clean Drinking Water**
- **Teacher Licensing and School Curriculum Standards**
- **Rules protecting Farm and Forestland**
- **Rules protecting Regulatory Stability for Businesses**

**DON'T LOCK THIS INTO OREGON'S CONSTITUTION
VOTE NO ON 2**

Bill Williams, President and CEO, Bear Creek Corp.

William Thorndike, Jr.

Susan Reid, Ashland City Council

Larry Medinger, Medinger Construction Co. Inc.

Peter W. Sage, Former Jackson County Commissioner

Jean Gregg Milgram, League of Women Voters of the Rogue Valley

(This information furnished by Caroline Fitchett, Oregon Community Protection PAC.)

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ARGUMENT IN OPPOSITION

VOTE NO ON MEASURE 2

TO PROTECT THE OREGON DEATH WITH DIGNITY ACT

Protect the Choice of Oregon Voters As Oregon voters already know, the Oregon Death With Dignity Act is a hugely popular and successful law. Our Death With Dignity law has survived two elections, three years of federal court litigation, and attacks from the United States Congress as well as the Oregon legislature. So far, we've been successful in protecting our law.

Protect the Improvements in End-of-Life Care in Oregon What voters now need to know is that our opponents support Measure 2 because it will enable them to undermine the agencies that have passed rules to implement our law. These agencies, such as the Oregon Health Division, have responsibly implemented the Oregon Death With Dignity law for almost three years. This responsible implementation has resulted in improved end-of-life care for all Oregonians.

Protect the Oregon Death With Dignity Law Under Measure 2, opponents of the Death With Dignity law need only collect 10,000 signatures to challenge an agency rule. By collecting 10,000 signatures, opponents of death with dignity reform can "pull a rule" from the agency and place it into the legislature for reconsideration. We can't let this happen. It was only three years ago that the Oregon Legislature placed our new Death With Dignity law back on the ballot for repeal. Anything that makes it easier for our opponents to challenge the Death With Dignity law in the legislature must be rejected.

**Please send another strong message to opponents of
Death With Dignity**

VOTE NO ON MEASURE 2

Hannah Davidson

Executive Director

Oregon Death With Dignity Legal Defense and Education Center

Jeana Frazzini

Executive Director

Oregon Right To Die

(This information furnished by Hannah Davidson, Executive Director, Oregon Death With Dignity Legal Defense and Education Center.)

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

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Measure No. 2 Arguments

ARGUMENT IN OPPOSITION

VOTE NO ON MEASURES 2 & 7

Measures 2 and 7 Undermine Laws Protecting Children

Do you think children should have safe sidewalks to walk to school on? Do you think our neighborhoods should be protected from speeding traffic and the danger, air pollution and noise it brings? Do you think people should be safe when they go for a walk or ride a bicycle?

Thousands of your fellow Oregonians worked for years to make our communities safer and healthier places to live, work and play. All that is threatened by these two costly and unnecessary measures.

If they pass, we lose our ability to keep our communities good places to live.

Measures 2 and 7 Undermine Oregon Communities

Do you think that your community should be able to decide how it grows? As citizen activists, we've fought hard for changes to protect our communities and make them safer. These measures take power away from neighborhoods and put the power in the hands of wealthy special interests.

Measures 2 and 7 Have Unknown, Dangerous Consequences

Measures 2 and 7 are vague, confusing, and poorly written. They could have devastating effects on the health and safety our communities, and laws that protect our children and all Oregonians.

WE URGE YOU TO VOTE NO ON MEASURES 2 & 7.

- Bicycle Transportation Alliance
- Commute Options for Central Oregon
- Willamette Pedestrian Coalition
- Association of Oregon Rail and Transit Advocates (AORTA)
- Citizens for Sensible Transportation
- Transit Riders United
- Oregon Transportation Reform Advocates Network

(This information furnished by Catherine Ciarlo, Bicycle Transportation Alliance.)

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ARGUMENT IN OPPOSITION

Congressman Earl Blumenauer urges you to...
VOTE NO on Measure 2.

Oregon has been a national leader in land use, environmental protection and health care. This innovation has required creative and even courageous legislation and leadership. An important part of our legacy has been the ability to craft administrative rules to makes things like worker protections, nursing home regulations and land use laws, a reality. Without rules to implement our state's landmark legislation and creative ideas, many of these protections would be meaningless.

Measure 2 is a stealth attack that would allow one committee, or even one committee chair who was controlled by special interests, to overturn the work of countless citizens and even the legislature. Measure 2 is a waste of taxpayer dollars, and doesn't even solve a problem! Citizens already have plenty of ways to challenge administrative rules in Oregon. And Measure 2 doesn't just waste money - it will let any special interest or individual with an axe to grind, tie up our legislature and our courts with frivolous and petty challenges to all kinds of rules. Polluters could block rules protecting clean air and safe drinking water and those requiring the clean up of toxic waste, all without a vote of the people or the legislature. And Measure 2 would lock all these costly and dangerous things into the Oregon Constitution.

Oregonians have wisely defeated nearly identical measures, to Measure 2, twice in the last six years. Let us do so again.

Vote NO on Measure 2. It's Anti-Oregon.

Earl Blumenauer
Member of Congress

(This information furnished by Earl Blumenauer.)

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Measure No. 2 Arguments

ARGUMENT IN OPPOSITION

**Trustees and Staff of The Nature Conservancy
Urge You to Vote NO on 2**

MEASURE 2 THREATENS OREGON'S WILDLIFE

Oregon's quality of life includes a precious diversity of fish, wildlife, native plants and their habitats. As our population keeps growing, we must work to preserve Oregon's natural heritage for our children and grandchildren.

Measure 2 will make it harder to protect Oregon's wildlife and their habitats for future generations.

By giving special interests new powers to strike down rules they don't like, Measure 2 jeopardizes Oregon's safety net for wetlands, streams, fish runs, wildlife habitats, parks and open spaces.

Today, 415 of Oregon's 3,773 identified plant and animal species – one in every nine – are at risk of extinction. To safeguard our natural heritage, we need a variety of approaches, including purchase of critical lands, incentives for voluntary conservation, and rules carefully crafted with review and input from stakeholders.

All across Oregon, caring individuals, corporate leaders, farmers, ranchers, volunteers, non-profits, local governments and elected leaders are working hard to create balanced solutions that will protect our environment for future generations. We won't always agree, but people of good will working together are the best hope for Oregon's at-risk fish and wildlife.

Measure 2 will make it much harder for Oregon's citizens, working together and using the democratic process, to fairly and securely protect wetlands, streams, water quality and important wildlife habitats.

Vote NO on Measure 2

Trustees and Staff of The Nature Conservancy of Oregon:

- Ron Berger
- Paulette Bierzychudek
- Brian Booth
- Ellis Feinstein
- Skip Freedman
- Brian Gard
- Robert G. Gootee
- Daniel D. Heagerty
- Tom Imeson
- Stephen E. Kantor
- Peter G. McDonald
- James T. Post
- Richard Reiten
- Mary B. Ruble
- Patricia L. Wessinger
- Russell Hoeflich, Vice President and Oregon Director
- Catherine Macdonald, Director of Conservation
- Michael Powelson, Director of Agency Relations
- Carrie Walkiewicz, Director of Development

(This information furnished by Russell Hoeflich, The Nature Conservancy of Oregon.)

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ARGUMENT IN OPPOSITION

THE HUMAN SERVICES COALITION OF OREGON, THE OREGON HUMAN RIGHTS COALITION, ECUMENICAL MINISTRIES OF OREGON AND CHILDREN FIRST FOR OREGON... OPPOSE MEASURE 2

MEASURE 2 HURTS CHILDREN HURTS PUBLIC HEALTH

Many of Oregon's administrative rules are aimed at protecting our most vulnerable citizens – children, the working poor, patients in health care facilities, and the mentally ill.

Under Measure 2, any rule that protects abused children, establishes child care standards or nursing facility protections, ensures patients' rights, or expands health care for the poor could be in jeopardy.

Measure 2 could also affect rules guarding our public health. Polluters could block rules protecting clean air and safe drinking water all without a vote of the people or the legislature. **Rules implementing our new pesticide-tracking law could also be overturned.**

MEASURE 2 DISCOURAGES CITIZEN INVOLVEMENT

Oregon has a history of citizen involvement in its rule making process. Under Measure 2, special interests could interfere with these open processes. It attempts to solve a problem that doesn't even exist

A special interest group or corporation that dislikes an administrative rule could hire a signature gathering company to collect signatures to challenge the rule. If the required numbers of signatures are gathered and the legislature fails to act, the rule implementing these protective laws would no longer be in effect. The fact that no one has to vote – not the legislature or the people – means that key rules protecting our public health for those most in need will be at risk. Inaction by the legislature could also mean inaction by the state in protecting our public health and serving those most in need.

PROTECT OUR CHILDREN AND OUR PUBLIC HEALTH PLEASE VOTE NO ON MEASURE 2

- Human Services Coalition of Oregon
- Oregon Human Rights Coalition
- Ecumenical Ministries of Oregon
- Children First For Oregon

(This information furnished by Gina Mattioda, Co-Chair, Human Services Coalition of Oregon.)

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Measure No. 2 Arguments

ARGUMENT IN OPPOSITION

What part of "No!" didn't they understand?

In 1998, Oregon voters resoundingly defeated Ballot Measure 65, which would have allowed special interest groups to essentially overturn an administrative rule without a vote of the public or the Oregon Legislature.

Now, the backers of Measure 65 have brought us a "new" measure — Ballot Measure 2. And what is Measure 2? Despite a few cosmetic changes, there is no debate: Measure 2 is just Measure 65 all over.

Again, what part of "No!" didn't they understand?

Measure 2, just like 1998's Measure 65, would be a huge waste of taxpayer dollars. And it doesn't even solve a problem — no matter what proponents may say, Oregon citizens already have plenty of ways to challenge administrative rules.

But Measure 2 allows anyone with a beef, real or imagined, to tie up the Legislature and the courts with petty challenges to all kinds of rules. For about \$10,000 paid to professional signature gatherers, any person or corporation could put any administrative rule in limbo until the next Legislature meets.

What kinds of rules are affected? Rules that protect farmland and forests, prevent urban sprawl, preserve open spaces and wildlife habitat and maintain access to Oregon's public beaches. In other words, the very kinds of rules that make Oregon the unique and special state it is.

Let's make it VERY clear this time: we said NO!, and we meant NO!

Please join me and Vote NO! on Measure 2.

Charles Calkins, Bend
Oregon AFSCME Local 3336 (DEQ)

Leslie Kochan, Portland
Oregon AFSCME Local 3336 (DEQ)

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

ARGUMENT IN OPPOSITION

ADVOCACY COALITION FOR SENIORS AND PEOPLE WITH DISABILITIES URGES A NO VOTE ON MEASURE 2

The Advocacy Coalition for Seniors and People with Disabilities is a statewide organization promoting legislative and community values that protects and supports the needs of Oregon's seniors and people with disabilities. We are opposed to Ballot Measure 2 for the following reasons:

*Any administrative rule, from licensing nursing homes and adult foster care facilities to building access, safety and fire codes could be threatened by special interest groups.

*Challenges to administrative rules could be tied up for up to four years in the legislative process and create unnecessary logjams in the legislature.

***We already have mechanisms to review and solicit public comment on rule changes or additions.**

*The cost of delays, both financial and in meeting the needs of Oregon citizens is unnecessary.

*Added costs will force cuts in programs that serve the elderly and people with disabilities that are currently under-funded.

This measure is unnecessary. It will threaten the interest of everyday Oregonians on all fronts. It will damage a process that is set up to protect our citizens.

Vote NO on Measure 2

Ruth McEwen, Co-Chair, Advocacy Coalition

(This information furnished by Ruth McEwen, Advocacy Coalition for Seniors and People with Disabilities.)

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Measure No. 3

Proposed by initiative petition to be voted on at the General Election, November 7, 2000.

BALLOT TITLE

3 AMENDS CONSTITUTION: REQUIRES CONVICTION BEFORE FORFEITURE; RESTRICTS PROCEEDS USAGE; REQUIRES REPORTING, PENALTY

RESULT OF "YES" VOTE: "Yes" vote requires conviction before property forfeiture; restricts use of proceeds; requires reporting; declares penalty.

RESULT OF "NO" VOTE: "No" vote rejects: requiring conviction before forfeiture; restricting use of proceeds; requiring reporting; declaring penalty.

SUMMARY: Amends constitution. Current law does not require conviction before property forfeiture. Measure prohibits property forfeiture unless owner or interest-holder has been convicted of crime involving property. Forfeited property's value must be proportional to crime. Contraband, unclaimed property may be forfeited without conviction. Forfeited property's sale must be conducted in commercially reasonable manner. Prohibits applying sale proceeds to law enforcement. Sets priorities for distribution: foreclosed liens, security interests, contracts; forfeiture costs; state drug treatment. Restricts transferring proceedings to federal government. Requires reporting, penalty. Other provisions.

ESTIMATE OF FINANCIAL IMPACT: There may be a reduction in state and local revenue due to a stricter standard of evidence required for forfeitures under the measure, but the amount can not be determined.

There is no effect on state or local government expenditures.

TEXT OF MEASURE

Article XV of the Constitution of the State of Oregon is amended by a vote of the People to include the following new section:

Section 10. The Oregon Property Protection Act of 2000. (1) This section may be known and shall be cited as the "Oregon Property Protection Act of 2000."

(2) **Statement of principles.** The People, in the exercise of the power reserved to them under the Constitution of the State of Oregon, declare that:

(a) A basic tenet of a democratic society is that a person is presumed innocent and should not be punished until proven guilty;

(b) The property of a person should not be forfeited in a forfeiture proceeding by government unless and until that person is convicted of a crime involving the property;

(c) The value of property forfeited should be proportional to the specific conduct for which the owner of the property has been convicted; and

(d) Proceeds from forfeited property should be used for treatment of drug abuse unless otherwise specified by law for another purpose.

(3) **Forfeitures prohibited without conviction.** No judgment of forfeiture of property in a civil forfeiture proceeding by the State or any of its political subdivisions shall be allowed or entered until and unless the owner of the property is convicted of a crime in Oregon or another jurisdiction and the property is found by clear and convincing evidence to have been instrumental in committing or facilitating the crime or to be proceeds of that crime. The value

of the property forfeited under the provisions of this subsection shall not be excessive and shall be substantially proportional to the specific conduct for which the owner of the property has been convicted. For purposes of this section, "property" means any interest in anything of value, including the whole of any lot or tract of land and tangible and intangible personal property, including currency, instruments or securities or any other kind of privilege, interest, claim or right whether due or to become due. Nothing in this section shall prohibit a person from voluntarily giving a judgment of forfeiture.

(4) **Protection of innocent property owners.** In a civil forfeiture proceeding if a financial institution claiming an interest in the property demonstrates that it holds an interest, its interest shall not be subject to forfeiture.

In a civil forfeiture proceeding if a person claiming an interest in the property, other than a financial institution or a defendant who has been charged with or convicted of a crime involving that property, demonstrates that the person has an interest in the property, that person's interest shall not be subject to forfeiture unless:

(a) The forfeiting agency proves by clear and convincing evidence that the person took the property or the interest with the intent to defeat the forfeiture; or

(b) A conviction under subsection (3) is later obtained against the person.

(5) **Exception for unclaimed property and contraband.** Notwithstanding the provisions of subsection (3) of this section, if, following notice to all persons known to have an interest or who may have an interest, no person claims an interest in the seized property or if the property is contraband, a judgment of forfeiture may be allowed and entered without a criminal conviction. For purposes of this subsection, "contraband" means personal property, articles or things, including but not limited to controlled substances or drug paraphernalia, that a person is prohibited by Oregon statute or local ordinance from producing, obtaining or possessing.

(6) **Law enforcement seizures unaffected.** Nothing in this section shall be construed to affect the temporary seizure of property for evidentiary, forfeiture, or protective purposes, or to alter the power of the Governor to remit fines or forfeitures under Article V, Section 14, of this Constitution.

(7) **Disposition of property and proceeds to drug treatment.** Any sale of forfeited property shall be conducted in a commercially reasonable manner. Property or proceeds forfeited under subsections (3), (5), or (8) of this section shall not be used for law enforcement purposes but shall be distributed or applied in the following order:

(a) To the satisfaction of any foreclosed liens, security interests and contracts in the order of their priority;

(b) To the State or any of its political subdivisions for actual and reasonable expenses related to the costs of the forfeiture proceeding, including attorney fees, storage, maintenance, management, and disposition of the property incurred in connection with the sale of any forfeited property in an amount not to exceed twenty-five percent of the total proceeds in any single forfeiture;

(c) To the State or any of its political subdivisions to be used exclusively for drug treatment, unless another disposition is specially provided by law.

(8) **State and federal sharing.** The State of Oregon or any of its political subdivisions shall take all necessary steps to obtain shared property or proceeds from the United States Department of Justice resulting from a forfeiture. Any property or proceeds received from the United States Department of Justice by the State of Oregon or any of its political subdivisions shall be applied as provided in subsection (7) of this section.

(9) **Restrictions on State transfers.** Neither the State of Oregon, its political subdivisions, nor any forfeiting agency shall transfer forfeiture proceedings to the federal government unless a state court has affirmatively found that:

(a) The activity giving rise to the forfeiture is interstate in nature

Measure No. 3

and sufficiently complex to justify the transfer;

(b) The seized property may only be forfeited under federal law; or

(c) Pursuing forfeiture under state law would unduly burden the state forfeiting agencies.

(10) **Penalty for violations.** Any person acting under color of law, official title or position who takes any action intending to conceal, transfer, withhold, retain, divert or otherwise prevent any proceeds, conveyances, real property, or any things of value forfeited under the law of this State or the United States from being applied, deposited or used in accordance with subsections (7), (8) or (9) of this section shall be subject to a civil penalty in an amount treble the value of the forfeited property concealed, transferred, withheld, retained or diverted. Nothing in this subsection shall be construed to impair judicial immunity if otherwise applicable.

(11) **Reporting requirement.** All forfeiting agencies shall report the nature and disposition of all property and proceeds seized for forfeiture or forfeited to a State asset forfeiture oversight committee that is independent of any forfeiting agency. The asset forfeiture oversight committee shall generate and make available to the public an annual report of the information collected. The asset forfeiture oversight committee shall also make recommendations to ensure that asset forfeiture proceedings are handled in a manner that is fair to innocent property owners and interest holders.

(12) **Severability.** If any part of this section or its application to any person or circumstance is held to be invalid for any reason, then the remaining parts or applications to any persons or circumstances shall not be affected but shall remain in full force and effect.

EXPLANATORY STATEMENT

Ballot Measure 3 will require Oregon law to be changed to prohibit "asset forfeitures" unless the owner of the property is first convicted of a crime involving the seized property.

In a civil "asset forfeiture proceeding," the government agency may seize and dispose of property that the government believes was used in a crime or is the proceeds of a crime. The property may be personal property, cash, homes or businesses.

Under current Oregon law, there is no requirement that the owner of the property must first be arrested or convicted of a crime before his or her property is forfeited to the government.

Under current law, the government must establish probable cause (more likely than not) that the property was used to facilitate a crime, or was acquired from the proceeds of criminal activity. Forfeited property may not be disposed of without a court order which, before it can issue, requires an examination of the circumstances of the seizure.

If passed, Measure 3 will require the government to prove by the stricter standard of clear and convincing evidence that the property was used to commit, or was the proceeds of, the crime for which the owner was convicted. If the person whose property was seized is not charged or convicted of a crime, the property must be returned unless the property has been abandoned or is contraband.

Current law requires government agencies to report forfeiture actions in certain cases to an oversight committee.

Measure 3 expands current reporting requirements to include all civil forfeitures. The measure would also require the oversight committee to be independent of any forfeiting agency.

Under current law, government agencies may recover from the proceeds the entire cost of pursuing the forfeiture. Measure 3 would limit recovery of costs to no more than 25% of the property's value.

Under current law, forfeiture proceeds may be used by forfeiting agencies for enforcement of drug laws, as well as drug treatment and education programs. Measure 3 would require that the balance of the proceeds be directed only to drug treatment programs, unless otherwise provided by law.

Measure 3 also would require that the value of the property forfeited shall not be excessive and shall be proportional to the conduct for which the owner of the property was convicted. Under current law, if the government is successful in a civil forfeiture proceeding, a claimant may ask the court for a mitigation hearing to determine proportionality.

Measure 3 would limit state and local government agencies from transferring forfeiture proceedings to the federal government unless the transfer is approved by a state court judge.

Measure 3 would not change current law allowing temporary seizure of property for evidentiary, forfeiture, or protective purposes by law enforcement.

Measure 3 creates penalties for violations of its terms.

Committee Members:

David J. Fidanque
 Representative Floyd Prozanski
 Chief Jim Harper
 Chief Rick Lewis
 Senator Avel Gordly

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. 3 Arguments

ARGUMENT IN FAVOR

I always believed in "Innocent Until Proven Guilty" until three years ago, when the government seized my life savings.

My name is Harry Detwiler. I am 62 years old. I was a special education teacher at Ashland High School for 25 years. I was Oregon's Special Education Teacher of the Year in 1972, and was named Ashland's Man of the Year twice.

My problems began in 1997 shortly after my son and I sold a former rental property. The new owner was arrested for growing marijuana. During the arrest, police found my name on some of the man's paperwork.

So they drove to my house 25 miles away to see what I knew. I was not home, but they entered anyway. They found the keys to my safe and took \$35,000, my life savings.

When I returned home I thought I had been robbed. Police soon arrived and told me they had taken my money under civil forfeiture laws. They said I should have known the man who bought my home was growing marijuana.

For three years, I have fought unsuccessfully to get my money back.

**I was never charged with a crime.
I was never convicted of a crime.**

The prosecutor was quoted in the newspaper admitting there was no evidence against me.

Still they refuse to give my money back.

Even after I produced business receipts showing where the \$35,000 came from.

In America, people are supposed to be innocent until proven guilty.

But that's not how asset forfeiture laws work.

That's why we need to pass Measure 3.

Measure 3 requires a person be convicted of a crime before their assets can be sold off.

Measure 3 would have forced the police to give me back my money, or prove me guilty.

Measure 3 may be too late to help me, but it will protect other innocent landowners.

Please join me in voting Yes on Measure 3.

Harry Detwiler
Ashland, Oregon

(This information furnished by Harry Detwiler, Oregonians for Property Protection.)

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

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ARGUMENT IN FAVOR

"FORFEIT LIBERTY"

Editorial excerpted from the Medford Mail-Tribune,
March 31, 1999

"It reads like a scene from some Third-World police state: Federal agents discover marijuana growing in a rental property. Assuming the landlord, who lives elsewhere, is involved, they break into his house and rifle through his belongings. They find keys and open a safe, in which they find \$35,000 in cash. They seize the cash and refuse to return it. The landlord is not charged with a crime, but his money is gone.

"The police state that this story originates from is the United States... The landlord is Harry Detwiler, a retired Ashland High School teacher...

"Detwiler has not been charged with a crime. He has papers that document how he came to have so much cash on hand... The cash is gone, along with whatever trust Detwiler had in the government...

"Something is clearly wrong here. Foundations of American jurisprudence are turned upside down: the presumption of innocence is gone; the burden of proof is shifted from the accuser to the accused; the independent review of appeals is not available...

"Trust will come only when a system exists in which justice gets a fair hearing. That system doesn't exist now."

Medford Mail-Tribune, March 31, 1999

(This information furnished by David Smigelski, Oregonians For Property Protection.)

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Measure No. 3 Arguments

ARGUMENT IN FAVOR

A Message from a Chief Petitioner of Measure 3

Civil forfeitures occur an average of three times a day in Oregon. In 1999, police reported taking \$2.1 million from 1,069 people. In 72 percent of those cases, no one was arrested, charged, or convicted of a crime.

No one should ever lose their property to the government unless they are first convicted of a crime involving the use of their property.

Most people are surprised to learn this isn't already the case, but police are allowed to seize and keep houses, cars, bank accounts, or other property without first convicting the owner of a crime.

Worse yet, only half of the agencies that are required to report how they spent forfeiture proceeds to the state did so. In fact, in the 11 years of asset forfeiture in Oregon, there has only been one report issued, and that one is sadly incomplete.

Who Gets The Money Seized Under Forfeiture?

Government lawyers and the police who seize the property split it. And by law, they can spend it only on things like cars, police overtime, cell phones, and weapons.

That sets up a conflict of interest, where government agencies have a financial incentive to seize as much as they can. And since they never have to prove a crime has been committed, the system is rife with abuse.

Measure 3 Expands Reporting Requirements and Directs Funds Seized into Treatment Programs:

Measure 3 ends the conflict of interest by requiring that forfeiture proceeds be directed into treatment and education programs to reduce drug abuse and crime. And local governments still retain the right to use the funds for other legitimate purposes.

Our constitution should say people are innocent until proven guilty.

Measure 3 will make sure no one loses property unless they're found guilty of a crime.

Please Vote Yes on Measure 3.

Ray Heslep
Chief petitioner
Oregon Property Protection Act of 2000

(This information furnished by Ray Heslep, Chief Petitioner, Oregonians for Property Protection.)

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ARGUMENT IN FAVOR

Asset forfeiture without a criminal conviction is wrong.

My name is Floyd Prozanski. I served as the chair of the Oregon Asset Forfeiture Oversight Committee from 1997-1999. I have had first-hand experience with Oregon's Asset Forfeiture Law.

Measure 3 reestablishes the doctrine of innocent until proven guilty by requiring that people must be convicted of a crime before their property can be forfeited permanently.

Under current law, property can be seized and sold off, even when the owner of the seized property is not charged, arrested or convicted of a crime. That's wrong.

The government shouldn't get a dime, unless it can prove the crime.

By passing Measure 3, Oregonians' rights will be protected. Citizens will no longer have to spend years and thousands of dollars in futile attempts to recover property seized by the government... even when no charges are filed or no conviction occurs.

Measure 3 Ensures People are Innocent Until Proven Guilty:

Measure 3 will allow criminals to have their assets seized, but the government can't keep the property permanently unless it proves the person has committed a crime. The constitutional protection of "innocent until proven guilty" will be applied to forfeiture cases for the first time.

Measure 3 Will Force Government Agencies To Report Forfeitures:

We have spent years trying to determine how much property the government seizes and how that money is spent. But 11 years after reporting requirements were implemented, we still have no idea how much is seized and how those funds are used. Measure 3 puts teeth in the law that will make government agencies report what they seize and keep.

Measure 3 Protects Innocent Landowners:

Property of innocent landowners is often seized because renters commit crimes without the owner's knowledge. A yes vote on Measure 3 ensures that property owners are protected.

Measure 3 Brings Fairness to Forfeiture laws in Oregon.

State Rep. Floyd Prozanski

(This information furnished by State Rep. Floyd Prozanski.)

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Measure No. 3 Arguments

ARGUMENT IN FAVOR

The Oregon Property Protection Act of 2000 includes the following provisions:

Criminal Conviction Required: No civil forfeitures can be completed without a criminal conviction of the accused.

Standard of Proof: No property can be seized under civil forfeiture laws without "clear and convincing evidence" that the property is proceeds of a criminal act or "instrumental in... facilitating the crime."

Current law allows the seizure of property merely on "probable cause."

Innocent Owner Defense: Property owners who rent property to someone later convicted of a crime would not lose their property under this initiative (as they could under current law) unless it is shown, by "clear and convincing evidence." that the person took the property with the intent to defeat the forfeiture, or the property owner is convicted of participating in criminal activities.

Proportionality: Requires property forfeitures to be "substantially proportional" to the underlying offense and the value of the property.

Forfeiture Proceeds Restrictions: Requires forfeiture proceeds to be used for treatment, education and prevention programs. Prohibits the current use of forfeiture proceeds for purchases of cars, weapons and other items for law enforcement purposes.

Restrictions on Seizure Transfers to the Federal Government: Prohibits transfers of seized property to the federal government unless a court determines that the case is interstate in nature and complex; the property only can be forfeited under federal law; or pursuing civil forfeiture under state law would be unduly burdensome.

Penalties for Concealing or Diverting Forfeited Property: Government officials or agencies attempting to conceal or divert property that is forfeited under state or federal law in violation of the procedures established by this law are subject to a civil penalty that is treble the value of the forfeited property.

Annual Audit of the Forfeiture Program: Establishes a state "asset forfeiture oversight committee" to publish an annual report on the disposition of all seized and forfeited property.

(This information furnished by Geoff Sugerman, Oregonians for Property Protection.)

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

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ARGUMENT IN FAVOR

ACLU of Oregon and Oregon Gun Owners Support Measure 3

While Oregon Gun Owners and the American Civil Liberties Union of Oregon don't often agree on issues, there is one ballot Measure we both support this year -- Measure 3.

Here's why:

All of us support taking the profit out of crime.

All of us also believe in the constitutional protection of "innocent until proven guilty."

We support Measure 3 because we want to make sure that the property taken by the government is really being taken from criminals rather than from innocent property owners.

Over the past decade, cities and counties have seized millions of dollars worth of property in asset forfeiture proceedings, but no statewide agency has any idea how many of those people were actually guilty, what percentage of those assets has been kept by law enforcement, what percentage was sucked down the black hole of legal costs, or how much has been made available to drug treatment programs.

When Oregon's forfeiture law was first passed, most legislators assumed that seizing millions from suspected criminals would provide a financial windfall to state and local governments. It now appears the biggest winners have been the police agencies and government lawyers who make the decisions about what property gets seized and kept by the government.

The power that these police government bureaucrats wield is enormous. They seize property first and ask questions later. They presume that every suspect is guilty and force property owners to prove their innocence. And the very government officials who make these decisions benefit directly or indirectly from the outcome.

It is a procedure that turns our Constitution on its head. It is time to restore basic due process protections for property owners in Oregon. Measure 3 will accomplish that goal.

Please Join Us in Voting Yes on Measure 3

Dave Fidanque, Executive Director John Hellen, Administrator
ACLU of Oregon Oregon Gun Owners

(This information furnished by David Fidanque, Executive Director, ACLU of Oregon; John D. Hellen, Administrator, Oregon Gun Owners.)

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Measure No. 3 Arguments

ARGUMENT IN FAVOR

MEASURE 3 APPLIES JUDICIAL CORNERSTONE OF "INNOCENT UNTIL PROVEN GUILTY" TO OREGON'S CIVIL FORFEITURE LAW

As a long-time human service and social justice advocate, I urge your support for Ballot Measure 3, The Oregon Property Protection Act of 2000. This measure will restore balance to our civil forfeiture laws, by ensuring that all Oregonians, especially those residing in our most vulnerable communities, will be viewed as innocent until proven guilty in civil forfeiture cases.

Most of us are surprised to learn that the cherished concept of "innocent until proven guilty," a cornerstone of our criminal justice system, doesn't apply in civil forfeiture cases. Under current law, the government can keep an innocent person's home, car, life-savings, and personal belongings, without a criminal charge or conviction. Far too many innocent Oregonians have suffered tragic personal losses under this flawed and unjust law.

ECONOMICALLY DISADVANTAGED AND MINORITY POPULATIONS SUFFER THE MOST UNDER THE CURRENT SYSTEM

While civil forfeiture laws were designed to target drug kingpins, far too many innocent persons have had their property taken under these laws. In an astounding 85% of completed forfeiture cases, there was no criminal charge or conviction. Many innocent property owners do not contest this injustice because they cannot afford to hire an attorney to challenge an unwarranted forfeiture. And, when your property is seized by the government, you must "prove" the innocence of your property if you want to keep it. Under existing law, the burden of proof is on you, not the government. Measure 3 will correct this injustice, by placing the burden of proof on the government.

MEASURE 3 APPLIES FORFEITURE PROCEEDS TO DRUG TREATMENT AND EDUCATION PROGRAMS

By breaking the cycle of addiction, we will lower the number of crime victims and the related costs to all Oregonians.

Please join me by voting YES ON MEASURE 3.

Ellen C. Lowe

(This information furnished by Ellen C. Lowe.)

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

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ARGUMENT IN FAVOR

Protect Innocent Property Owners Vote Yes on Measure 3

All too often in Oregon and around the country, innocent landowners fall victim to forfeiture laws when they are not involved in any kind of criminal activity.

Imagine renting a piece of property to someone who later is merely suspected of committing a crime at that property. Under current law, the innocent landowner can lose that property forever, with virtually no way of fighting the government agency that seized the property.

That's wrong.

In America, people are innocent until proven guilty.
But current law turns that notion upside down.

To protect the rights of property owners and to end the injustice of current asset forfeiture laws, we urge the passage of Measure 3.

- **Measure 3 requires a conviction before property can be disposed of.** Unless a person is convicted of a crime, they should not lose their property.
- **Measure 3 improves reporting requirements.** Today, after 11 years of forfeiture, we still have no idea how much is taken each year because reporting is incomplete and, in many cases, not even required.
- **Measure 3 ends the conflict of interest** that occurs daily when government agencies get to keep and spend the money they seize. This measure requires the funds be spent on treatment programs to help prevent crime.

Across our nation, innocent landowners are losing property to forfeiture laws.

It's time to end the injustice in Oregon.

As one of the leading property rights groups in the state, we strongly support Measure 3.

Please Vote Yes on Measure 3.

Dave Hunnicutt
Legal Counsel
Oregonians in Action

(This information furnished by David J. Hunnicutt, Legal Counsel, Oregonians in Action.)

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Measure No. 3 Arguments

ARGUMENT IN FAVOR

The Myth of Financial Disclosure Under Current Oregon Law

Eleven years after the passage of a law requiring annual disclosure of all civil forfeiture cases in Oregon, reporting remains a secret affair for government agencies involved in these cases.

In 1989, the Oregon legislature established the Asset Forfeiture Oversight Committee to keep an eye on the way government agencies seize and dispose of property under civil forfeiture laws. At that time, police agencies throughout the nation were aggressively pursuing innocent property owners with their overzealous use of civil forfeiture, seizing millions of dollars from innocent people and using the money to buy expensive cars and high-powered military weaponry, including armored vehicles and assault weapons. The Advisory Committee was supposed to keep an eye peeled for such abuses in Oregon, and government agencies were supposed to provide detailed information to citizens on all civil forfeitures in Oregon.

The reporting requirements in that 1989 law have never been met in 11 years. That's another good reason to vote YES on Measure 3.

In the past decade, the state has issued just one report on asset forfeiture, and that report is sadly incomplete because less than 50% of the police agencies in Oregon reported how they spent the money they seized.

Measure 3 will change that by putting teeth in the reporting requirements. Measure 3 will remind these government agencies that they work for us, and that when we say we want information, we will get it.

Shine the light of public oversight on the asset forfeiture process in Oregon. Remind the government that the law applies to them, too.

Vote Yes on Measure 3.

(This information furnished by David Smigelski, Oregonians For Property Protection.)

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ARGUMENT IN FAVOR

Facts About Asset Forfeiture in Oregon.

Number of Oregonians who lost property to Asset Forfeiture in 1999:	1,069
Percent of those people above who were arrested, charged or convicted:	28
Number of people who got their property back after charges were dropped:	0
Percent of police agencies that are required to report how they spend Forfeiture proceeds:	100%
Percent of police agencies that reported how they spent Forfeiture proceeds in 1999:	50%
Number of years the state has been required to annually report Asset Forfeiture proceeds:	11
Number of forfeiture reports actually filed:	1
Amount police say they seized in Oregon last year:	\$2.1 million
Amount taken under Asset Forfeiture in Oregon since 1989:	\$20-\$100 million
Percent of asset forfeiture proceeds paid to government lawyers:	50-75%
Percent that will be paid to government lawyers under Measure 3:	25%
Amount state will lose under Measure 3 if police must convict people they target for forfeiture:	\$0

(This information furnished by Amy Klare, Oregonians for Property Protection.)

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Measure No. 3 Arguments

ARGUMENT IN FAVOR

We take it for granted that people are innocent until proven guilty.

This is one of the most cherished doctrines in America. However, Oregon police have exploited a loophole in our Constitution.

Through this loophole, the police are allowed to confiscate property, including cars, cash and land, from innocent Oregonians without arresting or charging them. This loophole, called Asset Forfeiture, has flipped justice on its head.

Right now, police can take and keep your cash, property, business and possessions on the suspicion that they may be linked to a crime. They do not have to prove it, either! Under asset forfeiture, the accusation is enough. **In Oregon, more than 70 percent of the people who lose their property to forfeiture are never convicted of a crime.**

Measure 3 closes this loophole by requiring a person to be proven guilty before their property can be permanently confiscated and sold.

We fear this sort of treatment when we travel to totalitarian countries, but we face it here in Oregon.

Who profits from asset forfeiture?

Forfeiture proceeds are split between police and government lawyers, who also happen to be the same people who determine which property to take. This is an inherent conflict of interest that has led to well documented, large-scale abuses of forfeiture all across the country.

Imagine if IRS auditors were paid a commission for every deduction they threw out?

Horror stories abound of innocent people who have lost their life savings to asset forfeiture. Don't wait for this arbitrary practice to harm you.

Oregonians are innocent until proven guilty. Vote Yes on Measure 3.

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.)

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

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ARGUMENT IN FAVOR

Voting for Measure 3 (The Oregon Property Protection Act) is an opportunity for all Oregonians to right a terrible wrong that has been done to innocent property owners.

Allowing the government to seize property and dispose of it without conviction of a crime corrupts the very system of law we have established.

The current law which allows seizure and forfeiture without conviction bankrupts our trust in the due process that we have come to believe in and which is the foundation of our legal system.

It is hard to believe that the police could show up at your door, search your house for illegal substances, find none, but they seize your cash and valuables. They don't arrest you and you are never charged with a crime, but you still can't get your property back. This violates one of our most cherished values of "innocent until proven" guilty.

Measure 3 requires that the owner of the property must first be convicted of a crime involving the seized property before the government may take and dispose of it. It also establishes priorities for the distribution of those forfeiture proceeds when conviction occurs.

I support this measure and am proud to be one of its two chief petitioners, because I believe in the basic American values upon which this country is founded. This is the United States of America and it is time that we return our legal system to the course upon which its founders intended. Let's return to our original values.

Under Measure 3, property can still be forfeited but only when accompanied by a conviction, and there is no effect on state or local government expenditures.

Voting for Measure 3 will protect innocent property owners, protect our constitutional values, and restore our trust in the legal process.

- Sandra Lee Adamson, A Chief Petitioner

(This information furnished by Sandra Adamson, Chief Petitioner, Oregonians for Property Protection.)

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Measure No. 3 Arguments

ARGUMENT IN FAVOR

Asset Forfeiture in Oregon: A True – False Quiz

- The police can seize your property even if you have done nothing wrong: True
- The police can keep your property even if they admit they have no evidence against you: True
- A person must be convicted of a crime before the government can keep their assets: False
- Measure 3 would require the police to convict people before punishing them: True
- Oregonians are Innocent Until Proven Guilty under Asset Forfeiture: False
- Under Measure 3, Oregonians would be considered Innocent Until Proven Guilty: True
- Most Oregonians who lose their property under Asset Forfeiture are arrested first: False
- Police get to keep the money they take through Asset Forfeiture: True
- Police spend Asset Forfeiture proceeds on guns, cars and cell phones: True
- Under Measure 3, Asset Forfeiture proceeds will be used for drug education and treatment: True
- Innocent people rarely lose their property wrongly in Oregon: False
- Police can seize your house, car and bank accounts on mere suspicion: True
- A grandmother can lose her house if her grandson is arrested for selling marijuana: True
- Police can take all of the money in your pocket for probable cause: True
- Police are required to report all the money they seize under Asset Forfeiture: True
- The police report all the money they seize under Asset Forfeiture in Oregon: False
- The police are required to report how they spend Asset Forfeiture proceeds: True
- Most police agencies report how they spend Asset Forfeiture proceeds: False
- The state has been required to publish annual reports on Asset Forfeiture for 11 years: True
- The state has published just one report on Asset Forfeiture in the last 11 years: True

(This information furnished by Stephanie Van Zuiden, Oregonians for Property Protection.)

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ARGUMENT IN OPPOSITION

I ask you to vote NO on Measure 3.

In 1989 I worked with the legislature to pass a forfeiture law that would protect innocent people, provide an easy avenue for anyone who wanted a public forum to voice concerns about the application of the forfeiture law, and to allow police agencies to use some of the forfeited funds for the investigation of our drug laws. The law envisioned that drug dealers would bear some of the burden of major drug investigations.

Since 1989 the legislature has provided additional safeguards to the law, including a requirement that innocent persons get attorney fees.

Law enforcement have used forfeiture funds to establish task forces throughout the state to investigate drug trafficking both inside the state and drugs coming into Oregon. They have become a critical part of Oregon's efforts to pursue the biggest drug dealers.

Measure 3 prohibits the use of forfeited funds to be used in anyway for law enforcement. That means the task forces will lose vital funding. The effect to them will be disastrous.

The people who are behind Measure 3 want to abolish forfeiture. Measure 3 may accomplish this. In 1989 we were very careful to make forfeiture civil in nature. That way the state could pursue both the criminal case and the forfeiture. Measure 3 makes forfeiture criminal in nature. Therefore the state may have to choose between a criminal prosecution or forfeiture. In most cases the state will prosecute and then may have to give the money back to the criminal.

As a lawyer, a former governor and a citizen I am concerned that the backers of this measure wanted to put forfeiture into Oregon's Constitution. It does not belong there. I am concerned about a number of things within this measure that should have been debated within the legislature; they were not.

I urge you to Vote NO on Measure 3.

(This information furnished by Former Governor Neil Goldschmidt.)

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Measure No. 3 Arguments

ARGUMENT IN OPPOSITION

MEASURE 3 WOULD HARM OREGON'S ANIMALS

Before an animal cruelty case finishes winding its way through our legal system, humane societies and animal shelters are currently allowed to ask a court, through a forfeiture hearing, for full custody of rescued animals, so that they may be adopted into permanent, loving homes.

Under today's laws, animals are still classified as property. MEASURE 3 would prohibit forfeitures of any property before a criminal conviction. Because it fails to distinguish animals from other types of property, MEASURE 3 could keep humane societies and shelters from finding permanent, new, loving homes for abused animals until each criminal case is over -- a process which can take years.

MEASURE 3 COULD:

• **Bankrupt Oregon's humane societies and shelters.**

Tragically, cruelty cases often involve hundreds of animals. Providing food, housing, and medical care for animal abuse victims is very expensive. Without the ability to find permanent homes for these animals until after each lengthy case is over, the costs of this necessary care could easily bankrupt shelters and humane societies.

• **Keep abused animals in the hands of their abusers.**

Because cruelty cases can take years to conclude, under MEASURE 3, authorities may be forced to reconsider rescuing abused animals due to the large financial costs of providing necessary care throughout a protracted criminal case.

• **Limit the costs of care recoverable for rescued animals.**

MEASURE 3 could drastically limit the amount agencies can recover for the costs of care of abused animals. Agencies could even be forced into auctioning off rescued animals instead of being able to place them in the best new homes.

**FOR THE SAKE OF OREGON'S ANIMALS,
PLEASE
VOTE NO ON MEASURE 3**

**American Humane Association
Central Coast Humane Society
Klamath Humane Society
Florence Area Humane Society
Humane Society of the Willamette Valley
The Humane Society of the United States
Animal Legal Defense Fund (www.aldf.org)**

(This information furnished by Stephan K. Otto, Animal Legal Defense Fund.)

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ARGUMENT IN OPPOSITION

MEASURE 3 IS BAD FOR PETS

The Oregon Humane Society is the largest and oldest animal advocacy organization in Oregon. We urge you to vote no on Measure 3. A cruelty case involving multiple animals can easily cost an animal protection organization tens of thousands of dollars that can be better spent.

When animals are removed from cruel or neglectful situations in Oregon, it often falls on private or municipal animal shelters to care for them. Handling large cruelty cases can seriously impede the day-to-day operations of a busy shelter. Often dozens of dogs or cats can languish for months and even years until the case is resolved or goes to court. However, this situation was much improved in 1995 when a forfeiture clause was added to Oregon statutes. It insured that shelters would be either financially compensated by the owner or the animals would be released for adoption into new homes.

The people behind Measure 3 failed to consider how it would impact the resolution of Oregon animal cruelty and neglect cases.

If passed, Measure 3 would leave humane societies and animal shelters helpless in situations where large amounts of animals are seized.

Animals should not have to spend months or years behind bars for a crime they did not commit, paying the price with their lives. Cruelty cases happen in Oregon. Do not cripple the shelters charged with the care of the animals. Do not compromise the existing forfeiture laws that serve the animals well.

Please continue to support Oregon's humane societies and animal shelters.

**FOR THE SAKE OF OREGON'S ANIMALS,
VOTE NO ON MEASURE 3**

**OREGON HUMANE SOCIETY
oregonhumane.org**

(This information furnished by Susan Mentley, Operations Director, Oregon Humane Society.)

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Measure No. 3 Arguments

ARGUMENT IN OPPOSITION

Measure 3 Will Forfeit the Well-being of Animals

All animals are considered property under the law. Our companion animals don't seem like property, but the law sees it differently. We all know that our relationships to our dogs and cats feel different than our relationship to our car but according to the letter of the law, they are one in the same. Computer, rabbit, television, horse -- all are treated equally under the law. Under Ballot Measure 3, all property confiscated in criminal cases must be held until the trial is completed -- **INCLUDING ANIMALS.**

Because most people don't think of animals as property, the authors of Measure 3 probably never even considered the effect it would have on abused and neglected animals.

In a recent Oregon animal abuse case, dozens of starving cats and several dogs were confiscated from a home, where many were found dead. Under current law, a court found probable cause to believe that the animals were mistreated and the "owner" chose not to post bond covering the costs of care for them. The court was able to award permanent custody of the animals to the local humane society, enabling it to find them loving homes.

If Ballot Measure 3 passes, impounded abused and neglected animals would not be adoptable until after a criminal conviction, which might take months or even years. Caring for rescued animals for long periods of time would drain the budgets of animal shelters and humane societies, and ultimately discourage rescue of abuse victims.

For most people, our companion animals are more like our children than they are like our cars or vacuum cleaners, and we consider ourselves more as their guardians than as their owners. However, in the eyes of the law, animals are merely property and Measure 3 would have dire consequences for some of them. This measure must be defeated.

Vote NO on Measure 3

ANIMAL PROTECTION INSTITUTE, www.api4animals.org
 IN DEFENSE OF ANIMALS, www.idausa.org

(This information furnished by Nicole Paquette, Animal Protection Institute; Sheri Speede, In Defense of Animals.)

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ARGUMENT IN OPPOSITION

Ballot Measure 3 is a wish list for all criminals. They seek to diminish the effects of forfeiture on their criminal activity.

Currently the State of Oregon's forfeiture laws allow for the seizure and forfeiture of:

- vehicles of repeat DUII offenders.
- property used in illegal activities such as manufacturing drugs
- money gained from illegal activities; and
- vehicles used to solicit prostitution

Animal shelters use forfeiture to gain permanent custody of rescued animals that have been abused or neglected.

If you do not engage in any of the above activities Measure 3 will do nothing to protect your property rights. It increases the rights of criminals who obtain property illegally. What does that mean for us as citizens?

- Drug houses in our neighborhoods will continue to operate. Existing tools to shut them down will be taken away.
- Our children, friends and family will continue to be victims of DUII.
- Animal shelters will not have the means to rescue abused and neglected animals.
- Innocent property owners will bear the burden for cleaning up dangerous waste from the manufacturing of illegal drugs.

Current forfeiture process includes safeguards such as, the Asset Forfeiture Oversight Committee, no forfeiture without judge or jury approval and continual review of forfeiture cases are just a few.

Most of the \$330,000 raised for this measure came from outside Oregon. We live and work in Oregon. We are Oregon's Sheriffs and Chiefs of Police. We are your neighbors, our children attend the same schools and we live in this community.

It is our responsibility as Oregonians to ensure that law enforcement has the appropriate tools to protect everyone in our community. **Measure 3 protects the property rights of criminals. Help us continue to protect law-abiding citizens. VOTE NO on 3.**

The Sheriffs of Oregon Committee
 Oregon Police Chiefs for Safer Communities

(This information furnished by Greg Brown, Sheriff, Deschutes County, The Sheriffs of Oregon Committee; Steven Winegar, Oregon Police Chiefs for Safer Communities.)

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Measure No. 3 Arguments

ARGUMENT IN OPPOSITION

We are Oregonians who live in a Portland neighborhood where a drug dealer operated out of his house for many years. **We oppose Ballot Measure 3 because it limits law enforcement's ability to shut down drug houses.**

Imagine buying a house in a neighborhood. You like the area, it's safe for your children and you feel safe there. A neighbor moves in. Something is wrong. There is traffic in your neighborhood at all hours. You become suspicious and you are in communication with the police. You note license plate numbers and anything that seems out of place. You are constantly vigilant. Being at home becomes a second job.

The dealer on our street was dealing large quantities of cocaine and had guns. The house was ordered forfeited due to work done by a local drug task force investigating the dealer. **Without forfeiture, the dealer, who owns numerous properties, might have returned to our neighborhood to continue his activities after his release from prison in two or three years.** Or the drug house could have continued to be operated by his associates while he served his prison term. **The best thing for our neighborhood was that he lost the house.**

Forfeiture as it exists today already has safeguards for homeowners. That is why it took several months to forfeit the dealer's house after his arrest.

Measure 3 would reduce enforcement against high level dealers who use houses to sell drugs. It would prohibit funds to be used for law enforcement. The task force who helped us needs forfeiture funds to continue its work. The proponents want to stop drug house forfeitures by eliminating funding for drug task forces. **It is unlikely that already limited state and local budgets will replace these funds.**

Drug houses in neighborhoods affect livability, devalue property and bring unknowns into neighborhoods. Forfeiture is used by law enforcement to protect innocent property owners like us. **Protect our neighborhoods. VOTE NO on 3.**

(This information furnished by Brian J. Porter, Donna Faye Porter, Jeanne M. Petrella.)

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ARGUMENT IN OPPOSITION

Mothers Against Drunk Driving urges you to vote NO on Measure 3.

In Oregon vehicle forfeiture is a proven tool utilized by the criminal justice system. This tool helps communicate swiftly and consistently the message that drunk driving is not an option in Oregon. **Counties who currently have forfeiture laws are successfully reducing injuries and fatalities attributable to intoxicated drivers.**

Offenders forfeit their vehicles only after they are given many chances and warnings. How many DUI's constitutes too many? If the first time someone drinks and drives and it results in the death of your family member or friend, then the first time is one too many.

Changing the standards of forfeiture would directly effect a valuable tool necessary in the fight against drinking and driving. The criminal justice system uses forfeiture to remove weapons from the hands of repeat DUII offenders. Forfeiture is a fair and effective process as it is currently applied in the State of Oregon.

Contrary to popular belief the majority of our members are not volunteers. They were recruited in the cruelest possible way, the death of a loved one. A mother whose 13-year-old daughter was killed by an intoxicated driver with three previous DUII convictions founded MADD in 1980. Our mission is to stop impaired driving, support victims of this violent crime and prevent underage drinking.

MADD has been successful in helping to make our streets safer from DUII however the problem still exists:

In 1998, impaired drivers killed 15,935 people in the U.S., 223 in Oregon.

On the average an impaired driver injures one person every 30 seconds.

At the current rate two of every five Americans will be involved in an alcohol related crash during their lives.

Forfeiture in the State of Oregon has helped prevent unnecessary deaths and injuries caused by repeat DUII offenders. Please help us preserve this invaluable tool. **VOTE NO on 3.**

(This information furnished by Sandra Nelson, State Chair, Mothers Against Drunk Driving Oregon; Jeanne Canfield, Vice Chair, Oregon MADD.)

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Measure No. 3 Arguments

ARGUMENT IN OPPOSITION

Vote No on Ballot Measure 3

As a Portland City Commissioner, I introduced the first ordinance in the country to take away the cars of repeat drunk drivers. The effect in Portland was dramatic. From 1994 to 1995 while drunk driving was on the increase nationally, we saw a 42 percent decrease in drunk driving in Portland.

I strongly believe in the effectiveness of vehicle forfeiture as a simple, common sense tool for law enforcement to keep drunk drivers off the road. Last year, according to the Highway Traffic Safety Administration, 16,000 people were killed in alcohol-related accidents.

People are frustrated and dismayed that chronic offenders continue to drive drunk. They should be. People who repeatedly drive drunk should lose their cars because, in their hands, a car is a weapon.

We will never know the feelings of the people whose lives have been snuffed out by drunk drivers. But consider how their loved ones feel about drunks who destroy the lives in family after family because no one will take cars away from them.

Take away the cars of repeat drunk drivers and keep the forfeiture laws in place!

Please vote NO on Ballot Measure 3.

Earl Blumenauer
Member of Congress

(This information furnished by Earl Blumenauer, Member of Congress.)

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ARGUMENT IN OPPOSITION

State Attorney General Hardy Myers and District Attorneys in 11 Oregon counties ask you to **VOTE NO on Measure 3.**

- Organized crime is in it for the money. Forfeiture laws help take the profit out of criminal enterprises that sell drugs or exploit prostitutes. **Measure 3 will put profit back in crime.**
- Forfeiture is used to take cars away from people who repeatedly drive while drunk. DUII forfeiture was enacted in Portland in 1994 and strengthened in 1999. This year DUII deaths are at an all time low. **Measure 3 will blunt this tool.**
- Oregon's forfeiture law allows your elected city and county representatives to use assets seized from criminals to support local law enforcement. **Measure 3 will cripple many drug-fighting task forces and directly affect the livability of your community.**
- Oregon's forfeiture law contains many built-in safe guards to protect innocent persons and avoid abuses. This includes attorney fees for innocent property owners and a requirement that the property has to be a major component in the facilitation of the crime. **Measure 3 is unnecessary.**
- Animal shelters gain permanent custody of rescued animals suffering from abuse or neglect by using forfeiture. **Measure 3 fails to distinguish animals from other types of property, thus it will invalidate Oregon's current animal friendly law.**

Oregon's forfeiture law is the result of over a decade of debate and continual adjustment. Its 38 pages include numerous safeguards. **Measure 3, in only three pages, will lock Oregon law into a poorly conceived Constitutional Amendment with complex and far reaching consequences.**

Please join us in VOTING NO on 3.

Attorney General Hardy Myers
District Attorneys:
Michael Schrunck, Multnomah County
Dale Penn, Marion County
Josh Marquis, Clatsop County
Doug Harcelroad, Lane County
Michael Dugan, Deschutes County
Clay Johnson, Josephine County
David Allen, Morrow County
Paul Burgett, Coos County
Jason Carlile, Linn County
John T. Sewell, Hood River
Steve Atchison, Columbia County

(This information furnished by Attorney General Hardy Myers; Michael D. Schrunck, Multnomah County District Attorney; Dale Penn, Marion County District Attorney; Josh Marquis, Clatsop County District Attorney; Doug Harcelroad, Lane County District Attorney; Michael Dugan, Deschutes County District Attorney; Clay Johnson, Josephine County District Attorney; David Allen, Morrow County District Attorney; Paul Burgett, Coos County District Attorney; Jason Carlile, Linn County District Attorney; John T. Sewell, Hood River District Attorney; Steve Atchison, Columbia County District Attorney.)

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Measure No. 4

Proposed by initiative petition to be voted on at the General Election, November 7, 2000.

BALLOT TITLE

4 DEDICATES TOBACCO-SETTLEMENT PROCEEDS; EARNINGS FUND LOW-INCOME HEALTH CARE

RESULT OF "YES" VOTE: "Yes" vote creates tobacco settlement trust fund; earnings dedicated to low-income health care.

RESULT OF "NO" VOTE: "No" vote leaves use of tobacco-settlement proceeds unrestricted, rejects creation of health trust fund.

SUMMARY: Currently, use of proceeds from settlement with tobacco products manufacturers is unrestricted. Measure places entire settlement into trust fund. Requires continuous appropriation of all fund earnings, for medical, dental, other remedial care services for low-income persons. Principal may be used for those purposes if court order or settlement agreement requires principal to go to federal government, or upon 2/3 approval by legislature when certain economic conditions indicate presence or likelihood of recession. Prohibits appropriations for other purposes, or under other conditions, absent voters' approval.

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 Oregon Health Plan 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. These funds will qualify for federal matching revenues in the Medicaid and Children's Health Insurance Programs.

There is 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. (1) As used in this section, 'Oregon Health Plan' means those programs identified in ORS 414.019 and 653.800 to 653.850, including Medicaid, Title XIX of the federal Social Security Act, that provide or arrange medical, dental and other remedial care services for low-income children and low-income adults. The term also includes programs financed under the Children's Health Insurance Program, Title XXI of the federal Social Security Act.

(2) The Oregon Health Plan Trust 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 Oregon Health Plan programs.

(3) Except as otherwise provided by the Oregon Constitution, the Oregon Health Plan Trust Fund shall consist of:

(a) All moneys paid to this state by United States tobacco products manufacturers under the Master Settlement Agreement of 1998;

(b) All earnings from investments of moneys in the fund.

(c) Any moneys appropriated to the fund by the Legislative Assembly;

(d) Any gifts, grants, federal government revenues or other moneys as may be made available for deposit into the Oregon Health Plan Trust Fund.

(4) Appropriations of the earnings in the fund shall, to the extent possible, maximize funding for expanding children's health coverage under the Children's Health Insurance Program, Title XXI of the federal Social Security Act.

SECTION 2. (1) Notwithstanding section 1 (2) of this 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 Oregon Health Plan Trust 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 Oregon Health Plan Trust 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 Oregon Health Plan Trust Fund for a purpose other than financing Oregon Health Plan 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 Oregon Health Plan Trust 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 Oregon Health Plan programs, moneys may be appropriated from the Oregon Health Plan Trust Fund under this subsection only for the purpose approved by the electors.

SECTION 3. In the event that any statutory measure other than this 2000 Act and Measure 89 (General Election 2000, the legislatively-referred Initiative No. 211 of 1999 House Bill 2007) also involves the proposed use of moneys paid to this state by United States tobacco products manufacturers under the Master Settlement Agreement of 1998 and is considered for approval or rejection by voters at the November 2000 general election, the measure that receives the greatest number of votes at such election shall prevail, and the other measures shall be null and void.

Measure No. 4

EXPLANATORY STATEMENT

Ballot Measure 4 creates the Oregon Health Plan Trust Fund and requires that all moneys paid to the state by tobacco products manufacturers under the Master Settlement Agreement of 1998 will be deposited into the fund. Currently the use of moneys under the agreement is unrestricted.

All earnings on moneys in the fund will be appropriated continuously and spent only for the purpose of financing programs that provide or arrange medical, dental and other remedial care services for low-income children and low-income adults.

Measure 4 includes programs financed under the Children's Health Insurance Program and the measure directs that appropriations of fund earnings will, to the extent possible, be used to expand children's health coverage.

The Legislative Assembly may appropriate moneys from the principal of the trust fund only when approved by two-thirds of the members elected to each house of the Legislative Assembly and when economic conditions in the state indicate an economic recession is present or likely in the state. If appropriations from principal of the trust fund are made because of an economic recession, all such appropriations must be for the purpose of financing the same health programs eligible for funding from earnings of the trust fund under Measure 4.

The Legislative Assembly also may appropriate moneys from the principal of the trust fund when a judicial order or decree or any settlement agreement to which the state is a party requires the state to pay any portion of the fund principal to the federal government.

In addition to moneys received by the state under the Master Settlement Agreement, all earnings from investments of moneys in the trust fund, any moneys appropriated by the Legislative Assembly and any gifts, grants, federal government revenues or moneys directed toward the trust fund will be deposited in the trust fund.

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 Lee Beyer
 Senator Gene Timms
 Representative Mark Simmons*
 Jerry Spegman*
 Kathleen Beaufait

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.)

Measure No. 4 Arguments

ARGUMENT IN FAVOR

**Oregon Nurses Association Asks You to
Take a Close Look at Measure 4.**

**Nurses Believe Measure 4 Makes the Best Use of
State Tobacco Settlement Revenues.**

Oregon is expected to receive more than \$2 billion over 25 years as its share of the national tobacco settlement. Measure 4 prudently invests Oregon's share of the tobacco settlement in the Oregon Health Plan Trust Fund to provide a long-term, stable funding base for Oregon Health Plan programs.

The Oregon Nurses Association supports Measure 4 for three reasons:

1. **Measure 4 prudently invests the money Oregon gets from the tobacco settlement in a trust fund.** Only earnings from the fund may be spent and those earnings are dedicated permanently to pay for Oregon Health Plan programs. Spending settlement money as it's received would create a future deficit when tobacco company payments drop. Measure 4 guarantees perpetual benefits that will grow as the trust grows and provide a permanent base of funding for Oregon Health Plan programs.
2. **It puts the priority on health care coverage for children.** Measure 4 requires that trust fund earnings be used to maximize coverage of uninsured children through the federal Children's Health Insurance Program. That will extend health care coverage to 61,000 low-income children who currently have no health insurance.
3. **Measure 4 maximizes the amount of money available for low-income health care.** Nearly every dollar provided by Measure 4 will be matched by two or more dollars from the federal government. Because Measure 4 allows the state to leverage federal funds, more than \$129 million will be available for Oregon Health Plan programs over the next two years.

The Oregon Health Plan has expanded health care coverage to more Oregonians, while nationally an increasing number are uninsured. Measure 4 provides the essential stability needed to make sure the Oregon Health Plan itself stays healthy.

The Oregon Nurses Association recommends you vote **YES on Measure 4.**

(This information furnished by Martin Taylor, Nurses United affiliated with Oregon Nurses Association.)

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

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ARGUMENT IN FAVOR

Measure 4 will ensure continuation of the Children's Health Insurance Program, providing needed health coverage for uninsured Oregon children.

The Oregon Pediatric Society supports Measure 4.

There's simply no good reason any child in Oregon should be without healthcare. Through the Oregon Health Plan, we've expanded healthcare coverage to thousands of poverty-level children. Because the federal Children's Health Insurance Program (CHIP) matches state dollars on a nearly three-to-one basis, children's healthcare is a cost-effective investment.

The Oregon Health Plan has already reduced the rate of uninsured children in Oregon from 21% in 1990 to just 8% in 1999. That's progress, but more is needed.

Last year, limited state funds left more than 61,000 Oregon children – 18 and younger – without healthcare.

Ballot Measure 4 will change that. Measure 4 puts the priority on healthcare for children by specifically directing that trust fund earnings be used to maximize Oregon CHIP. It will afford us access to almost \$100 million in federal funds, money that Oregon CHIP has to "use or lose."

The Oregon Pediatric Society believes Measure 4 wisely invests the state's share of national tobacco settlement funds where it can do the most good for more children. Oregon's kids need to be healthy and nurtured in order to succeed in school and other activities. Measure 4 will help us give these kids a healthy future.

The Oregon Pediatric Society urges you to vote YES on Measure 4.

(This information furnished by James K. Lacey, M.D., F.A.A.P., Oregon Pediatric Society.)

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Measure No. 4 Arguments

ARGUMENT IN FAVOR

GOVERNOR KITZHABER RECOMMENDS A YES VOTE ON MEASURE 4.

Measure 4 creates the Oregon Health Plan Trust Fund and invests in a permanent trust all the money the state will get from tobacco companies as part of the national tobacco settlement. Earnings from the trust will be dedicated to Oregon Health Plan programs.

The tobacco settlement provides Oregon the chance to secure stable, long-term funding for Oregon Health Plan programs. It resulted from the state's lawsuit seeking reimbursement of state expenses paying for treatment of tobacco-related illnesses among low-income Oregonians. It's logical to use the settlement to pay for low-income health care.

The Oregon Health Plan has helped the state extend health care coverage to more and more of its citizens. Yet children and working low-income families constantly are at risk of losing their health care coverage because the state lacks funds needed to take full advantage of federal health care programs. And an estimated 327,000 Oregonians still have no health insurance.

Ballot Measure 4 is an important part of ensuring stable, long-term funding for the Oregon Health Plan, particularly for low-income children.

Measure 4 will provide coverage for 48,000 low-income children who otherwise would have no health care. But it also will help more than 18,000 low-income working families pay for health care coverage they now are on a waiting list to buy.

Measure 4 makes good use of Oregon's tobacco settlement windfall. Nearly every dollar of funding for health care provided by Measure 4 will be matched by almost two dollars from the federal government. By using trust fund earnings to leverage federal funds, Measure 4 will add more than \$100 million for Oregon Health Plan programs over the next two years.

I urge you to join me in voting YES on Measure 4.

John Kitzhaber
Governor

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

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ARGUMENT IN FAVOR

Northwest Organization of Nurse Executives Recommends a YES Vote on Measure 4.

Our members are responsible for the administration and management of patient care services in all settings where health care is delivered. We recommend you vote YES on Measure 4.

The Northwest Organization of Nurse Executives provides leadership for healthier communities, which aligns well with the Oregon Health Plan's focus on prevention and wellness. As an example, and unlike many private health insurance plans, the Oregon Health Plan fully covers tobacco cessation programs. That's especially important because nearly 40 percent of those eligible for the Oregon Health Plan are smokers.

The biggest challenge the Oregon Health Plan faces is the threat every two years that budget competition will force cuts and fewer Oregonians – particularly vulnerable children – will lose the coverage they now enjoy.

Measure 4 puts a permanent foundation under Oregon Health Plan funding by dedicating the money Oregon will receive from the national tobacco settlement into the Oregon Health Plan Trust Fund. It makes good economic sense to invest all that money and spend only the earnings from the trust. It guarantees continued funding of the Oregon Health Plan.

Measure 4 Expands Coverage for Children

Measure 4 puts first priority on expanding coverage for Oregon children who have no health care. Ongoing care during childhood is a critical key to adult wellness.

Most Oregon Health Plan programs qualify for federal matching funds, so nearly every dollar of funding for health care provided by Measure 4 will be matched by two or more dollars from the federal government. If Measure 4 passes, nearly \$130 million will be available for Oregon Health Plan programs in the next legislative session. That will continue to grow as the trust fund grows.

Measure 4 helps make sure the Oregon Health Plan has the long-term base of support it needs.

Please Vote YES on Measure 4.

(This information furnished by Judy Tatman, Northwest Organization of Nurse Executives.)

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Measure No. 4 Arguments

ARGUMENT IN FAVOR

OREGON MEDICAL ASSOCIATION SUPPORTS MEASURE 4

Oregon Medical Association, the professional association of over 6,000 Oregon physicians, supports passage of Measure 4. It is the most appropriate use of Oregon's share of the national tobacco settlement.

Measure 4 dedicates every dollar of the estimated \$2 billion the state will receive from the tobacco settlement and creates the OREGON HEALTH PLAN TRUST FUND. ONLY the earnings from the trust fund may be spent and ONLY for Oregon Health Plan programs.

The tobacco settlement was based on costs Oregon incurred for treatment of low-income Oregonians suffering from tobacco related illnesses – this is why Measure 4's dedication of tobacco settlement funds to a trust fund is most appropriate.

The federal government matches nearly every dollar of State spending on health care for the Oregon Health Plan. This allows the State of Oregon to leverage the earnings from the trust fund to the benefit of all Oregonians.

Establishing the OREGON HEALTH PLAN TRUST FUND helps Oregon create an endowment that will grow and will provide resources to sustain the Oregon Health Plan for many years to come.

Measure 4 makes good business sense and it is good medical policy for all Oregonians.

Please vote YES on Measure 4.

Submitted by
David J. Lindquist, M.D.
President

(This information furnished by Robert L. Dervedde, CAE, Oregon Medical Association.)

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

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ARGUMENT IN FAVOR

SAVE THE OREGON HEALTH PLAN

Vote YES on Measure 4

The Oregon Health Plan is a bold approach to expanding health care access for low-income Oregonians. 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 at 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. Another 18,000 Oregon working families were left waiting for state help in paying for their health insurance because the legislature couldn't fully fund the Family Health Insurance Assistance Program.

Without a solid foundation of funding, the Oregon Health Plan will continue to be threatened by competition for limited state funds and vulnerable if Oregon's economy sours.

Measure 4 offers the stability the Oregon Health Plan needs to survive.

Because Measure 4 allows the state to leverage federal funds, more than \$80 million will be available for Oregon Health Plan programs over the next two years. Nearly every dollar of funding for health care provided by Measure 4 will be matched by two or more dollars from the federal government.

That amount will grow over the next 23 years as the Oregon Health Plan Trust Fund grows. More important, Oregon Health Plan Trust Fund will provide permanent, guaranteed funding.

The Oregon Health Plan has worked to expand coverage and keep health care costs in Oregon among the lowest in the nation.

The Oregon Association of Hospitals and Health Systems urges you to vote YES on Measure 4 to save the Oregon Health Plan.

(This information furnished by Kenneth Rutledge, Oregon Association of Hospitals and Health Systems.)

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Measure No. 4 Arguments

ARGUMENT IN FAVOR

NICU Physicians and Nurses

YES on Measure 4

Imagine the stress for parents of newborns who require the care of specially trained doctors and nurses in Oregon's neonatal intensive care units. Then imagine wondering how you are going to pay for the lifesaving healthcare services when you have no insurance. The medical costs can easily be \$2,000 per day. It is economically devastating.

Measure 4 can ease some of the financial burden for poverty level and low-income working families. That is why the doctors and nurses who devote themselves to saving the tiniest of Oregon's babies support Measure 4. We want all babies to have access to healthcare services.

Measure 4 invests the state's share of the national tobacco settlement in a trust fund where the earnings from the fund are specifically targeted for children's health insurance. Measure 4 earnings will provide the state funds needed to access federal matching dollars, which will ultimately give Oregon the ability to receive over \$129 million to pay for healthcare for children.

According to the Department of Administrative Services, if Measure 4 passes, **Oregon will have more trust fund earnings in the first biennium than it has been able to invest in Children's Health Insurance Program since the program began in 1997!** Measure 4 will have a positive impact on the lives of so many of our smallest citizens.

Please help us make a difference – vote YES on Measure 4.

(This information furnished by Barbara Roberts, RN, Lee Harker, MD, Rogue Valley Medical Center Neonatal Intensive Care Unit; Marjorie Gold, RN, St. Charles Medical Center Neonatal Intensive Care Unit; John V. McDonald, MD, Providence St. Vincent Neonatal Intensive Care Unit; Melinda Rupp, RN, Patrick Lewallan, MD, Legacy Emanuel Children's Hospital; A. Charles Hoffmeister, MD, Ronald Gordon, Molly Bryant, RN, Fredericka Smithies, CNA, Ann Krenek, RN, Deborah Moss, RN, Annette Garner, RN, Sacred Heart Medical Center Neonatal Intensive Care Unit.)

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ARGUMENT IN FAVOR

The Chief Sponsors Explain Why They Support Measure 4

As Chief Petitioners of Measure 4 and with a combined 28 years of legislative service, we are proud to present this stable, long-term funding solution for the Oregon Health Plan. It invests funds Oregon will receive from the national tobacco settlement, compensating the state for past, present and future costs for treatment of low-income Oregonians suffering tobacco-related illnesses.

Measure 4 creates the Oregon Health Plan Trust Fund and dedicates all the earnings from the trust to funding Oregon Health Plan programs – for children, low-income working families and others who can't afford health insurance. It also maximizes limited funds by triggering federal matching dollars that almost triples the value of every dollar the trust earns.

Too often the Legislature looks to short-term political solutions, avoiding the long-term consequences of their actions. Measure 4 corrects the poor decision legislators made in sending Measure 89 to voters. Measure 89 dilutes earnings from Oregon's share of the tobacco settlement by spending earnings on a range of programs that don't qualify for federal matching funds. And Measure 89 fails to direct any funding for Oregon Health Plan programs.

Since it's inception, Oregon Health Plan funding has been threatened by budget constraints. It may be tempting to spend tobacco settlement payments as we get them, but that would provide only short-term help. The Oregon Health Plan Trust Fund puts settlement dollars to work forever, providing a guaranteed base of future support for health care programs helping Oregon's most vulnerable citizens.

Measure 4 lets Oregonians send a strong message to future Legislatures: "We want tobacco settlement revenue used to **SAVE THE OREGON HEALTH PLAN** so it can continue providing healthcare to low-income children and families."

Please support this bipartisan request from a rural and urban legislator to do what is right for all of Oregon.

VOTE YES ON MEASURE 4!

Senator Eugene Timms (R-Burns)

Senator Lee Beyer (D-Springfield)

(This information furnished by State Senator Lee Beyer, State Senator Eugene Timms.)

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Measure No. 4 Arguments

ARGUMENT IN FAVOR

Oregon Rural Health Association supports Measure 4. It makes good use of national tobacco settlement revenues.

The Oregon Health Plan is seriously threatened every year. Oregon's comprehensive plan to extend health care coverage to uninsured low-income Oregonians is constantly at risk in state budget battles. Measure 4 would create a permanent foundation for Oregon Health Plan funding by creating a trust fund with national tobacco settlement dollars and dedicating its earnings to fund Oregon Health Plan programs.

Rural Oregon has a higher percentage of Oregonians living in poverty than urban areas. Oregon Health Plan coverage has been the gateway to health care for many rural Oregonians who otherwise couldn't afford ongoing health care for themselves and their families. As health care consumers and providers in rural Oregon, stable funding of the Oregon Health Plan is a top priority of the Oregon Rural Health Association.

The national tobacco settlement resulted from the state's lawsuit seeking compensation for past, present and future costs of covering the treatment of tobacco-related illnesses for low-income Oregonians. It's logical to use settlement dollars to pay for low-income health care.

Measure 4 will provide health care coverage to thousands of low-income children who currently have no health care. The federal government pays 72 cents of every dollar spent on health care for children in low-income families through the Children's Health Insurance Program. Measure 4 will fund insurance for more than 50,000 children not currently covered.

Measure 4 will provide health care coverage for low-income working families. Measure 4 will help more than 18,000 families on the waiting list for the Family Health Insurance Assistance Program to get the health insurance their families need.

The Oregon Rural Health Association is the only organization that speaks for health care providers, consumers and the economic interests of rural Oregon. Measure 4 is a good deal for rural Oregon. Please Vote YES.

(This information furnished by Lynn C. Ironside, Secretary, Oregon Rural Health Association.)

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ARGUMENT IN FAVOR

SUPPORT MEASURE 4

Save the Oregon Health Plan

The following state legislators, from both political parties and from around the state, request your YES vote on Measure 4:

- Senator Lee Beyer, D-Springfield
- Representative Gary Hansen, D-Portland
- Representative Bob Jenson, R- Pendleton
- Representative Jerry Krummel, R-Wilsonville
- Representative Jeff Kruse, R-Roseburg
- Senator John Lim, R-Gresham
- Representative Bob Montgomery, R-Cascade Locks
- Senator David Nelson, R-Pendleton
- Representative Barbara Ross, D-Corvallis
- Senator Marilyn Shannon, R-Brooks
- Senator Charles Starr, R-Hillsboro
- Senator Veral Tarno, R-Coquille
- Representative Terry Thompson, D-Newport
- Senator Eugene Timms, R-Burns
- Representative Jackie Winters, R-Salem
- Representative Bill Witt, R-Portland

Please vote YES on Measure 4.

(This information furnished by Pat McCormick, Committee to Save the Oregon Health Plan.)

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Measure No. 4 Arguments

ARGUMENT IN FAVOR

**Child Advocates
Urge You to Vote YES on Measure 4
To Provide Health Care Coverage
for All Oregon's Children**

As long time children's advocates, we are dedicated to the well-being of each and every child in Oregon. We strongly support Measure 4 and urge you to vote yes.

The federal Children's Health Insurance Program (CHIP) allows states to provide healthcare coverage for otherwise uninsured children through age 18. Under CHIP, the federal government pays 72 cents of every dollar spent on healthcare for children in low-income families. In other words, it costs Oregon only 28 cents to provide low-income children a dollar's worth of healthcare. But despite the substantial federal help, last year the state could only afford to add coverage for about 17,000 young Oregonians.

Today more than 61,000 Oregon children remain without healthcare coverage.

Measure 4 will provide coverage for those children who otherwise would have no healthcare.

Oregon owes its youth a healthy start in life. Measure 4 is a wise investment of tobacco settlement moneys in the health and well-being of Oregon children who, through no fault of their own, lack healthcare coverage.

Please vote YES on Measure 4

**Muriel and Marvin Goldman
Child advocates**

(This information furnished by Muriel Goldman, Marvin Goldman.)

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ARGUMENT IN FAVOR

**SUPPORT MEASURE 4
Save the Oregon Health Plan**

The following candidates for the state legislature, from both political parties and from around the state, request your **YES** vote on Measure 4:

- Alan Bates, D-Eagle Point, House District 52
- Alan Brown, R-Newport, House District 4
- Bill Duncan, D-Summersville, Senate District 29
- Irv Fletcher, D-Woodburn, House District 38
- Mitch Greenlick, D-Portland, House District 7
- Linda Harrington, D-Prairie City, House District 59
- Cedric Hayden, R-Eugene, House District 43
- Lon Holston, D-Central Point, House District 51
- Jane Hunts, R-Eagle Point, House District 52
- Debra James, D-Klamath Falls, Senate District 30
- Scott Lutz, R-Portland, House District 15
- Roger McCorkle, D-Florence, Senate District 24
- John Scruggs, R-Aloha, House District 6
- Wayne Snoozy, D-Klamath Falls, House District 53
- Kelley Wirth, D-Corvallis, House District 35
- Paul Zastrow, D-Hood River, House District 56

Please vote YES on Measure 4.

(This information furnished by Pat McCormick, Committee to Save the Oregon Health Plan.)

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Measure No. 4 Arguments

ARGUMENT IN OPPOSITION

The American Heart Association
**BALLOT MEASURE 4
FAILS TO PROVIDE PREVENTION**

The National Tobacco Agreement will bring hundreds of millions of dollars to Oregon. It would be a big mistake not to spend any of the settlement on tobacco-prevention. 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 4
FAILS TO REDUCE COSTS TO TAXPAYERS**

It's been estimated that diseases caused by tobacco use costs Oregonians over \$1 billion dollars a year in economic and health costs. Just over \$300 million a year in taxpayer dollars is 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 4
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 4

Tobacco Settlement Money Must Be Used For
Tobacco Prevention!

TO ENSURE THE FUTURE HEALTH OF OREGON

VOTE NO on BALLOT MEASURE 4

(This information furnished by John W. Chism Jr., American Heart Association, Northwest Affiliate.)

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ARGUMENT IN OPPOSITION

The AMERICAN LUNG ASSOCIATION of Oregon
Opposes Measure 4
Tobacco Settlement Dollars Should be Spent
on Tobacco Prevention Programs

**MEASURE 4 PROVIDES NO MONEY AT ALL
FOR 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 4 because it would stop even one penny of the tobacco settlement money from being spent on tobacco prevention programs in Oregon. The very programs we need 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, which is 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 4...
The HMO INDUSTRY in Oregon.**

FACT: The Association representing Oregon HMOs put Measure 4 on the ballot.

FACT: Measure 4 was designed to put the HMO's interests first.

FACT: Measure 4 is just another special interest ballot measure that says one thing, but does another.

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

Vote "No" on MEASURE 4

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

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Measure No. 4 Arguments

ARGUMENT IN OPPOSITION

The American Cancer Society Says
PLEASE VOTE NO ON MEASURE 4

Because Tobacco Settlement Dollars Should Go to
Tobacco Prevention

1. Measure 4: Doesn't Give One Penny to Prevention

The Tobacco Industry is being forced to take responsibility for the billions of dollars they have cost U.S. taxpayers...it's called the National Tobacco Settlement. Now they must pay for their deceptive advertising aimed at our kids and their decades of lies about nicotine addiction. And, at least a portion of the money should be used to fund tobacco prevention efforts.

2. Measure 4: Look Who's Behind It

The HMO Industry is behind Measure 4. They're making a grab for every bit of the Tobacco Settlement. If this measure passes, it will be just another special interest measure promising one thing and delivering another. Measure 4 is nothing more than a special interest giveaway designed to line the pockets of HMO's.

3. Measure 4: Won't Decrease Future Costs Associated with Tobacco Use

The costs to Oregon taxpayers for health expenditures associated with tobacco-related diseases are mammoth...more than \$300 million dollars a year. That kind of money could make a real difference, if we didn't have to spend it each year on health care for preventable diseases. Tobacco-use is a real financial drain on us all.

The former director of the US Centers for Disease Control and Prevention (CDC) says...

"we could cut the rate of smoking in half among teens and adults this decade, if the nation would take the step of fully implementing anti-smoking programs."

But Measure 4 Puts Oregon on the Wrong Track...

We can't just sit by while Measure 4 tries to keep any of the money at all from being spent on tobacco prevention. That's why we oppose Measure 4.

PLEASE MAKE A HEALTHY CHOICE FOR OREGON!

JOIN WITH THE AMERICAN CANCER SOCIETY

In committing to tobacco settlement funding for tobacco prevention programs

VOTE NO ON MEASURE 4

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

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ARGUMENT IN OPPOSITION

WHO HAVE YOU ALWAYS TRUSTED TO GIVE YOU HONEST INFORMATION ABOUT ISSUES THAT AFFECT THE HEALTH OF OREGONIANS?

Measure 4 prohibits any Tobacco Settlement money at all, from being spent on Tobacco prevention, and that's why...

The Following Groups ALL Oppose Measure 4

American Cancer Society

American Heart Association

American Lung Association, Oregon

Oregon Federation of Nurses and Health Care Professionals

American College of Cardiology, Oregon Chapter

Oregon State Council of Senior Citizens

Oregon Advocacy Coalition of Seniors & People with Disabilities

Oregon Alliance of Children's Programs

Oregon Health Care Association

Portland Gray Panthers

Oregon Center for Assisted Living

Oregon Advocacy Center

Oregon Consumer League

American Association of University Women of Oregon

Human Services Coalition of Oregon

United Seniors of Oregon

WHO'S BEHIND MEASURE 4?

WHO'S THE ONLY CONTRIBUTOR TO PAY TO PUT IT ON THE BALLOT?

Answer: The Association representing the HMO Industry in Oregon—

The HMO Industry has designed Measure 4 to put their interests above all others!

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

Urge You to: **VOTE NO ON MEASURE 4**

it's bad for Oregon's health to fail to fund prevention!

(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. 4 Arguments

ARGUMENT IN OPPOSITION

We Are:

The American Heart Association

The American Cancer Society

The American Lung Association
Of Oregon

And

**WE ARE OPPOSED TO MEASURE 4
BECAUSE**

It Takes the Entire Tobacco Settlement and
Prohibits Any of the Money at All
from being Dedicated to 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"

**We AGREE with the US CENTERS FOR DISEASE CONTROL
AND PREVENTION, the "CDC"
Prevention Does Work!!!**

And, because prevention works,
Oregon's Heart, Lung and Cancer Organizations

are **ALL Opposed to Measure 4**

This measure prevents any of the Tobacco Settlement money
from being spent on tobacco prevention

We Urge Your No Vote on Measure 4

Please Join us in Supporting a Healthy Future for Oregon!
Please Join Us in Supporting Prevention Today!

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

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ARGUMENT IN OPPOSITION

OREGON NURSES & HEALTH CARE PROFESSIONALS

REJECT BALLOT MEASURE 4

Because it doesn't do anything for prevention!

VOTE NO ON MEASURE 4...

because it fails to use even a portion of the Tobacco Settlement money for tobacco-prevention.

VOTE NO ON MEASURE 4...

because prevention programs to ensure the future health of Oregon's kids deserve to be a top priority.

VOTE NO ON MEASURE 4...

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

VOTE NO ON MEASURE 4...

because it was sponsored by the Association that represents the HMO Industry in Oregon and was written to put their interests first.

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 cost associated with nicotine addiction and smoking. We're opposing Measure 4 because it stops **even, a nickel** of the Tobacco Settlement from going to tobacco prevention programs 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 4 Doesn't Spend a Dime on Prevention
Measure 4 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 4!

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

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Measure No. 4 Arguments

ARGUMENT IN OPPOSITION

**Nurses in Oregon Invite You to Take
a Closer Look at Measure 4**

**MEASURE 4 PROVIDES NO MONEY AT ALL FOR
TOBACCO PREVENTION**

The Surgeon General has stated that smoking rates among teens could be cut in half within the decade if the nation would fully implement anti-smoking programs.

**When will we ever learn?
Prevention saves lives and money!**

As nurses, we see the devastation caused by tobacco-related health problems on a daily basis. And, we see the financial drain on the health care system caused by these preventable diseases. Yet, Measure 4 stands poised to put Oregon on the wrong track because it fails to address prevention.

The Price-Tag for Tobacco Use in Oregon is Just Too High...

It Costs Oregon Taxpayers Too Much Money:

Each year hundreds of millions of the public's money is spent on tobacco-related illness. It's estimated, that in Oregon, more than \$300 million dollars a year are spent on subsidized health services for those with diseases like lung cancer and emphysema. Another \$100 million is lost from Oregon's economy each year due to lost days of work for those suffering from these diseases.

It Costs Oregon Citizens Too Many Lives:

Tragically, tobacco kills more than 1 in 5 Oregonians. It is believed that approximately 6,000 lives are lost each year in Oregon, and another 400,000 nationwide, directly attributable to tobacco use. Well over 80% of new smokers are children and teenagers.

So it just makes sense...

The Tobacco Master Settlement should be spent on tobacco prevention.

Nurses in Oregon Oppose Measure 4

VOTE NO ON MEASURE 4

The Tobacco Settlement Should be Spent on Tobacco Prevention!

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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ARGUMENT IN OPPOSITION

Former Surgeon General C. Everett Koop Urges No Vote on Measure 4

Dear Oregon Families,

Measure 4 is a measure drafted by the association representing the HMO Industry. It prevents the State's tobacco settlement from being used for what it was intended: to reduce the damage that tobacco use inflicts on Oregon. **The measure doesn't put one penny into tobacco prevention!** What greater investment can we make in public health than prevention? What investment would give greater returns than antismoking programs? The answer is none. That is why Oregon's leading public health advocates oppose Measure 4. I urge voters to protect Oregonians' health, lives and pocketbooks by voting **NO** on Measure 4.

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 to put in place programs that will improve public health in the future by reducing tobacco use. Measure 4 ignores this opportunity. 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 for 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. After a drop in the number of 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 4 fails to do that.

I urge you to vote **NO** on Measure 4.

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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Measure No. 4 Arguments

ARGUMENT IN OPPOSITION

OREGON SENIORS WEIGH IN ON MEASURE 4

Oregon State Council of Senior Citizens

Oregon Advocacy Coalition of Seniors & People with Disabilities

United Seniors of Oregon

Portland Gray Panthers

We Hope You Will Vote "NO" to Ballot Measure 4
Prevention Has Just **GOT** to become a Priority for Oregon's Share of the Tobacco Settlement

As organizations working on behalf of Oregon's elderly, including those who may be frail or disabled, we see Oregonians every day who are near the end of their life. Oregonians in assisted living, convalescent or long-term care facilities. Tragically, many of them experience illnesses attributed to a lifetime of tobacco use. **Smoking prevention programs for our kids now will help reduce the number of Oregonians who face these sorts of diseases in the decades to come.**

Measure 4 is Too Costly for Oregon Taxpayers!

The costs: health care costs, human costs, economic costs, are huge. And, Measure 4 does not provide any funding for tobacco prevention. The Tobacco Settlement's purpose was to provide some money for tobacco-prevention programs. We can't afford to turn our backs on this chance to reduce smoking and all the future associated costs to Oregon.

Oregon Taxpayers Pay the Price

Oregon taxpayers pay millions and millions of dollars to underwrite the costs of illnesses caused by tobacco use. In 1996 alone, the price tag in Oregon was almost \$400 million in public health care expenditures. And, a total cost of \$1.5 BILLION is estimated to be lost on all the economic costs associated with smoking—loss of productivity, lost workdays and private and public health care costs. Smoking prevention would go along way to reducing these costs, now and in the future.

OREGON SENIORS

Are Asking You To

VOTE NO ON BALLOT MEASURE 4

Smoking Prevention Should be a Priority for Tobacco Settlement Money

Let's Ensure the Future Health of Oregonians

(This information furnished by Jim Davis, Oregon State Council of Senior Citizens, United Seniors of Oregon, Portland Gray Panthers, Oregon Advocacy Coalition of Seniors and People With Disabilities.)

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ARGUMENT IN OPPOSITION

The American College of Cardiology, Oregon Chapter:
The Professional Organization for DOCTORS of Cardiology

OPPOSES

BALLOT MEASURE 4

PROHIBITS ANY MONEY AT ALL FROM BEING SPENT ON TOBACCO PREVENTION

It would be a big mistake not to spend any of the Tobacco Settlement on tobacco-prevention. The Settlement will bring millions...**hundreds of millions of dollars to Oregon.** This is a once in a life time chance for Oregon that will never happen again. Let's not turn our backs on it! If we do, we will be paying for, for it well into the future.

OPPOSES

BALLOT MEASURE 4

COSTS TO TAXPAYERS TOO MUCH

It's been estimated that, tobacco-related diseases cost Oregonians over \$300 million dollars a years in public health care expenditures. Another \$100 million is lost in productivity reductions attributed to lost workdays in Oregon. The only way we can really reduce these costs over the long haul is to invest in tobacco prevention today.

OPPOSES

BALLOT MEASURE 4

FAILS TO PROTECT OUR KIDS' FUTURE HEART HEALTH

The overwhelming majority of smokers **began smoking as children** or teens. For example, smoking causes 21% of all heart disease deaths. And, smoking nearly doubles the risk of certain types of stroke. Tobacco prevention can make the difference keeping our kids healthy now, and for a lifetime.

That's Why...

**THE AMERICAN COLLEGE OF CARDIOLOGY,
Oregon Chapter**

is Working to Defeat Measure 4

Tobacco Settlement Funds Should Be Used For
Tobacco Prevention!

TO ENSURE GOOD HEART HEALTH FOR OREGON

**Please Join DOCTORS of Cardiology
in**

VOTING NO on MEASURE 4

(This information furnished by Sondra Gleason, American College of Cardiology, Oregon Chapter.)

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Measure No. 4 Arguments

ARGUMENT IN OPPOSITION

OREGON DOCTORS KNOW FIRST-HAND TOBACCO PREVENTION IS A WISE INVESTMENT

That's Why Oregon Doctors Oppose Measure 4

Measure 4 Means No Money for Tobacco Prevention

The Tobacco Settlement is supposed to be used to fight tobacco-related illnesses. But, Measure 4 provides no money at all for tobacco use reduction...that's a real missed opportunity for Oregon and for our kids. If we spend some of the settlement money on helping people avoid smoking in the first place and helping current smokers quit, we can save lives, health care resources and tax dollars.

That's why doctors, nurses, senior's groups, children's groups and organizations like the Cancer Society, Lung Association, the Heart Association are all opposing Measure 4.

According to a 1996 Center for Disease Control (CDC) Report

The Tobacco Industry in Oregon made:

- \$400 million dollars in gross revenues

The Taxpayers of Oregon paid:

- \$450 million dollars in direct private medical expenditures
- \$350 million dollars in direct public medical expenditures
- \$100 million dollars in indirect costs due to lost days of work

\$1.5 billion dollars: the cost of tobacco use to Oregonians

And, if Measure 4 passes \$0 dollars will be spent on tobacco-prevention!

The fact is, tobacco prevention programs can save taxpayers money and that's an investment that Oregonians just can't afford to walk away from. Meanwhile, smoking is the most preventable cause of death in our society.

Some of the settlement money should be invested in tobacco-prevention programs. It just makes good sense. It'll reduce both current and future health care costs, and tax dollars spent...but most of all it will save lives.

Please Vote "No" on Measure 4

Join with Oregon Doctors in Investing in Tobacco Prevention

- Andrea Kielich, MD
- David Kliewer, MD
- Bruce Thomson, MD
- Gary Goby, MD
- Donald Austin, MD
- Mark Rampton, MD
- Tom Becker, MD
- Jay Kravitz, MD
- Bernard Kliks, MD
- Bruce McLellan, MD
- David Gilmour, MD

(This information furnished by Donald F. Austin, MD.)

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ARGUMENT IN OPPOSITION

Oregon Health Care Association Says "NO" to Ballot Measure 4

Prevention Must be a Priority for Oregon's Share of the Tobacco Settlement

As an association of health care providers, we work with Oregonians every day who are at the end of their life. Oregonians in long term care, assisted living and nursing homes. Sadly, nearly 50% of all tobacco related health care costs in Oregon are spent caring for people in long-term care facilities. We see the worst of the devastation cause by a lifetime of smoking. Smoking prevention for our kids now will make the single biggest difference in reducing tobacco-use diseases and health care costs in the future.

Oregonians Just Can't Afford Measure 4!

The costs: health care costs, human costs, economic costs, are huge. And, Measure 4 does not provide any funding for tobacco prevention. The Tobacco Settlement's purpose was to provide some money for tobacco-prevention programs. We can't afford to turn our backs on this chance to reduce smoking and all the future associated health care costs to Oregon.

The HMO Industry is Behind Measure 4!

Measure 4 is being brought to Oregon voters by the HMO Industry...it was designed to put their interests first. It's just another special interest ballot measure that says one thing but does another.

Oregon Taxpayers Pay the Price

In 1993 Oregon spent nearly \$73 million to treat smoking-related illnesses. Half of that total was spent on nursing homes. In 1996, Oregon Taxpayers spent almost \$400 million in tobacco-related health care expenditures. Vote No on Measure 4 and help control future health care costs.

The Oregon Health Care Association Urges Oregon to

VOTE NO ON BALLOT MEASURE 4

Prevention: It's What the Settlement Was About
Prevention: It's What Makes Sense for Oregon
Prevention: It's the Right Thing to Do

(This information furnished by Jonathan Eames, Oregon Health Care Assn., Oregon Center for Assisted Living.)

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Measure No. 4 Arguments

ARGUMENT IN OPPOSITION

WE CARE ABOUT THE CHILDREN OF OREGON
Join Us in Opposing Measure 4
Because it Equals: No Money for Tobacco Prevention

Dear Oregon Voter:

The Oregon Alliance of Children's Programs opposes Measure 4, because it provides no money at all from the Tobacco Settlement for tobacco prevention. We are an association of organizations devoted to helping kids in Oregon.

And, that's why we can't just stand by as **Measure 4 tries to divert every last penny** of the Tobacco Settlement away from **tobacco prevention programs for Oregon's kids**. We are committed to helping Oregon's kids have a healthy future.

The overwhelming majority of smokers start when they are children or teens. Let's face it, our kids are growing up facing all sorts of challenges we never would have imagined in our own childhood. Our kids face really tough pressures today. They are bombarded by destructive images in the media...peer pressure...school violence...it's unending.

That's why we need to do everything we can to help them stand up to these pressures, to make good decisions now and for the future. **That's why tobacco-prevention programs are key.**

The Tobacco Settlement is a chance to invest in Oregon's kids, by investing in tobacco prevention. It's true, we need to address kid's health issues now, but at the same time we need to invest in our kids' future health, too.

Measure 4 would prevent even a small portion of the multi-million dollar Tobacco Settlement from being spent on tobacco prevention. We have an obligation to do the right thing for our kids. We have an obligation to support prevention. We have an obligation to defeat Measure 4.

THE OREGON ALLIANCE OF CHILDREN'S PROGRAMS
PLEASE JOIN US IN CASTING A

"NO" VOTE

ON MEASURE 4

Tobacco Dollars for Tobacco Prevention for Oregon's Kids
It's What's Right

(This information furnished by Janet Arenz, Oregon Alliance of Children's Programs.)

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

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ARGUMENT IN OPPOSITION

HUMAN SERVICES COALITION OF OREGON

Oppose Measure 4
Support the Oregon Health Plan by Supporting Tobacco Prevention

The Human Services Coalition of Oregon (HSCO) is comprised of organizations who are dedicated to providing low-income Oregonians with health care through the Oregon Health Plan. Yet, HSCO is opposed to Measure 4.

Why is that?

Measure 4:

Would prevent **any funds at all**, from the Tobacco Settlement, from going to tobacco prevention programs in Oregon.

Measure 4:

Violates the entire premise of the Oregon Health Plan—Prevention. The Oregon Health Plan is based on the fact that prevention services are always less costly than treating a preventable disease latter. **Yet, this measure won't address tobacco prevention at all.**

Measure 4:

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, health care providers and nonprofit organizations dedicated to the prevention of heart, lung, cancer and other tobacco-induced illnesses, in opposing this measure

VOTE NO ON MEASURE 4
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. 4 Arguments

ARGUMENT IN OPPOSITION

The Housing Lobby Coalition of Oregon Opposes Measure 4.

Measure 4 sends the Tobacco Settlement money to the **Wrong Place** for the **Wrong Purpose**.

Oregon Should Use the Tobacco Settlement for **TOBACCO USE PREVENTION** and **HEALTH SUPPORT PROGRAMS** such as those found in **Measure 89**.

If Measure 4 passes, **not one penny** of the Tobacco Settlement money will go to tobacco use prevention programs in Oregon. And, that's wrong. The Tobacco Settlement was about Tobacco and the harm it has caused. We need to make **TOBACCO USE PREVENTION** and **HEALTH SUPPORT** a real priority in Oregon in order to address the long-term consequences of the diseases caused by tobacco.

Tobacco-related illnesses cost Oregon Taxpayers millions of dollars a year. Measure 4 provides little or nothing to reduce these costs.

Without a commitment to tobacco use prevention, Oregon Taxpayers will continue to pay the bills for long-term and chronic health conditions. Measure 4 is short-sighted, and it fails to help Oregon Taxpayers.

Measure 4 Does Nothing to Reduce Tobacco Use Among Oregon Youth.

If we want a healthy Oregon tomorrow, we need to address prevention and health care today.

Measure 4 fails to do that, **NO** money at all would be spent on prevention or on **health support programs**.

Measure 4 Fails to Take A Comprehensive View of Health.

Older Oregonians and Disabled Oregonians, including those who are disabled by the ravages of tobacco, have an increasingly difficult time finding affordable housing. They need assistance with housing and transportation to medical facilities and Measure 4 does nothing for them. **HOUSING IS FUNDAMENTAL TO HEALTH.**

The Housing Lobby Coalition of Oregon urges you to **Vote No on Measure 4.**

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

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Measure No. 5

Proposed by initiative petition to be voted on at the General Election, November 7, 2000.

BALLOT TITLE

5 EXPANDS CIRCUMSTANCES REQUIRING BACKGROUND CHECK BEFORE TRANSFER OF FIREARM

RESULT OF "YES" VOTE: "Yes" vote expands Oregon background check before firearm transfer at gun show or by dealer.

RESULT OF "NO" VOTE: "No" vote rejects expanding current Oregon background-check requirement beyond handgun transfers by gun dealers.

SUMMARY: State law currently requires background check before gun dealer sells handgun. Measure requires: background check before gun dealer transfers any firearm; background check, or transfer through gun dealer, before nondealer may transfer firearm at "gun show" (event with over 25 available firearms present). Noncompliance creates criminal liability. Retains background information five years; bars disclosure under Public Records Law. Expands crimes of providing false information, improper transfer, to include transfers of all firearms, not just handguns. Other changes.

ESTIMATE OF FINANCIAL IMPACT: State government expenditures are estimated at \$500,000 per year to conduct the additional criminal history background checks resulting from the measure and one-time start-up expenditures of \$150,000.

State revenues will increase revenues will increase by \$500,00 to \$700,000 a year from fees to cover the cost of the checks.

There is 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. The people of this state find that:

(1) The laws of Oregon regulating the sale of firearms contain a loophole that allows people other than gun dealers to sell firearms at gun shows without first conducting criminal background checks;

(2) It is necessary for the safety of the people of Oregon that any person who transfers a firearm at a gun show be required to request a criminal background check before completing the transfer of the firearm; and

(3) It is in the best interests of the people of Oregon that any person who transfers a firearm at any location other than a gun show be allowed to voluntarily request a criminal background check before completing the transfer of the firearm.

SECTION 2. Sections 1 to 8 of this 2000 Act and the amendments to ORS 166.416, 166.418 and 166.460 by sections 9, 10 and 11 of this 2000 Act shall be known as the Gun Violence Prevention Act.

SECTION 3. (1) As used in ORS 166.412 and sections 1, 5, 6 and 7 of this 2000 Act, "criminal background check" or "criminal history record check" means determining the eligibility of a person to purchase or possess a firearm by reviewing state and federal databases including, but not limited to, the:

- (a) Oregon computerized criminal history system;
- (b) Oregon mental health data system;
- (c) Law Enforcement Data System;

(d) National Instant Criminal Background Check System; and

(e) Stolen guns system.

(2) As used in sections 1, 5, 6, 7 and 8 of this 2000 Act:

(a) "Gun dealer" has the meaning given that term in ORS 166.412.

(b) "Gun show" means an event at which more than 25 firearms are on site and available for transfer.

SECTION 4. Sections 5 to 8 of this 2000 Act are added to and made a part of ORS 166.410 to 166.470.

SECTION 5. (1) Notwithstanding the fact that ORS 166.412 requires a gun dealer to request a criminal history record check only when transferring a handgun, a gun dealer shall comply with the requirements of ORS 166.412 before transferring any firearm to a purchaser. The provisions of ORS 166.412 apply to the transfer of firearms other than handguns to the same extent that they apply to the transfer of handguns.

(2) In addition to the determination required by ORS 166.412 (3)(a)(A), in conducting a criminal background check or criminal history record check, the Department of State Police shall also determine whether the recipient is otherwise prohibited by state or federal law from possessing a firearm.

(3) Notwithstanding ORS 166.412 (5), the department is not required to operate the telephone number established under ORS 166.412 (5) on Thanksgiving Day or Christmas Day.

(4)(a) The department may charge a fee, not to exceed the amount authorized under ORS 166.414, for criminal background checks required under this section or section 6 of this 2000 Act.

(b) The department shall establish a reduced fee for subsequent criminal background checks on the same recipient that are performed during the same day between the hours of 8 a.m. and 10 p.m.

SECTION 6. (1) The Department of State Police shall make the telephone number established under ORS 166.412 (5) available for requests from persons other than gun dealers for criminal background checks under this section.

(2) Prior to transferring a firearm, a transferor other than a gun dealer may request by telephone that the department conduct a criminal background check on the recipient and shall provide the following information to the department:

- (a) The name, address and telephone number of the transferor;
- (b) The make, model, caliber and manufacturer's number of the firearm being transferred;
- (c) The name, date of birth, race, sex and address of the recipient;
- (d) The social security number of the recipient if the recipient voluntarily provides that number;
- (e) The address of the place where the transfer is occurring; and
- (f) The type, issuer and identification number of a current piece of identification bearing a recent photograph of the recipient presented by the recipient. The identification presented by the recipient must meet the requirements of ORS 166.412 (4)(a).

(3)(a) Upon receipt of a request for a criminal background check under this section, the department shall immediately, during the telephone call or by return call:

(A) Determine from criminal records and other information available to it whether the recipient is disqualified under ORS 166.470 from completing the transfer or is otherwise prohibited by state or federal law from possessing a firearm; and

(B) Notify the transferor when a recipient is disqualified from completing the transfer or provide the transferor with a unique approval number indicating that the recipient is qualified to complete the transfer. The unique approval number is a permit valid for 24 hours for the requested transfer. If the firearm is not transferred from the transferor to the recipient within 24 hours after receipt of the unique approval number, a new request must be made by the transferor.

Measure No. 5

(b) If the department is unable to determine whether the recipient is qualified for or disqualified from completing the transfer within 30 minutes of receiving the request, the department shall notify the transferor and provide the transferor with an estimate of the time when the department will provide the requested information.

(4) A public employee or public agency incurs no criminal or civil liability for performing the criminal background checks required by this section, provided the employee or agency acts in good faith and without malice.

(5)(a) The department may retain a record of the information obtained during a request for a criminal background check under this section for the period of time provided in ORS 166.412 (7).

(b) The record of the information obtained during a request for a criminal background check under this section is exempt from disclosure under public records law.

(6) The recipient of the firearm must be present when the transferor requests a criminal background check under this section.

(7)(a) Except as otherwise provided in paragraphs (b) and (c) of this subsection, a transferor who receives notification under this section that the recipient is qualified to complete the transfer of a firearm is immune from civil liability for any use of the firearm from the time of the transfer unless the transferor knows, or reasonably should know, that the recipient is likely to commit an unlawful act involving the firearm.

(b) If the transferor is required to request a criminal background check under section 7 of this 2000 Act, the immunity provided by paragraph (a) of this subsection applies only if, in addition to receiving the notification required by this section, the transferor has the recipient fill out the form required by section 7 (1)(a) of this 2000 Act and retains the form as required by section 7 (2) of this 2000 Act.

(c) The immunity provided by paragraph (a) of this subsection does not apply:

(A) If the transferor knows, or reasonably should know, that the recipient of the firearm intends to deliver the firearm to a third person who the transferor knows, or reasonably should know, may not lawfully possess the firearm; or.

(B) In any product liability civil action under ORS 30.900 to 30.920.

SECTION 7. (1) A transferor other than a gun dealer may not transfer a firearm at a gun show unless the transferor:

(a)(A) Requests a criminal background check under section 6 of this 2000 Act prior to completing the transfer;

(B) Receives a notification that the recipient is qualified to complete the transfer; and

(C) Has the recipient complete the form described in section 8 of this 2000 Act; or

(b) Completes the transfer through a gun dealer.

(2) The transferor shall retain the completed form referred to in subsection (1) of this section for at least five years and shall make the completed form available to law enforcement agencies for the purpose of criminal investigations.

(3) A person who organizes a gun show shall post in a prominent place at the gun show a notice explaining the requirements of subsections (1) and (2) of this section. The person shall provide the form required by subsection (1) of this section to any person transferring a firearm at the gun show.

(4) Subsection (1) of this section does not apply if the transferee is licensed as a dealer under 18 U.S.C. 923.

(5)(a) Failure to comply with the requirements of subsection (1), (2) or (3) of this section is a Class A misdemeanor.

(b) Notwithstanding paragraph (a) of this subsection, failure to comply with the requirements of subsection (1), (2) or (3) of this section is a Class C felony if the person has two or more previous convictions under this section.

(6) It is an affirmative defense to a charge of violating subsection (1) or (3) of this section that the person did not know, or reasonably could not know, that more than 25 firearms were at the site and available for transfer.

SECTION 8. (1) The Department of State Police shall develop a form to be completed by a person seeking to obtain a firearm at a gun show from a transferor other than a gun dealer. The department shall consider including in the form all of the requirements for disclosure of information that are required by federal law for over-the-counter firearms transactions.

(2) The department shall make the form available to the public at no cost.

SECTION 9. ORS 166.416 is amended to read:

166.416 (1) A person commits the crime of providing false information in connection with a transfer of a *[handgun]* firearm if the person knowingly provides a false name or false information or presents false identification in connection with a purchase or transfer of a *[handgun under ORS 166.412]* firearm.

(2) Providing false information in connection with a transfer of a *[handgun]* firearm is a Class A misdemeanor.

SECTION 10. ORS 166.418 is amended to read:

166.418. (1) A person commits the crime of improperly transferring a *[handgun]* firearm if the person is a gun dealer as defined in ORS 166.412 and sells, leases or otherwise transfers a *[handgun]* firearm and intentionally violates ORS 166.412 or section 5 of this 2000 Act.

(2) Improperly transferring a *[handgun]* firearm is a Class A misdemeanor.

SECTION 11. ORS 166.460 is amended to read:

166.460. (1) ORS 166.250, 166.260, 166.280, 166.291 to 166.295, 166.410, 166.412, 166.425 and 166.450 and sections 5 and 7 of this 2000 Act do not apply to antique firearms.

(2) Notwithstanding the provisions of subsection (1) of this section, possession of an antique firearm by a person described in ORS 166.250 (1)(c)(B), (C) or (D) constitutes a violation of ORS 166.250.

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

Measure No. 5

EXPLANATORY STATEMENT

Ballot Measure 5 expands current state law by requiring that a person other than a gun dealer who transfers a firearm at a gun show request a criminal background check. Current law requires only gun dealers to request such background checks. The measure defines a "gun show" as an event where more than 25 firearms are at the site and available for transfer. The measure specifies information that a person other than a gun dealer must provide to the State Police when requesting a criminal background check and establishes deadlines for the State Police to respond. The State Police may charge a fee, as provided under existing Oregon law, for the additional background checks authorized by this measure.

Under current law the State of Oregon conducts criminal background checks on purchases of handguns made through gun dealers, and the federal government conducts such checks on rifle and shotgun purchases made through gun dealers. This measure transfers the authority from the federal government to the state to conduct criminal background checks on rifle and shotgun purchases. The measure requires that the Department of State Police, in addition to conducting a criminal background check, determine whether a person is prohibited by state or federal law from possessing a firearm. Such prohibited persons include persons convicted of felonies and certain violent misdemeanors, and mentally ill persons who under state law are prohibited from purchasing or possessing a firearm.

The measure grants immunity from civil liability to a person who requests a background check and receives approval before transferring a firearm, unless the person knows or should know that the person to whom the firearm is being transferred is likely to commit an unlawful act involving the firearm. The immunity does not apply if the person knows that the recipient of the firearm intends to deliver the firearm to a third person who is prohibited from possessing a firearm. The measure does not grant immunity in a product liability action.

The measure creates the crimes of providing false information in connection with a transfer of a firearm and improperly transferring a firearm. Under current law these two crimes apply only to handguns.

Committee Members:

Senator Ginny Burdick
 Dale Penn
 Rod Harder*
 John Nichols*
 Les Swanson

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.)

Measure No. 5 Arguments

ARGUMENT IN FAVOR

THE MILLION MOM MARCH ASKS YOU TO PLEASE SUPPORT MEASURE 5!

Felons and kids can easily buy guns in Oregon, no questions asked. That's because current law doesn't require a background check unless the seller is a licensed gun dealer.

That just doesn't make sense, and Measure 5 will stop it.

Measure 5 is a simple, common-sense measure that will protect our children and our communities from gun trauma by requiring buyers at gun shows to pass the same background check they would have to pass in a gun store, whether the seller is a licensed dealer or not.

Does it make sense that felons can buy any gun they want at a gun show, safe in the knowledge that the illegal sale will never be discovered? No!

Does it make sense that kids can walk into a gun show and walk out with a gun? No!

Does it make sense that unscrupulous gun owners can sell guns to illegal purchasers without any accountability? No!

Measure 5 is simple common sense.

Background checks will make it harder for felons, kids, or other prohibited purchasers to buy guns illegally.

Background checks will make it easier to trace guns recovered in crimes.

Background checks will make it easier to identify and prosecute gun traffickers who peddle guns to criminals and children.

A 1999 report by the federal Departments of Justice and the Treasury found that over ONE THIRD of all investigations of drug crimes and crimes of violence involved at least one weapon that could be traced to a gun show. Of these, the study found that ONE THIRD involved the possession by a MINOR of a gun that could be traced to a gun show.

Vote YES on Measure 5. It makes sense for our children, our communities and our state.

(This information furnished by Penny Okamoto, The Organizing Chapters of the Oregon Million Mom March.)

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

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ARGUMENT IN FAVOR

Close the Loophole ...That's Killing Oregonians!

We now have the opportunity to close a deadly loophole in our state's gun laws. Vote **YES on Measure 5**, the Gun Violence Prevention Act, which will make unlicensed dealers at gun shows play by the same rules that govern gun sales everywhere else in the state.

Licensed gun dealers already run background checks

Under current law, licensed gun dealers must run background checks on all of their buyers - whether the purchase is made at a store or a gun show. But unlicensed sellers, who sell thousands of guns annually at Oregon gun shows, can sell to anyone, including violent felons - no questions asked. **Amazingly, at gun shows no background check is required when the seller is unlicensed.**

Criminals Love Gun Shows

And make no mistake, unlicensed gun merchants are not just selling antique, Civil War era pistols for display on living room walls. These unlicensed dealers sell the full range of potent, modern weapons ... capable of inflicting widespread death and destruction. And they are selling them to criminals. Police investigations have consistently found that **gun shows are a major source of weapons for convicted felons, gang members and others not allowed by law to purchase firearms.** The tragic shooting deaths at Columbine High School are but one high profile example of the devastation caused by guns purchased from unlicensed dealers at gun shows.

Common Sense Can Save Lives

Don't be misled by zealots who claim that this measure somehow violates the Second Amendment. This law will have absolutely no effect on the ability of a law-abiding citizen to buy, possess or sell firearms. It merely **applies current rules to unlicensed dealers.** That's just common sense.

We can fix this tragic flaw in our gun laws.

CLOSE THE LOOPHOLE - VOTE YES ON MEASURE 5!

**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. 5 Arguments

ARGUMENT IN FAVOR

Measure 5 endangers Oregonians

No one wants to see guns in the hands of criminals. However, imposing restrictions and bureaucratic duties on law-abiding citizens in their homes is not the answer.

Measure 5, places heavier restrictions on private citizens than gun dealers.

Private dealers sell guns to customers when the state doesn't respond to background requests within two days, under Measure 5 private citizens are prohibited from selling a firearm until the state grants permission.

With the bizarre consequence of making gun dealerships more profitable, the primary effect of this measure is raising the cost of defending yourself.

Many people wait until they sense a threat to themselves or their family before purchasing a firearm. Measure 5 delays urgent purchases by flooding the background check system, requiring checks on hunting weapons seldom used by criminals.

If Measure 5 passes, stalkers, muggers, burglars and rapists may all breathe a little easier, fewer people will be able to protect themselves.

If Measure 5 passes, someone with a modest firearm collection cannot give an old hunting rifle to a son or daughter without performing background checks.

If Measure 5 passes, any gun hobbyist must become a mini-records bureau, keeping documents for years after transferring just one firearm.

Why would anyone put such a flawed measure on the ballot?

This is not poor drafting, the proponents know what they're doing.

By encompassing almost every firearm transfer, this measure amounts to a registration scheme for firearm transfers. Registration was a precursor to confiscation in every country where people lost the right to defend themselves. Oregon must not begin down that path.

Defend your right to defend yourself!

Vote NO on 5.

Furnished by the Libertarian Party of Oregon

The Libertarian Party is Oregon's third largest political party. Libertarians are fiscally conservative, socially tolerant, believing that government should be limited to protecting freedom 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.)

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

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ARGUMENT IN FAVOR

YES on Measure 5.

Measure 5 has one purpose: to require criminal background checks at gun shows.

- **Measure 5 restores fairness.**

Licensed dealers already are required to do criminal background checks before selling a firearm. Measure 5 extends that requirement to private sellers at gun shows. That's not only fair, it's common sense.

Why have background checks for some sales and not others at gun shows? It's a dangerous loophole that needs to be closed. Measure 5 closes it.

- **Measure 5 helps law enforcement.**

As it is now, criminals can buy guns at gun shows in Oregon with no background checks. There are approximately 160 gun shows a year in Oregon, giving criminals lots of opportunities to get their hands on firearms, no questions asked. When these guns are used in crimes, law enforcement can't trace them. Measure 5 will help law enforcement trace guns used in crime.

- **Measure 5 background checks are immediate.**

Measure 5 does not create a waiting period. Background checks on gun show sales will be done instantly -- just as they are on gun store sales.

- **Measure 5 makes no change in existing recordkeeping requirements.**

Records on gun sales are kept for this reason: to help law enforcement officials trace guns used in crime. Measure 5 simply extends existing recordkeeping requirements to more gun sales. The requirements themselves do not change.

- **Measure 5 protects Oregon gun owners.**

Measure 5 provides civil immunity from lawsuits for gun owners who sell guns at gun shows and do background checks. Another protection for gun owners: Measure 5 will help trace stolen guns.

- **Measure 5 is not a Constitutional amendment.**

Measure 5 is a simple, common sense law that will help reduce gun violence in our state. It is no threat to the rights of law-abiding Oregonians.

Vote YES on Measure 5.

State Senator Ginny Burdick

Sheriff Robert O. Kennedy

Sheriff Dan Noelle

(This information furnished by State Senator Ginny Burdick, Sheriff Robert O. Kennedy, Sheriff Dan Noelle.)

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

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Measure No. 5 Arguments

ARGUMENT IN FAVOR

LAW ENFORCEMENT SUPPORTS MEASURE 5: VOTE YES

Law enforcement officers throughout Oregon support Measure 5 because it will help reduce gun-related crime. **Measure 5 requires criminal background checks at gun shows.**

Under current law, licensed gun dealers must conduct criminal background checks before selling a gun. But unlicensed sellers at gun shows are allowed to sell guns to anyone without a background check-- no questions asked. This is a dangerous loophole in the law, allowing criminals, juveniles and the mentally disturbed to obtain guns easily. The result too often is gun violence in our communities.

Oregon police, sheriffs and state troopers see the tragic effects of gun violence every day. Many of these tragedies could be prevented if we did a better job of keeping guns out of the hands of criminals, children and the mentally disturbed.

- **Measure 5 would close the dangerous gun show loophole by requiring that all gun sellers at gun shows conduct a criminal background check before selling a firearm.**
- **Measure 5 does not threaten the rights of law-abiding gun owners.**
- **Measure 5 is not a constitutional amendment.**
- **Measure 5 is a simple, common sense law that will help keep guns away from criminals, children and the mentally disturbed without threatening the rights of law-abiding gun owners.**

Please join Oregon sheriffs and police officers in voting YES on Measure 5

Oregon Police Chiefs for Safer Communities

Sheriffs of Oregon

Oregon Council of Police Associations

Oregon State Police Officers Association

(This information furnished by Steve Winegar, Oregon Police Chiefs for Safer Communities; Brian DeLashmutt, Oregon Council of Police Associations.)

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ARGUMENT IN FAVOR

I BELONG TO THE NRA, I OWN GUNS -- AND I SUPPORT MEASURE 5.

As an NRA member, gun owner and hunter, I support Measure 5.

Growing up in Eastern Oregon, I learned that owning a gun is a right as well as a privilege. As a small boy, playing with cap pistols and toy rifles was a way of life. Getting older and moving to my first B.B. gun was the beginning of my transition from boyhood to a responsible gun owner.

There is no debate about who should own guns. No one who poses a risk to society should possess a firearm of any kind!

Measure 5 would help keep guns out of the hands of criminals, juveniles and mentally disturbed people. **Measure 5 is a reasonable measure that will not interfere in any way with my rights as a law-abiding gun owner.**

I believe strongly that the best way to protect our Second Amendment rights is to make sure that they are not abused. The NRA does a fine job educating and training gun owners. I think the NRA should take a close look at Measure 5 and support it for the sake of all responsible gun owners.

Measure 5 is a reasonable, moderate response that will help keep guns out of the wrong hands without interfering with the rights of any responsible, law-abiding gun owner.

I urge all responsible Oregon gun owners to vote YES on Measure 5.

John Brogoitti
Pendleton

(This information furnished by John Brogoitti.)

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

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Measure No. 5 Arguments

ARGUMENT IN FAVOR

Oregon Medical Association Urges a
"Yes" Vote on Measure 5

We have a serious gun safety problem in Oregon.

Too many guns sold at gun shows are getting into the hands of criminals, children and the mentally disturbed. Today, if you or I purchase a gun from a gun dealer, we go through a criminal records check. But anyone can purchase a firearm from an unlicensed seller at a gun show with no questions asked. And criminals are doing just that.

**Guns can be purchased at gun shows illegally,
 because no questions are asked.**

There are over 160 gun shows in Oregon every year. Law enforcement officials often find guns from gun shows used in crimes, and gun shows are an easy source of firearms for minors caught up in gang activity.

It's time to close a dangerous loophole in our gun laws.

Measure 5 closes the loophole that allows children, criminals and the mentally disturbed to purchase firearms at gun shows.

**This is a small, but common sense step
 to keep guns out of the hands of criminals and children.**

As physicians, we see the harm that is done when guns get into the wrong hands. We all need to work together for violence prevention, and one step is to shut down a major source of illegal firearms in Oregon.

Join Oregon Doctors in Voting

"YES" on Measure 5

Linda Erwin, MD Portland	Richard Kincade, MD Springfield
Bryron Sagunsky, MD Medford	John Tongue, MD Tualatin
Thomas Wilson, MD, Salem	Andy Harris, MD Salem
John Hoggard, MD Portland	Keith White, MD Monmouth
Hans West, MD Salem	Donald Trunkey, MD Portland
Loring Winthrop, MD Salem	Thomas Wilson, MD Salem
Stanley Nudelman, MD Corvallis	Martin Jones, MD Eugene
John Walker, MD Medford	

(This information furnished by Robert L. Dervedde, CAE, Oregon Medical Association.)

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

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ARGUMENT IN FAVOR

Paramedics and emergency personnel say

"YES" to Measure 5.

- Paramedics see the tragedies of gun violence firsthand.
- In this country, 12 children are killed every day by guns in crimes, accidents, gang violence and domestic disputes. Paramedics are often the first on the scene.
- Measure 5 will require background checks for all guns sold at gun shows -- the same background check that is required for guns sold at department stores or gun shops.
- Measure 5 will close a loophole in our law and help keep guns out of the hands of children, felons and the mentally disturbed.
- We may not be able to prevent all gun tragedies, but we can make it harder to sell guns to persons who cannot legally own them.

Shawn Baird, EMT-P
 Paramedic
 Woodburn

Justin Hardwick, EMT-P
 Paramedic
 Portland

Lara Washington, EMT-P
 Paramedic
 Keizer

**Help keep guns out of the hands of
 children, convicted felons and the mentally disturbed.**

Vote "YES" on Measure 5.

(This information furnished by Shawn Baird.)

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Measure No. 5 Arguments

ARGUMENT IN FAVOR

The Oregon Coalition for Safe Streets, Schools and Homes urges a yes vote on Measure 5.

Oregonians have witnessed the tragedy of gun violence first hand. Now we have a chance to close the gun show loophole to prevent guns from falling into the hands of criminals and children.

Currently, identification and background checks are required only when guns are purchased from licensed dealers. But at hundreds of weekly gun shows held around the state each year, firearms are sold without any age or background check on the purchaser. This measure closes that loophole. It does not in any way restrict the ability of law abiding gun owners to purchase or own firearms.

We are all too aware of the recent gun violence in our schools here in Oregon, in Colorado and across the country. **According to the National Center for Injury Prevention and Control, 4,643 kids were killed by firearms in 1996. That is 13 young people per day.**

Last legislative session Oregonians Against Gun Violence (OAGV) and a coalition comprised of dozens of organizations throughout the state organized to support efforts to close the gun show loophole. Tragically, the gun lobby was able to kill that bill by one vote.

Thousands of Oregonians have already achieved a great victory by placing Measure 5 on the November ballot. Now we have a chance to take direct action to close the gun show loophole once and for all.

Join with us and thousands of Oregonians to safeguard our children and communities from gun violence.

Please vote YES on Measure 5.

Oregonians Against Gun Violence
Oregon PTA
City of Portland
Community Action Forum, Eugene
Ecumenical Ministries of Oregon
Rabbi Emmanuel Rose
Oregon Public Health Association
Oregon Pediatric Nurse Practitioners Association
Vera Katz, Portland Mayor
Jim Francesconi, Portland City Commissioner
David Kelly, Eugene City Counselor
Serena Cruz, Multnomah County Commissioner
Mark Abrams, Vice Chair, Portland School Bd. (ID only)

(This information furnished by Ginny Burdick, Oregonians Against Gun Violence.)

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ARGUMENT IN FAVOR

Nurses Support Common Sense Product Safety Laws.

As nurses we feel an obligation to speak-up when there is a common sense product safety issue before the public. We have advocated for the use of seatbelts and motorcycle helmets. We have promoted safe toys for children and for safety caps on pharmaceuticals. We have supported reducing the amount of toxins in our air and water.

Measure 5 is just Common Sense.

Nurses Do Not Support Banning Products.

As nurses we have never advocated banning pesticides because they contain toxins or cars because they are involved in auto accidents. We don't support taking toys from kids or making cigarettes illegal.

We do not support restricting the rights of law abiding gun owners.

Measure 5 isn't Gun Control.

Firearms Improperly Sold Risk Public Safety

Selling guns to convicted felons is a risk to public safety. It is just that simple.

Measure 5 simply requires the same criminal background check at gun shows that current law requires at gun shops. This is a public safety precaution that may save lives. To a law abiding gun owner it amounts to waiting 10 minutes at a gun show before owning a new firearm. To society it amounts a few less firearms in the hands of criminals.

**Vote "YES" on Measure 5
GUN SAFETY**

Firearms Improperly Stored Cause Injury

Our "Campaign for Children's Health" is promoting the use of lock-boxes and trigger locks. These are products that reduce the risk of accidental injury by firearms.

30% of families with children keep a loaded gun in the home.

Please, if you own a gun please store it safely with a trigger-lock or in a lock box.

And parents: it is appropriate to ask if guns are safely stored at a home before your child visits.

(This information furnished by Martin Taylor, Nurses United.)

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

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Measure No. 5 Arguments

ARGUMENT IN FAVOR

Statement in Support of Measure 5 by the Oregon Catholic Conference

- Present laws require background checks by gun dealers, but convicted felons and people with negative mental history can still purchase guns at gun shows.
- Measure 5 is important for the common good in helping to restrict access to firearms for the protection of innocent persons.
- Measure 5 is reasonable and prudent gun safety legislation which is consistent with present legislation.

The Oregon Catholic Conference recommends you vote **Yes on Measure 5.**

Most Rev. John G. Vlazny
Archbishop of Portland
President, Oregon Catholic Conference

Most Rev. Robert F. Vasa
Bishop of Baker
Vice President, Oregon Catholic Conference

(This information furnished by Robert J. Castagna, Oregon Catholic Conference.)

ARGUMENT IN FAVOR

OREGON DISTRICT ATTORNEYS URGE A YES VOTE ON MEASURE 5.

We urge Oregonians to vote Yes on Measure 5.

It makes it much harder for criminals, juveniles and mentally disturbed people to get guns.

For years we have seen that many guns used in drive-by shootings, gang killings and other related criminal activity came from unlicensed sellers to gun shows.

When licensed dealers sell guns at gun shows, they are required to conduct background checks on anyone buying a gun. These requirements will not change under Measure 5.

Measure 5 will affect only those unlicensed gun sellers who don't do background checks and who usually don't cooperate in criminal investigations. These are the people the criminals go to if they need a gun. These are the people who will be required to do background checks -- just like the dealers do now -- if Measure 5 is passed into law.

How are unlicensed people able to sell guns at gun shows without doing a background check? **Because currently there is a dangerous loophole in the law.** Measure 5 closes that loophole. It requires anyone selling a gun at a gun show to conduct a criminal background check.

Measure 5 is a sensible approach to reduce gun-related crime. It will make our communities and neighborhoods safer to live in by keeping more guns out of the wrong hands.

**Please join us and vote Yes on Measure 5 --
for safer communities.**

**Dale Penn
Marion County District Attorney**

**Michael D. Schrunk
Multnomah County District Attorney**

(This information furnished by Michael D. Schrunk.)

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Measure No. 5 Arguments

ARGUMENT IN FAVOR

Support Livable Communities: Vote YES on Measure 5

Measure 5 would close the gun show loophole that allows criminals, juveniles and the mentally ill to buy guns without going through a criminal background check.

As a member of Congress, I am working hard to reduce the epidemic of gun violence that threatens the livability of our communities. Unfortunately, Congress has failed to adopt reasonable legislation to keep guns away from criminals, children and the mentally ill. **Now you have a chance to help me break the logjam in Washington, D.C.**

We know that gun shows are a major source of illegal firearms for convicted felons, gang members and others who are not legally entitled to buy guns. That is because unlicensed sellers are not required to conduct criminal background checks before selling a gun. Licensed dealers perform background checks routinely -- at their gun shops and at gun shows.

Isn't it only fair to require unlicensed gun sellers to conduct criminal background checks at gun shows, the same as licensed dealers now are required to do? Measure 5 would require all sellers at gun shows to conduct criminal background checks.

Sadly, too many people in Congress and the state legislature have been intimidated by the extremist gun lobby. Measure 5 gives Oregonians a chance to stand up to the special interests and support common sense steps to keep guns out of the wrong hands and make our communities safer.

As an Oregon voter, you have a chance to make your voice heard around the nation. Your vote for this sensible measure will make my job easier in Congress. **Please vote YES on Measure 5.**

Sincerely,

Earl Blumenauer
Member of Congress

(This information furnished by Earl Blumenauer, Blumenauer for Congress.)

ARGUMENT IN FAVOR

RESPONSIBLE GUN OWNERS SUPPORT MEASURE 5

As a gun owner and hunter, I support Measure 5.

I believe gun ownership is a right -- but not for criminals.

There should be no serious debate about whether convicted felons or others who pose a risk to society should possess guns. We have problems enough without helping to arm felons and the mentally disturbed. **Unfortunately, gun shows have become firearm garage sales for criminals, juveniles and the mentally disturbed.** Ballot Measure 5 closes that loophole without doing any harm to the rights of law-abiding Oregonians to own, buy or sell guns.

As a kid I grew up around guns. I was taught that a gun is always loaded. I had my first shotgun and began hunting rabbits and squirrels at age 11. Hunting and gun ownership is a heritage and a lifelong pleasure that my sons share. As citizens we have the right to protect our family, our property and ourselves. Gun ownership is critical to that right. For that reason I belong to the N.R.A. I also enjoy going to gun shows. I go often and usually buy something.

For too long, the debate over guns has been dominated by extremists on both sides. It is time for responsible gun owners to be heard. As one of those gun owners, **I believe that the best way to protect the right of gun ownership is to see that it is not abused.** Abuse will provide the fuel for more regulation and, ultimately, the loss of our right.

Ballot Measure 5 is a reasonable, moderate response to a specific problem. It will help reduce gun - related crimes by keeping guns out of the wrong hands. It is also a way to preserve our heritage of gun ownership.

I urge Oregon gun owners to vote yes on Measure 5.

Garry R. Bullard

(This information furnished by Garry Bullard.)

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

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Measure No. 5 Arguments

ARGUMENT IN FAVOR

Oregon Sheriffs Support Measure 5.

Vote YES to Fight Crime.

Measure 5 will require criminal background checks at gun shows.

Measure 5 will make it much harder for convicted criminals, juveniles and people who are mentally disturbed to buy guns in Oregon.

As law enforcement officials, we know that gun shows have become a major source of firearms for criminals and gang members in Oregon. Sometimes, the victims of gun violence are the same law enforcement officers we depend on to protect our children and families.

- A loophole in our current law allows criminals and juveniles to buy guns at gun shows and skip a background check. With as many as 160 gun shows a year in our state, we have a serious safety crisis on our hands.
- Measure 5 will close the gun show loophole and help us protect our neighborhoods and communities from gun violence.
- Measure 5 is not a Constitutional amendment. It does not threaten the rights of responsible gun owners.
- Measure 5 is a simple, common sense law that will help reduce gun violence in Oregon without threatening the rights of law-abiding gun owners.

**Please join us in voting YES on Measure 5.
For a safer Oregon.**

**Sheriff Robert Kennedy
Jackson County**

**Sheriff Dan Noelle
Multnomah County**

**Sheriff John A. Trumbo
Umatilla County**

**Sheriff Stan Robson
Benton County**

**Sheriff Jim Spinden
Washington County**

**Sheriff Ris Bradshaw
Clackamas County**

**Sheriff Raul Ramirez
Marion County**

**Sheriff John O'Brien
Lincoln County**

(This information furnished by Stan Robson, Sheriffs of Oregon.)

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

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ARGUMENT IN OPPOSITION

Measure 5, Government Registration Of Gun Owners

If measure 5 passes, private exchanges of firearms will require background checks using the "National Instant Check System." This system has been down for days at a time. Read what the State Police have to say about how that affects their system, the Handgun Instant Check System:

"Without the required national background check information, HICS cannot authorize the firearm sale."

Oregon State Police Press Release May 12 2000

The databases created by this measure serve no purpose other than to identify gun owners. In New York and California, databases of this type are being used to confiscate privately owned firearms.

The same people who have called for this attack on your privacy have shown no inclination to prosecute criminals who try to buy guns.

"Arrests rare in gun checks..."

"The whole purpose of this system is not to arrest people" said Tom Dixon who supervises the Oregon State Police instant check system...

"Even when local authorities are notified that a felon is attempting to buy a gun, it's usually not a high priority for them to react right away."

Statesman Journal 5/30/99

"Few felons arrested under gun check law."

Eugene Register Guard 5/31/99

"I don't see anything in this act that is going to prevent gun violence."

Lane County Sheriff Jan Clements

Eugene Register Guard August 4th 2000

"Our analyses provide no evidence that implementation of the Brady Act was associated with a reduction in homicide rates."

Journal of American Medicine

Vol. 284 No 5 August 200

Measure 5 is not about stopping crimes. It's not about stopping violence. It's about stopping you. It's about preventing you from protecting your family. It's about a vast registration scheme. It's about government record keeping of you and your family. Despite no mention in the explanatory statement, this measure mandates the police to keep records of gun owners.

Think About It.

(This information furnished by Kevin Starrett, Oregon Firearms Federation Political Action Committee.)

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

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Measure No. 5 Arguments

ARGUMENT IN OPPOSITION

A Police Chief Says No on 5

As a career police officer and current chief of police of North Plains, Oregon, I urge a "no" vote on Measure 5.

The first sworn duty of police officers is to uphold the U.S. and state constitutions. I have studied those documents, but the sad fact is that many police officers and other public officials have never done so. It troubles me that some of my brothers in law enforcement would support an attack on your rights.

Measure 5 will do **nothing** to reduce crime or violence. What it will do is create one more hurdle for law abiding Oregonians to exercise a right that I have a sworn duty to protect.

I did not accept my position to erode the rights of the people I serve. If this measure passes, massive databases of private information will be kept by the state, **the same type of databases that have been used to confiscate privately owned firearms from citizens of New York and California.**

The "National Instant Check System," used for these background checks, has been "down" for days at a time. Under this measure countless new transfers will be regulated by that failed system. When the system is turned off, those transfers **will not** be approved.

It would be a shame to waste limited resources tracking the legitimate activity of the law abiding when we should be using those resources to combat crime.

Protect your freedom, protect your privacy. Vote no on Measure 5.

Chief Gary McKenzie
North Plains

(This information furnished by Gary McKenzie.)

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

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ARGUMENT IN OPPOSITION

PHYSICIAN OPPOSED TO GUN REGISTRATION

Oregonians are being asked to pass this measure which purports to reduce gun violence. Nothing could be farther from the truth. This measure would only punish law-abiding people and impair their safety because criminals wouldn't follow this law any more than they do existing gun laws.

Physicians with a political agenda or those who are misinformed or choose to ignore the truth, often support such laws as this because of "safety concerns."

As a physician who has worked in major trauma centers for over 20 years in three states, I can tell you, laws like this do nothing to enhance public safety. The data show that armed citizens prevent many more crimes, injuries, deaths and violence each year than those caused by criminals with illicit firearms. A recent study released by the *Journal of the American Medical Association* (284:585, 2000) proves that registering gun purchases (which the unconstitutional Brady bill does) did **not** reduce overall gun homicide or suicide rates, **nor will this measure.** I and many of my physician colleagues concur with this (<http://www.KeepAndBearArms.com/dsgl/about.asp>).

This measure is nothing more than a Brady bill extension, i.e. a gun registration law. As such, it will do nothing for public safety and also represents a terrible invasion of the privacy of good Oregonians. History has proven that gun registration eventually leads to gun confiscation and ultimately genocide. Don't leave your family and fellow Oregonians this legacy.

As a physician, I always guarded my patients' privacy and safety. For that reason I urge Oregonians to reject this measure. Do not allow your safety and privacy to be violated like this. Measure 5 is neither necessary nor in the best interests of Oregon or its people.

Larry Priano M.D.

(This information furnished by Larry Priano, M.D.)

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

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Measure No. 5 Arguments

ARGUMENT IN OPPOSITION

When attempting to sell the public a "bill of goods", what is not said is frequently more significant than what is. Ballot measure 5 is a perfect example.

What proponents of measure 5 are not saying:

The vast majority of firearms sold at gun shows are done by licensed dealers not private individuals, and per existing law, all dealer transactions require background checks.

Information measure 5 would collect, in addition to the identity of the buyer, is: (a) the name, address and phone number of the seller; and (b) the make, model, caliber and identification number of the firearm being transferred. None of this data is necessary to conduct a background check of the buyer, and all data collected would be retained by the Oregon State Police for up to five years. Over 90% of these records would be on individuals who passed the background check. The result would be a government data base on law-abiding citizens and their private property, and a covert form of firearm registration.

Measure 5 has been presented to the Oregon Legislature as three different bills in the last two sessions and always been defeated. The major objection to these bills has been the registration element. Proponents of these bills have always refused to drop that element, even though the removal would almost certainly have ensured passage. This strongly suggest that firearm registration is their goal, not background checks.

Most gun owners are responsible people and do not want to sell a firearm to a criminal. They would welcome a number they could call, give the name of a potential buyer and instantly verify his/her integrity, provided it ended there.

Measure 5 is not about background checks or public safety, it's about government control. Vote your conscience, but know the facts.

Richard Graff
President-OSSA

(This information furnished by Richard Graff, President, Oregon State Shooting Assoc.)

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

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ARGUMENT IN OPPOSITION

ARGUMENTS AGAINST MEASURE 5

This proposition presents several troubling, unacceptable provisions. The bill's author and co-sponsors clearly wish to shut down gun shows as we know them in order to "close legal loopholes." They claim this is needed despite the fact that most collector organizations include and welcome sheriff and police personnel in their membership.

It is obvious that this whole proposal is nothing more than a thinly disguised attempt to establish gun registration in our state. Registration has been a necessary prerequisite for later ultimate confiscation and there is abundant proof in other states and other countries of this final consequence.

The definition of a "Gun Show" in this proposal is poorly written, deliberately loose and vague. As written, it could prohibit trade or purchase among citizen collectors in a private home unless registration of the sale or transfer occurs.

Currently, Federal law that applies to dealer transfer of firearms, (NICS) or National Instant Check Service, involves retention of records for 90 days. Yet Measure 5 requires that State Police retain records of a firearm transfer for a minimum of five years. The State Police have requested this. Why the insistence on five-year (or more) retention of records unless de-facto firearms registration is contemplated for the near future?

In addition, although the State benevolently would absolve a citizen from possible charges arising from a firearm transfer if it is registered with State Police, they require that the citizen transferor keep a record of the transaction for at least five years!

**DON'T COMPROMISE YOUR RIGHTS AS A GUN OWNER.
VOTE NO ON MEASURE 5.**

(This information furnished by Dr. Fred J. Schuster.)

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

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Measure No. 5 Arguments

ARGUMENT IN OPPOSITION

Measure 5 requires private sellers of firearms at gun shows to obtain from the Oregon State Police instant background checks of purchasers. We do not object to instant background checks of firearms purchasers, but this measure goes far beyond that.

The bill would require private sellers to charge a fee for background checks. The fee would be set by the State Police. Federally licensed dealers get instant background checks from the FBI with no fee charged and the FBI is only allowed to retain the purchase records for a short time.

This bill allows our State Police to retain complete records of the make, model and serial number of the firearms and the names and addresses of the sellers and purchasers for five years. We object to the five-year retention of these records. It is a form of registration of all firearm purchases since it includes rifles and shotguns as well as handguns. Why give the State Police more authority than the FBI? Why do they want to retain records on law-abiding gun owners when the criminal has already been eliminated from these purchases by the instant background checks?

If preventing criminals from obtaining firearms is the goal, the instant check does this. Why then is this bill requiring the registration of the firearm purchased by the legal, law-abiding citizen of this state? In country after country throughout history, registration of firearms and their owners has been followed by firearms confiscation. This has most recently occurred in England, Australia, and South Africa. Canada is well along in this process. It has already happened in the United States in New York City and the state of California with so-called assault rifles.

Someday U.S. politicians may want to confiscate all guns from the U.S. citizens. The records mandated by this bill would make it easy to do so.

We urge you to note NO on measure 5

Vern Schmidt, President
Willamette Valley Arms Collectors Assoc.

(This information furnished by Vern Schmidt, Pres., Willamette Valley Arms Collectors Assoc.)

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

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ARGUMENT IN OPPOSITION

THE GUN PROHIBITIONIST'S RECIPE FOR FIREARMS CONFISCATION

First, information on both gun and gun buyer in gun shop sales is entered into the state data base; then for guns bought in gun shows (**Measure 5**); then for all private transactions including even guns inherited from parents. Wait some years for all legally owned guns to be captured in the data base (but never mind about criminals' guns). Confiscation is next.

. . .

Is the above a logical fallacy known as "slippery slope"? By the definition of that fallacy, it is indeed. It fits the definition if each step cannot be proven with 100% certainty, and that's the case here. For example, while it's highly probable that gun prohibitionists will soon come back with another initiative to capture all legal private transactions in the state data base, we don't know that with certainty.

Perhaps if we say each of the above steps is likely to occur—rather than that it must occur—that would take it out of the category of a logical fallacy. All of them do seem very likely, given enough time.

There is one thing we do know for sure: no government can confiscate its citizen's firearms, if it doesn't know where those firearms are.

Passing Measure 5 would get them a step closer to having the one, crucial tool they need to make confiscation work. It then remains only to wait until a government is elected, with the will to use that tool.

Gun prohibitionists are pushing this back-door registration because they know laws passed in other states specifically to register guns have had extremely low compliance rates. They also know gun confiscation laws, such as New Jersey's, did not work without registration. If you want guns confiscated, then this measure is for you. **But if you value your right to defend your family and want to preserve that right for your children, VOTE NO!**

(This information furnished by Paul J. Bonneau.)

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Measure No. 5 Arguments

ARGUMENT IN OPPOSITION

SO WHAT IF MEASURE 5 BOILS DOWN TO FIREARMS REGISTRATION? WHAT'S WRONG WITH THAT?

Here is what's wrong: lawmaking ought to be founded on principle. The principles are found in the state and federal constitutions. Examples: citizens may say what they think; they may defend themselves and their families; and there is a limit to police power.

To illustrate: some may argue that the passage of Measure 5 will make it easier for police to solve crimes. In other words, it will be more convenient for police. But, in good law-and-order fashion, it would also be convenient for police to be able to beat confessions out of suspects. Yet we don't permit that. We don't pass laws based merely on how much more convenient it will make the job of police work. We adhere to the principle that there is a limit to the police power.

The principle that people have the right to defend their families is deeply embedded in this nation's culture. Even those who don't exercise this right recognize they are benefited by those who do, as criminals cannot distinguish between them. This right is exercised frequently. Citizens use guns over two million times a year in defense, most times simply by showing they have one. They kill more than twice as many criminals in justifiable homicides, as police do.

Measure 5 violates the principle that citizens have the right to self-defense. Here's why:

It is foolish to hand government the one tool it needs to confiscate guns and destroy that right, in the simple-minded faith no future government will ever use this tool. There is extensive history around the world, and recently in this country (New York, California), of governments doing just that.

Legislators may find it hard to stick to principle when making laws, but that's no excuse for the rest of us to abandon it. Make the principled vote: NO.

(This information furnished by Paul J. Bonneau.)

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ARGUMENT IN OPPOSITION

"The whole aim of practical politics is to keep the populace alarmed -- and thus clamorous to be led to safety -- by menacing it with an endless series of hobgoblins, all of them imaginary."
-- H. L. Mencken

MEASURE 5 IS NOT ABOUT FIGHTING CRIME

When the most dedicated gun prohibitionist in the legislature creates a ballot measure billed as a background check, it's a safe assumption that something else is going on. Consider:

1) Supporters claim Measure 5 will deny criminals access to guns. This is untrue. No law has ever denied such access, for a good reason: criminals find guns very useful for what they do, and will go to great lengths to get them. Not that they have to go to great lengths—the black market supplies them! Smuggling guns is easy and lucrative. That's why criminals in England are well armed, despite the total gun ban there.

2) Instead of sending information on every law-abiding buyer to be recorded in the state database, Measure 5 could have called for sending information on prohibited buyers to gun sellers; thus eliminating the danger of confiscation. Why was the latter method not used?

3) Measure 5 calls for information on the gun itself to be recorded. If a background check on the buyer were the only concern, the particular gun would be irrelevant. Why record gun information, unless it's needed for confiscation later on?

Crime rates have been falling for years, but there is a guaranteed method to reduce them even further without threatening citizens' constitutional rights: end drug prohibition. Our ancestors experienced a huge drop in crime following the end of alcohol prohibition; we would find the same effect.

Measure 5 is not about fighting crime. It cannot deliver on that promise. It can help deliver something much worse, though: the end of your right to defend your family. Don't be deceived by this "Trojan Horse". VOTE NO.

(This information furnished by Paul J. Bonneau.)

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Measure No. 5 Arguments

ARGUMENT IN OPPOSITION

While Measure 5 masquerades as a “reasonable, common sense” measure, in truth it is neither. Measure 5 is a major referendum on “gun control” in Oregon.

Compare Measure 5 to the work of Mothers Against Drunk Driving. No one would have taken MADD seriously had they promoted a program which targeted law-abiding drivers rather than dangerous drunk drivers, yet the Measure 5 ringleaders expect us to believe that an improperly targeted law will somehow stop criminals!

Measure 5 was written back east by Handgun Control Inc. The avowed goal of this organization is to eliminate the private ownership of guns in America. An identical measure is also moving in Colorado.

Their idea is to get a figurative foot in the door in two western states, where people traditionally have some rational ideas about guns in society, and then slowly, incrementally, pursue their real agenda--the complete elimination of guns from the hands of all private citizens. Of course, this program only affects the citizens who obey the law! Criminals will not be affected since they don't obey the law.

And this is not mere rhetoric! It is 25 years of experience which the “gun control” extremists refuse to acknowledge! Washington DC has come very close to eliminating all privately owned handguns, yet criminal violence, by means of guns, continues unabated. A 15-year-old recently opened fire on some kids he didn't like at the National Zoo and residents--and police--complain of nightly gun fire. What's it going to take to prove to citizens that “gun control” does not work? Do we want to make Oregon as safe as DC?

We are told, by the supporters of Measure 5, that gun shows are a “major source of illegal firearms.” So...why not go arrest the criminals? Why push for more “gun control?”

Is this common sense? Is this reasonable? You decide!

Vote “NO!” on Measure 5, send Handgun Control Inc back to California!

(This information furnished by Terry Carroll, Oregon State Coordinator, Second Amendment Sisters, Inc.)

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

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ARGUMENT IN OPPOSITION

Charlton Heston, National Rifle Association of America,
Fairfax, Virginia

This November, as Oregon voters mark their ballots, the rights of honest citizens will be under attack, while dangerous criminals stand to be let off the hook for their vicious acts of violence.

Oregon voters will consider Measure 5, a gun-control initiative that greatly expands government regulation and control over the transfer of firearms between law-abiding individuals. At the same time, Oregon voters will decide on Measure 94, which repeals current minimum sentencing requirements for convicted felons and eliminates the existing ban on early-release from prison for these violent offenders.

Law-abiding citizens are sick and tired of being blamed for acts of criminal violence while the perpetrators get off scot-free. **Prosecutions for violations of federal firearms laws have declined by 12% since 1992. It's simply wrong to ask honest Oregonians to support more controls on the law-abiding when current laws are not being enforced against the law-breakers.**

NRA strongly supports proven, effective crime-fighting measures such as “Project Exile.” This program relies on tough, existing federal and state gun laws already on the books which target armed, violent felons and drug traffickers for swift prosecution and certain punishment. **“Project Exile” is credited in part for bringing a 46 percent drop in homicides and 65 percent drop in crimes involving guns in Richmond, Virginia, since inception of the program in 1997.**

No new laws were necessary to bring about this decline. No new restrictions on law-abiding citizens. **Our rights are not what's wrong. Let's enforce existing laws first. Vote NO on Measure 5.**

(This information furnished by Charlton Heston, President, National Rifle Association of America.)

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Measure No. 5 Arguments

ARGUMENT IN OPPOSITION

Sheriff-Elect Jim Main Douglas County, OR

A Law Enforcement Officer Explains Why He Is Voting Against Measure 5.

Measure 5 expands state record-keeping on law-abiding citizens and the firearms they have a right to own under the Oregon State Constitution and the Second Amendment of the United States Constitution. Measure 5 promotes government intrusion into the private lives of honest citizens who are simply exercising their right to keep and bear arms.

I am also concerned that this measure will have little, if any, impact on violent crime. According to a National Institute of Justice study released in December 1997, very few guns used in crimes come from gun shows. The majority of guns used by criminals come from theft, dope deals, or the black market. These sources will not be affected by Measure 5.

Lastly, Measure 5 does not pay for itself. Departments such as mine will be charged with enforcing this measure should it become law. It will impose more responsibility on local law enforcement and additional costs will be incurred. A panel of state officials charged with assessing the fiscal impact of Measure 5 determined it would impose no costs on local government. Baloney! Enforcing laws DOES COST TAX DOLLARS.

Measure 5 diverts taxpayer dollars and police manpower from serious crime and is unlikely to impact violent crime. Let's spend our tax dollars where they do the most good, like putting child molesters away for a longer time.

Join Me and Vote NO on Measure 5.

(This information furnished by James Main.)

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

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ARGUMENT IN OPPOSITION

Oregon Sportsmen Oppose Measure 5
Rod Harder, Executive Director
Oregon Sportsmens Defense Fund Inc.

Measure 5 mandates a check of government records and certain medical records before any firearm sale between any two individuals attending a gun show may take place—including people who sell, collect, trade or exchange even just one firearm at such an event. Gun shows are so broadly defined in this proposal that restrictions could apply even in your own home. They will apply to your local gun club, if more than 25 members with guns are present and their firearms are available for transfer and to your sportsmen's organization fund-raiser, if more than 25 guns are available for auction, raffle or transfer. Estate sales and yard sales could also be affected.

Measure 5 also extends Oregon's "instant check" system to capture all hunting rifle and shotgun sales covered in the measure. This expansion of state regulation will subject a whole new group of firearms transactions to Oregon's "instant check" tax that is currently \$10.00 per transaction. Additionally, the name, date of birth, race, sex and address of each individual involved in these legal gun sales, as well as a description and the serial number of each gun lawfully transferred, will be maintained in the Oregon State Police's centralized firearms registration data base. This personal information on law-abiding citizens and their private, legal property will be kept for up to five years! The measure provides no penalty if the State Police inappropriately use the information.

Measure 5 expands the tax on legal gun purchases, broadens the State Police's gun registration scheme and brings us closer to intrusive government regulation of all private firearms transfers—including those between family members and close friends.

The Oregon Sportsmens Defense Fund Inc. urges you to Vote NO on Measure 5!

(This information furnished by Rod Harder, Executive Director, Oregon Sportsmen's Defense Fund Inc.)

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Measure No. 5 Arguments

ARGUMENT IN OPPOSITION

It was the early 70s. A military coup seized power in my homeland, Greece. Quietly in the night they closed down the newspapers and cut off the telephones. They took over the radio and the television stations.

When the people arose the next morning they were ordered to bring their remaining guns to the nearest police station. By that time the only guns the people were still allowed to own were registered hunting rifles.

Anyone who chose to disobey was secretly arrested the next night. Many were never seen again. Those who survived were beaten horribly and forced into internal exile without their families even knowing whether they were alive, or where they were. When family members searched for their loved ones they were harassed, threatened and also beaten.

Neighbors were afraid to talk to neighbors. People knew that being seen with the family of someone who disappeared was dangerous.

Our Founding Fathers were aware that tyrants and their horrors were not political accidents. Dictators rise up when they realize that they need not fear the people. For this reason the Declaration of Independence states we have not only the right, but the duty, to throw off such evil. And for this reason the Constitution and the Bill of Rights guarantee us the means to defend our freedoms.

Alexander Hamilton, one of the authors of our Constitution, said that great danger came from those who claimed to fight for "the people" while pursuing their hidden agenda. Ask yourselves, what hidden plans are being laid by those trying to force you to register your guns?

I am proud and thankful to be an American. Please join me in shouldering the responsibility of defending America against all enemies, foreign and domestic.

For our children's future, vote no on Measure 5.

Ourania Yue, MD

(This information furnished by Ourania Yue, MD.)

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

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ARGUMENT IN OPPOSITION

Vote No on Measure 5

Despite what you've heard, Measure 5 is about gun registration, not background checks. There is no loophole. The law was never intended to invade the privacy of peaceful citizens who are not dealers.

If background checks were important, why keep records of private transactions for five years?

If background checks were important, why is there almost no prosecution, at the Federal or state level, of felons who try to buy guns?

If less than 2% of guns used in crime come from gun shows, what does this measure accomplish other than registering guns of honest citizens and wasting your money?

Your home becomes a "gun show" if you have more than a certain number of guns and you invite a friend over to buy a gun. You wouldn't be able to pass on firearms to your children without government intruding into your family's private matters.

Do you trust government to keep these records private? There's no penalty for revealing your personal information, which would be as secure as FBI files at the White House.

There's no evidence this measure reduces crime. It isn't intended to. It is supposed to fail so they can justify even more laws that invade your privacy and take away your rights.

The real purpose is to develop a database of you and your guns with the intent of eventually taking them from you. Registration always leads to confiscation.

You don't believe this? Ask those who live in England, Australia, Cuba, Panama, or China. Confiscation of guns already exists in America. Ask those who live in New York City and California.

Vote NO on this thinly-disguised scheme to invade your private affairs and steal your rights.

Freedom and privacy are not loopholes. Gun control is not about guns, it is about control of your private life.

Solomon Yue
National Committeeman

Jeff Grossman
Washington County Vice Chair

Pat Turnidge
Finance Committee Co-Chair

(This information furnished by Solomon Yue, Jr., Jeffrey A. Grossman, Pat Turnidge; Oregon Republican Party.)

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Measure No. 5 Arguments

ARGUMENT IN OPPOSITION

Measure 5: Ineffective and Invades Your Privacy

On its face, Measure 5 seems to be straightforward. However, we ask you to look beyond its seeming simplicity and realize that it will be ineffective and an invasion of your privacy.

First, Measure 5 purports to stop gun violence by eliminating the ability of criminals to purchase firearms at gun shows from private parties. The proponents of Measure 5 argue that background checks keep guns out of the hands of criminals. This is simply untrue.

The background checks system has been a failure. It has failed because federal and state governments have refused to prosecute criminals who illegally attempt to purchase firearms. Without prosecution, criminals are free to purchase firearms on the streets. A system that identifies criminals but does not prosecute them for their crimes is a failure. A recent study of the background check system has concluded that it has not been effective at stopping gun violence. Rather, enforcement of existing laws and punishment is more effective.

Second, Measure 5 invades the privacy of Oregonians to an alarming degree. This measure will allow Oregon law enforcement to keep a computerized database of gun owners. What happens when a computer hacker or a ring of thieves who use it to steal firearms from the houses of gun owners obtains the database? Moreover, what happens when this list becomes available to insurance companies who will use this list to discriminate against gun owners for health, auto, life, and other types of insurance?

The growth of technology in our lives with its ability to rob us of our privacy is a hot topic in our country. Each day, our privacy rights are disappearing at the hands of government. Measure 5 opens the privacy-invasion door further.

Considering the above arguments, we urge you to vote NO on Measure 5.

(This information furnished by John T. Nichols-Executive Director, John D. Hellen-Administrator; Oregon Gun Owners.)

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

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ARGUMENT IN OPPOSITION

Do you like the anti-human rights issues present in this measure?

It categorizes everyone, you included, as a criminal, without any demonstrable cause.

What this measure will do is tie your hands behind your back, then you have to go beg (and pay) for a background check to get them untied... if you can get a background check. ("National computer problem temporarily suspends Oregon firearms purchases", osp.state.or.us/news_releases/html/may_12a__2000.html)

This is not a step toward a police-state policy, but "Let me see your papers."

If you don't have government approved ID under this measure, you don't exist, or at the very least must be a criminal, no sale. This is just another version of "It's for your own good". Another restriction. The boot is placed on your neck for the actions of others.

Criminals should be denied access to guns.

Substitute in the place of "criminals" your race, religion, national origin, socio-economic status, or other description, and see if it sounds as appetizing.

This measure takes away your control over what you can buy. You can't control whether it is shut down for an "audit", or an "equipment update", "lack of funds", "power outage", "emergency"...

So that's what the Department of Racial Determination says you are.

Well, what race are you? What if the seller doesn't think you look like that race, and wants you to put something else down? Do you need a hassle over your ancestral background? Will firearm buyers need DNA testing for race?

Tell me again why minorities, and people who have come to this country to escape oppression, should go through a background check?

If you aren't free to go buy a gun, without a background check, to prevent injustices against you, you aren't free, you are in a very dangerous trap. You are at the mercy of criminals or government neglect.

Do you really want a law with roots in discrimination, racism, bigotry, and oppression?

(This information furnished by Robert Gordon.)

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

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Measure No. 6

Proposed by initiative petition to be voted on at the General Election, November 7, 2000.

BALLOT TITLE

6 PROVIDES PUBLIC FUNDING TO CANDIDATES WHO LIMIT SPENDING, PRIVATE CONTRIBUTIONS

RESULT OF "YES" VOTE: "Yes" vote provides limited public funding to candidates accepting limits on spending and private contributions.

RESULT OF "NO" VOTE: "No" vote retains system of no public funding, unlimited private contributions to state office candidates.

SUMMARY: Provides for limited public funding of qualifying candidates' campaigns for Governor, Secretary of State, Treasurer, Attorney General, state senator, representative. Candidates qualify by: (1) agreeing to accept only certain permitted contributions and make expenditures only from those sources; (2) receiving specified number of \$5 contributions from Oregon residents. Creates fund to finance qualifying candidates' campaigns. After qualifying, candidates may spend revenues only from fund, remaining permissible private contributions. Mandates adequate funding. Partially repeals political tax credit. Increased disclosure requirements. Penalties for violations. Other changes.

ESTIMATE OF FINANCIAL IMPACT: State revenues would increase by an estimated \$1,000,000 a year by elimination of the Political Tax Credit for contributions to state partisan candidates. The legislature shall appropriate that amount to the Political Accountability Fund, plus additional moneys to fully fund candidates who qualify under this measure. Once fully funded, the Political Accountability Fund shall not exceed \$24 million in any biennium.

Costs to the Secretary of State to administer the measure would be \$403,000 a year.

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

TEXT OF MEASURE

SECTION 1. SHORT TITLE: POLITICAL ACCOUNTABILITY ACT. An act to reduce the influence of private money in politics by providing limited public funding to candidates who: **A) demonstrate public support by gathering from a large number of individuals \$5 qualifying contributions during the qualifying period, B) agree to campaign spending limits, and C) reject private money contributions after the qualifying period.** Sections 2 to 26 of this 2000 Act shall be known and may be cited as Political Accountability Act.

SECTION 2. FINDINGS AND DECLARATIONS: STATEMENT OF NEED. (1) The people of the State of Oregon find and declare that the current system of privately financed campaigns for nomination and election to the offices of Governor, Secretary of State, State Treasurer and Attorney General and the offices of state Senator and state Representative undermines democracy in Oregon in the following principal ways:

(a) It violates the democratic principle of "one person, one vote" and diminishes the meaning of the right to vote by allowing large private contributions to have a deleterious influence on the political process by denying the rights of all citizens to equal and meaningful participation in the democratic process. This effect is demonstrated by the low level of participation of persons making small contributions less than \$50 in Oregon political contests. In

1998, of the record high \$12.5 million contributed to legislative elections, only four percent came from these small contributors.

(b) It diminishes the free-speech rights of nonwealthy voters and candidates whose voices are drowned out by those who can afford to monopolize the arena of paid political communications. In the 1998 Oregon general election, candidates spending the most money won 82 percent of the time. Data on legislative elections illustrate these trends over time. In contested legislative elections, the higher-spending candidate won 85 percent of the time in 1992, 89 percent of the time in 1994 and 83 percent of the time in 1996.

(c) It fuels the public perception of corruption and undermines public confidence in the democratic process and democratic institutions. Declining public confidence is illustrated by record low voter turnout in 1998 Oregon elections. The general election turnout was 59 percent of registered voters, which is only 47 percent of citizens eligible to vote.

(d) It diminishes elected officials' accountability to their constituents by compelling elected officials to be disproportionately accountable to the major contributors who finance their election campaigns.

(e) It creates a danger of actual corruption by encouraging elected officials to take money from private interests that are directly affected by governmental actions.

(f) It drives up the cost of election campaigns, making it difficult for qualified candidates without access to large contributors or personal fortunes to mount competitive campaigns. As an example, cost of legislative elections increased by 52 percent between 1992 and 1998.

(g) It disadvantages challengers because large campaign contributors tend to give their money to incumbents, thus causing elections to be less competitive. None of the 43 statewide and legislative incumbents running in the 1998 general election lost.

(h) It inhibits communication with the electorate by candidates without access to large sums of campaign money.

(i) It burdens public officeholders who are candidates with time-consuming fund raising and thus decreases the time available to talk with voters and carry out public responsibilities.

(j) It undermines the First Amendment to the United States Constitution and state constitutional rights of voters and candidates to be heard in the political process, it undermines the First Amendment and state constitutional rights of voters to hear all candidates' speech, and it undermines the core First Amendment and state constitutional values of open and robust debate in the political process.

(2) The people of the State of Oregon find and declare that providing a voluntary political accountability campaign finance system for certain primary and general elections will enhance democracy in Oregon in the following principal ways:

(a) It will help eliminate the harmful influence of large contributions on the political process, remove access to wealth as a major determinant of a citizen's influence within the political process and restore meaning to the principle of "one person, one vote."

(b) It will help restore the rights of all citizens to equal and meaningful participation in the democratic process.

(c) It will help restore the free-speech rights of nonwealthy candidates and voters by providing candidates with sufficient resources to communicate meaningfully with the voters.

(d) It will diminish the public perception of corruption and strengthen public confidence in the democratic process and democratic institutions.

(e) It will help increase the accountability of elected officials to be constituents who elect them.

(f) It will reduce the danger of actual corruption caused by the private financing of the election campaigns of public officials, thus substantially helping to restore public confidence in the fairness of the electoral and legislative processes.

(g) It will help halt and reverse the escalating cost of individual election campaigns.

(h) It will create a more level playing field for incumbents and challengers, create genuine opportunities for qualified Oregon residents to run for statewide and legislative office and encourage more competitive elections.

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(i) It will facilitate communication with the electorate by candidates, regardless of the access candidates have to large sums of campaign money.

(j) It will free public officeholders who are candidates from the incessant rigors of raising money, and allow them more time to carry out official duties.

(k) It will help restore the First Amendment and state constitutional rights of voters and candidates to be heard in the political process, it will help restore the First Amendment and state constitutional rights of voters to hear all candidates' speech and it will help restore the core First Amendment and state constitutional values of open and robust debate in the political process.

(l) The partial repeal of the political tax credit, ORS 316.102, provides additional money to the General Fund that is directed to the Political Accountability Fund. The Political Accountability Act is a more effective way to meet the stated public policy purpose of the political tax credit, which is to increase public participation in the political process.

SECTION 3. DEFINITIONS. As used in sections 2 to 26 of this 2000 Act:

(1) "Certified candidate" means a candidate for nomination or election to statewide office or the office of state Senator or state Representative who chooses to participate in the Political Accountability Act and who is certified as a Political Accountability Act candidate under section 10 of this 2000 Act.

(2) "Fund" means the Political Accountability Fund established in section 5 of this 2000 Act.

(3) "Legislative district dominated by one party" means a district for the office of state Senator or state Representative in which the number of electors who are members of the major political party, as described in ORS 248.006, with the highest number of members in the district exceeds the number of electors in the district who are members of any other major political party by 50 percent or more.

(4) "Nonparticipating candidate" means a candidate for nomination or election to statewide office or the office of state Senator or state Representative who does not choose to participate in the Political Accountability Act and who is not seeking to be certified as a Political Accountability Act candidate under section 10 of this 2000 Act.

(5) "Participating candidate" means a candidate for nomination or election to statewide office or the office of state Senator or state Representative who chooses to participate in the Political Accountability Act and is seeking to be certified as a Political Accountability Act candidate under section 10 of this 2000 Act.

(6) "Qualifying contribution" means a contribution:

(a) Of \$5 in cash, or in the form of a check or a money order, made or payable to the candidate or principal campaign committee of the candidate; and

(b) Made during the designated qualifying period by an individual who is a resident of this state and 18 years of age or older.

(7) "Qualifying period" means:

(a) For participating candidates of a major political party, the period beginning on the 250th day immediately preceding the biennial primary election and ending at 5 p.m. on the 40th day immediately preceding the biennial primary election.

(b) For participating candidates who are not candidates for nomination of a major political party, the period beginning on the 15th day after the date of the biennial primary election and ending at 5 p.m. on the 40th day immediately preceding the general election.

(8) "Seed money contribution" means a contribution described in section 8 of this 2000 Act of no more than \$100 made by a person or a political committee, to a candidate.

(9) "Statewide office" means the offices of Governor, Secretary of State, State Treasurer and Attorney General.

SECTION 4. CONTRIBUTIONS TO POLITICAL ACCOUNTABILITY ACT CANDIDATES ARE MADE ONLY DURING THE QUALIFYING PERIOD AND ARE LIMITED TO SEED MONEY CONTRIBUTIONS OF \$100 AND QUALIFYING CONTRIBUTIONS OF \$5. (1) To be eligible to become a certified candidate, a participating candidate may receive and spend only qualifying

contributions and seed money contributions after filing a declaration of intent under section 8 of this 2000 Act and throughout the applicable qualifying period.

(2) A participating candidate shall not make a seed money contribution of more than \$100 or a qualifying contribution of more than \$5 from the participating candidate's personal funds to the participating candidate or the participating candidate's principal campaign committee.

(3) A candidate who has filed for certification under section 10 of this 2000 Act may not receive seed money contributions or qualifying contributions.

SECTION 5. MANAGEMENT OF POLITICAL ACCOUNTABILITY FUND BY STATE TREASURER IN COOPERATION WITH SECRETARY OF STATE. (1) The Political Accountability Fund is established in the State Treasury, separate from the General Fund. All moneys described in section 6 of this 2000 Act shall be paid into the State Treasury and credited to the Political Accountability Fund. Moneys in the fund may be invested in the same manner as other state moneys, and any interest earned shall be credited to the fund.

(2) The Secretary of State shall keep a record of all moneys deposited in the Political Accountability Fund that shall indicate the source from which the moneys are derived, the interest earned and the activity or program against which any withdrawal is charged.

(3) If moneys credited to the fund are withdrawn, transferred or otherwise used for purposes other than the program or activity for which the fund is established, interest shall accrue on the amount withdrawn from the date of withdrawal and until the moneys are restored.

(4) Moneys in the fund shall provide, and are continuously appropriated for, the financing of election campaigns of certified candidates for nomination or election to statewide office or the office of state Senator or state Representative, and the payment of administrative, enforcement and other expenses of the Secretary of State in carrying out the secretary's functions and duties under sections 2 to 26 of this 2000 Act.

SECTION 6. CONTENTS OF POLITICAL ACCOUNTABILITY FUND. The following shall be deposited in the Political Accountability Fund:

(1) An amount appropriated by the Legislative Assembly to the Political Accountability Fund. The amount appropriated under this subsection shall be equal to the average of the total amount claimed as a tax credit under ORS 316.102 (1997 Edition) for contributions made to candidates for nomination or election to statewide office as defined in section 3 of this 2000 Act and candidates for nomination or election to the office of state Senator or state Representative in each of the three successive biennia beginning on or after July 1, 1993. The amount shall be determined by the Department of Revenue in cooperation with the Secretary of State. The amount described in this subsection shall be deposited by the State Treasurer in the Political Accountability Fund not later than July 1 of each odd-numbered year. The amount to be appropriated under this subsection is made available by the repeal of the political tax credit contained in ORS 316.102 (1997 Edition) for contributions to candidates who may participate in the Political Accountability Act;

(2) Fund revenues that were distributed to a certified candidate, that remain unspent after a biennial primary election or general election and that are returned to the fund as provided in section 16 of this 2000 Act;

(3) Fund revenues delivered by any certified candidate who withdraws as a certified candidate or who withdraws as a candidate for nomination or election as provided in section 25 of this 2000 Act, or by a candidate whose certification has been revoked under section 19 of this 2000 Act;

(4) Fund revenues delivered by any certified candidate against whom a civil penalty has been imposed, as described in section 26 of this 2000 Act;

(5) Voluntary contributions made directly to the fund;

(6) Civil penalties and other moneys collected under section 26 of this 2000 Act; and

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(7) Any amounts allocated or transferred under section 17 of this 2000 Act.

SECTION 7. NOTICE OF AMOUNT OF FUNDS AVAILABLE. (1) Except as provided in subsection (2) of this section, not later than September 1 of each odd-numbered year, the Secretary of State shall publish a notice of the amount of revenues contained in the Political Accountability Fund as of August 1 of the odd-numbered year.

(2) If a regular session of the Legislative Assembly has not adjourned by August 1 of the odd-numbered year, the secretary shall publish the notice as soon as practicable following September 1 of the odd-numbered year. The notice shall describe the amount of revenues contained in the Political Accountability Fund as of the date the Legislative Assembly adjourns.

SECTION 8. DECLARATION OF INTENT TO BECOME POLITICAL ACCOUNTABILITY ACT CANDIDATE. (1) A participating candidate shall file a declaration of intent to seek certification as a certified candidate and to comply with the requirements of sections 2 to 26 of this 2000 Act. Except as provided by rule under section 20 (1) of this 2000 Act, the declaration of intent shall be filed with the Secretary of State during the applicable qualifying period pursuant to forms and procedures adopted by the Secretary of State by rule. A participating candidate shall submit a declaration of intent prior to collecting qualifying contributions and seed money contributions.

(2) The declaration of intent shall specify that the candidate agrees to comply with the provisions of section 23 of this 2000 Act.

(3) After filing a declaration of intent and prior to becoming a certified candidate, a participating candidate may not:

(a) Accept contributions, except for qualifying contributions, seed money contributions and contributions described in subsection (5) of this section; or

(b) Make expenditures from funds other than qualifying contributions and seed money contributions.

(4) A participating candidate shall limit the total aggregate amount of the candidate's seed money contributions to an amount that does not exceed 10 percent of the total amount that may be distributed to a certified candidate for the same office at a contested general election, as specified in section 13 of this 2000 Act.

(5) In addition to seed money and qualifying contributions, a participating candidate may accept:

(a) Contributions consisting of printed or electronic lists created or maintained by a political party or political committee. The value of any contribution received under this paragraph shall not count against the applicable limit on seed money contributions described in subsection (4) of this section; and

(b) Any other in-kind contributions. The value of any contribution received under this paragraph shall not count against the applicable limit on seed money contributions described in subsection (4) of this section. The aggregate amount of contributions received under this paragraph and section 11 (5)(b) of this 2000 Act shall not exceed an amount equal to five percent of the applicable spending limit described in section 13 of this 2000 Act.

SECTION 9. QUALIFYING REQUIREMENTS FOR POLITICAL ACCOUNTABILITY ACT CANDIDATES BASED ON DEMONSTRATING PUBLIC SUPPORT BY GATHERING MANY \$5 QUALIFYING CONTRIBUTIONS. (1) In order to qualify for certification under section 10 of this 2000 Act, participating candidates shall obtain qualifying contributions during the qualifying period as follows:

(a) For a candidate for nomination or election to the office of Governor, a minimum of 8,000 electors must make a qualifying contribution to the candidate;

(b) For a candidate for nomination or election to the office of Secretary of State, a minimum of 6,000 electors must make a qualifying contribution to the candidate;

(c) For a candidate for nomination or election to the office of State Treasurer or Attorney General, a minimum of 4,000 electors must make a qualifying contribution to the candidate;

(d) For a candidate for nomination or election to the office of

state Senator, a minimum of 500 electors must make a qualifying contribution to the candidate; or

(e) For a candidate for nomination or election to the office of state Representative, a minimum of 300 electors must make a qualifying contribution to the candidate.

(2) All qualifying contributions shall be from individuals residing in this state. In the case of a candidate for nomination or election to the office of state Senator or state Representative, not less than 75 percent of the qualifying contributions received by the candidate must be from individuals residing in the candidate's electoral district.

(3) A payment, gift or anything of value shall not be given or received in exchange for a qualifying contribution.

SECTION 10. CERTIFICATION OF CANDIDATES BY SECRETARY OF STATE. (1) After receiving at least the minimum number of qualifying contributions specified under section 9 of this 2000 Act, a participating candidate shall file for certification with the Secretary of State. The secretary shall determine whether the candidate has:

(a) Signed, filed and complied with the provisions of a declaration of intent described in section 8 of this 2000 Act;

(b) Received the minimum number of valid qualifying contributions;

(c) Qualified as a candidate by nominating petition, declaration of candidacy or other means; and

(d) Not accepted contributions, except for qualifying contributions, seed money contributions and contributions described in section 8 (5) of this 2000 Act, and has complied with all requirements applicable to qualifying and seed money contributions.

(2) The Secretary of State shall certify a candidate complying with the requirements of this section as a certified candidate not later than five business days after the candidate has filed with the secretary under this section.

(3) A certified candidate shall comply with all requirements of sections 2 to 26 of this 2000 Act after certification and throughout the biennial primary and general election periods.

(4) If the Secretary of State does not certify a candidate under this section, the secretary shall advise the candidate of the reasons and of the actions the candidate must take to become certified.

SECTION 11. LIMITATIONS ON USE OF REVENUES FROM POLITICAL ACCOUNTABILITY FUND. MONEY CAN ONLY BE USED FOR LEGITIMATE CAMPAIGN EXPENSES. (1) After becoming a certified candidate, a candidate shall limit the candidate's expenditures to the revenues distributed to the candidate from the Political Accountability Fund and to remaining qualifying and seed money contributions. A certified candidate may not accept any other contributions, except for contributions described in subsection (5) of this section.

(2) Notwithstanding ORS 260.407, all revenues distributed to certified candidates from the fund shall be used only for purposes related to the candidate's campaign for nomination or election to public office.

(3) Revenues distributed to a certified candidate from the Political Accountability Fund may not be:

(a) Contributed to any other candidate or political committee;

(b) Used to make independent expenditures supporting or opposing any candidate, political committee or measure;

(c) Used in connection with the nomination or election of a certified candidate to any office or at any election except the office or election for which the revenues were originally distributed; or

(d) Used to repay any loans or debts.

(4) A person shall not make or accept a contribution in violation of sections 2 to 26 of this 2000 Act.

(5) In addition to revenues distributed to the candidate from the Political Accountability Fund, a certified candidate may accept:

(a) Contributions consisting of printed or electronic lists created or maintained by a political party or political committee. The value of any contribution received under this paragraph shall not count against the applicable spending limit described in section 13 of this 2000 Act; and

(b) Any other in-kind contributions. The value of any contribution

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received under this paragraph shall not count against the applicable spending limit described in section 13 of this 2000 Act. The aggregate amount of contributions received under this paragraph and section 8 (5)(b) of this 2000 Act shall not exceed an amount equal to five percent of the applicable spending limit described in section 13 of this 2000 Act.

SECTION 12. TIMELY RECEIPT OF FUNDS BY POLITICAL ACCOUNTABILITY ACT CANDIDATES. (1) The Secretary of State shall distribute revenues in the Political Accountability Fund to certified candidates who are candidates for nomination of a major political party, as described in ORS 248.006, or who are nominees of a major political party in amounts determined under section 13 of this 2000 Act, in the following manner:

(a) Within 10 business days after certification, an amount equal to 20 percent of the amount available to the candidate for the biennial primary election under section 13 of this 2000 Act;

(b) Within three business days after the 90th day immediately preceding the biennial primary election, an amount equal to 80 percent of the amount available to the candidate for the biennial primary election under section 13 of this 2000 Act;

(c) Within 10 business days after the biennial primary election, an amount equal to 20 percent of the amount available to the candidate for the general election under section 13 of this 2000 Act; and

(d) Within three business days after the 120th day immediately preceding the general election, an amount equal to 80 percent of the amount available to the candidate for the general election under section 13 of this 2000 Act.

(2) The Secretary of State shall distribute revenues in the fund to certified candidates who are candidates of a minor political party, as described in ORS 248.008, or who are not affiliated with any political party, in amounts determined under section 13 of this 2000 Act, in the following manner:

(a) Within 10 business days after certification, an amount equal to 20 percent of the amount available to the candidate for the general election under section 13 of this 2000 Act; and

(b) Within three business days after the 120th day immediately preceding the general election, an amount equal to 80 percent of the amount available to the candidate for the general election under section 13 of this 2000 Act.

(3) In the case of candidates described in subsections (1) and (2) of this section who qualify as certified candidates on or after the 90th day immediately preceding the biennial primary election or on or after the 120th day immediately preceding the general election, the Secretary of State shall distribute revenues in the Political Accountability Fund to the candidates in an amount equal to 100 percent of the amount available to the candidate for the election under section 13 of this 2000 Act. The revenues shall be distributed within 10 business days after certification.

(4) Revenues may be distributed to certified candidates under this section by any mechanism that is expeditious, ensures accountability and safeguards the integrity of the fund.

(5) The Secretary of State may extend any deadline for distributing revenues under this section in the case of a recount or other circumstance that makes distribution of revenues by a deadline specified in this section impracticable.

(6) For each biennium beginning July 1 of the odd-numbered year, the total amount of revenues distributed from the Political Accountability Fund shall not exceed an amount equal to \$5 per each individual who is eligible to register to vote in this state times each year of the biennium. Not later than September 1 of each odd-numbered year, the Secretary of State shall determine the maximum amount of revenues that may be distributed from the fund in the biennium.

(7) The Secretary of State shall not distribute revenues from the Political Accountability Fund to certified candidates in excess of the total amount of moneys deposited in the fund.

SECTION 13. CAMPAIGN SPENDING LIMITS FOR POLITICAL ACCOUNTABILITY ACT CANDIDATES. (1) Subject to sections 12 (6) and (7) and 16 (2) of this 2000 Act and subsection (3) of this section, and except as provided in subsection (2) of this section, the amount of revenues to be distributed to certified candi-

dates as described in section 12 of this 2000 Act shall be:

(a) For contested biennial primary elections:

(A) \$600,000 for each candidate for nomination to the office of Governor;

(B) \$200,000 for each candidate for nomination to any statewide office other than Governor;

(C) \$40,000 for each candidate for nomination to the office of state Senator; and

(D) \$25,000 for each candidate for nomination to the office of state Representative.

(b) For uncontested biennial primary elections, an amount equal to 30 percent of the amount available for a contested biennial primary election as specified in paragraph (a) of this subsection.

(c) For contested general elections:

(A) \$1,200,000 for each candidate for election to the office of Governor;

(B) \$400,000 for each candidate for election to any statewide office other than Governor;

(C) \$80,000 for each candidate for election to the office of state Senator; and

(D) \$50,000 for each candidate for election to the office of state Representative.

(d) For uncontested general elections, an amount equal to 10 percent of the amount available for a contested general election as specified in paragraph (c) of this subsection.

(2) Notwithstanding subsection (1)(a), (c) and (d) of this section:

(a) In a contested biennial primary election for nomination to the office of state Senator or state Representative held in a legislative district dominated by one party, a certified candidate for nomination to the office of state Senator or state Representative, who is a member of the major political party that is the dominant party in the district, may choose to reallocate a portion of revenues that would be available to the candidate for the general election to the biennial primary election.

(b) The certified candidate shall notify the Secretary of State that the candidate chooses to reallocate revenues under this subsection not later than the 40th day immediately preceding the biennial primary election.

(c) The certified candidate shall be entitled to receive additional revenues from the Political Accountability Fund in any amount that does not exceed 50 percent of the applicable amount described in subsection (1)(a) of this section.

(d) If a certified candidate who chooses to receive additional revenues under this subsection for the biennial primary election becomes a certified candidate at the general election:

(A) The amount of revenues the candidate may receive from the Political Accountability Fund for a contested general election under this section shall be reduced by an amount equal to the additional amount the candidate received for the biennial primary election.

(B) The amount of revenues the candidate may receive from the fund for an uncontested general election under this section shall not be reduced.

(e) The Secretary of State shall determine whether a district is a legislative district dominated by one party as defined in section 3 of this 2000 Act in the manner and according to a schedule adopted by the secretary by rule.

(3) For each biennial primary election, the amount of revenues to be distributed to a certified candidate under this section shall be reduced by an amount equal to the aggregate amount of:

(a) Seed money contributions received by the candidate during the applicable qualifying period and that are unspent on the date of filing for certification; and

(b) Qualifying contributions received by the candidate during the applicable qualifying period.

SECTION 14. ALLOW FOR MORE DEBATE TO LEVEL THE PLAYING FIELD BY MAKING AVAILABLE A LIMITED AMOUNT OF MATCHING FUNDS IF POLITICAL ACCOUNTABILITY ACT CANDIDATE IS OUTSPENT BY COMBINATION OF INDEPENDENT EXPENDITURES AND/OR CONTRIBUTIONS TO NONPARTICIPATING OPPONENT(S). (1) If a statement filed under ORS 260.058 (1) or 260.068 (1) or a notice filed

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under section 22 of this 2000 Act shows that a nonparticipating candidate for nomination or election to statewide office or the office of state Senator or state Representative has received contributions or made expenditures in an aggregate amount that exceeds the amount of revenues to be distributed to opposing certified candidates for the same nomination or office as specified in section 13 of this 2000 Act, any opposing certified candidate for the same nomination or office shall be eligible to receive an additional amount of matching funds as described in subsection (5) of this section.

(2) If any statement filed under ORS 260.044 or notice filed under section 21 of this 2000 Act during a period described in subsection (4) of this section shows that the aggregate amount of independent expenditures made in support of or in opposition to a candidate for nomination or election to statewide office or the office of state Senator or state Representative exceeds the amount of revenues to be distributed to a certified candidate for nomination or election to the same office as specified in section 13 of this 2000 Act, then:

(a) If the independent expenditures are made in support of one or more candidates, any opposing certified candidate for the same nomination or office shall be eligible to receive an additional amount of matching funds as described in subsection (5) of this section; and

(b) If the independent expenditures are made in opposition to one or more certified candidates, each certified candidate against whom the expenditures are made shall be eligible to receive an additional amount of matching funds as described in subsection (5) of this section.

(3) A certified candidate shall also be eligible to receive an additional amount of matching funds as described in subsection (5) of this section if the statements or notices referred to in subsections (1) and (2) of this section show that any combination of contributions received or expenditures made as described in subsection (1) of this section and independent expenditures described in subsection (2) of this section exceeds in aggregate the amount of revenues to be distributed to the certified candidate under section 13 of this 2000 Act.

(4) The provisions of subsection (2) of this section apply during the periods:

(a) Beginning on the 250th day before the date of the biennial primary election and ending on the date of the biennial primary election; and

(b) Beginning on the day after the date of the biennial primary election and ending on the date of the general election.

(5) Matching funds under this section shall be distributed from the Political Accountability Fund:

(a) In an amount equivalent to the amount of contributions or expenditures that exceeds the amount of revenues to be distributed to the certified candidate under section 13 of this 2000 Act; and

(b) In the case of independent expenditures made in support of a single candidate or in opposition to a single certified candidate, in an amount equivalent to the amount of independent expenditures that exceeds the amount of revenues to be distributed to the certified candidate under section 13 of this 2000 Act. In the case of independent expenditures made in support of more than one candidate or in opposition to more than one certified candidate, in an amount equivalent to the amount of independent expenditures that exceeds the amount of revenues to be distributed to the certified candidate under section 13 of this 2000 Act, divided by the number of certified candidates eligible to receive matching funds because of the independent expenditures.

(6) An amount of matching funds distributed under this section shall not exceed 100 percent of the amount available to be distributed to the certified candidate under section 13 of this 2000 Act.

(7) Notwithstanding any other provision of this section:

(a) For a biennial primary election at which a certified candidate has made the choice to receive additional revenues under section 13 (2) of this 2000 Act, matching funds shall be available to the certified candidate under this section only when the amount of contributions or expenditures described in subsection (1), (2) or

(3) of this section exceeds the total amount distributed to the certified candidate under section 13 (2) of this 2000 Act; and

(b) For a general election involving a certified candidate who has made the choice to receive additional revenues for the biennial primary election under section 13 (2) of this 2000 Act, matching funds shall be available to the certified candidate under this section when the amount of contributions or expenditures described in subsection (1), (2) or (3) of this section exceeds the original amount of revenues to be distributed to the certified candidate at the general election, without any reduction for the additional amount distributed for the biennial primary election. However, if the certified candidate is the only certified candidate for the office at the general election, matching funds shall be available to the certified candidate under this section only when the amount of contributions or expenditures described in subsection (1), (2) or (3) of this section exceeds an amount equal to the original amount of revenues to be distributed to the certified candidate at the general election, less the additional amount distributed for the biennial primary election.

(8) The Secretary of State shall distribute matching funds under this section not later than four business days after receiving a written request from the certified candidate if the secretary concludes that the certified candidate qualifies for matching funds under this section.

SECTION 15. FULL DISCLOSURE OF CAMPAIGN EXPENDITURES AND SEED MONEY AND QUALIFYING CONTRIBUTIONS.

(1) All seed money contributions and qualifying contributions received by a participating candidate shall be reported as contributions on statements required by ORS 260.058 and 260.068. the Secretary of State by rule may provide for reporting previously reported contributions by reference.

(2) All revenues distributed to and received by a certified candidate from the Political Accountability Fund shall be reported as contributions on statements required by ORS 260.058 and 260.068.

(3) If the contribution is a seed money contribution, the statement shall list the name, occupation and address of each individual who made the contribution, regardless of the amount of the contribution.

(4) If the contribution is a qualifying contribution, the statement shall list the name and address of each individual who made the contribution, but is not required to list the occupation of each individual.

(5) ORS 260.205 applies to each notice and written proof delivery filed under section 21 or 22 of this 2000 Act.

(6) The Secretary of State may issue subpoenas under ORS 260.218 necessary to determine the sufficiency of any notice or written proof of delivery required to be filed under section 21 or 22 of this 2000 Act.

(7) ORS 260.225 applies to any candidate, treasurer or person who fails to file a notice or written proof of delivery required under section 21 or 22 of this 2000 Act or who files an insufficient notice or written proof of delivery.

SECTION 16. UNSPENT POLITICAL ACCOUNTABILITY FUND REVENUES RETURNED TO FUND IN MOST EFFICIENT MANNER AFTER BIENNIAL PRIMARY AND GENERAL ELECTIONS.

(1) If the first post-election statement filed by a certified candidate under ORS 260.058 for the biennial primary election shows unspent revenues received from the Political Accountability Fund, and the candidate was not nominated at the biennial primary election, the candidate shall return an amount of money equal to the amount of the unspent revenues to the Secretary of State when the statement required under ORS 260.058 is filed.

(2) If the first post-election statement filed by a certified candidate under ORS 260.058 for the biennial primary election shows unspent revenues received from the Political Accountability Fund, and the candidate was nominated at the biennial primary election, the amount of revenues to be distributed to the certified candidate under section 13 of this 2000 Act at the general election shall be reduced by an amount equal to the aggregate amount of unspent revenues received from the Political Accountability Fund.

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(3) If the first post-election statement filed by a certified candidate under ORS 260.068 for the general election shows unspent revenues received from the fund, the candidate shall return an amount of money equal to the amount of the unspent revenues to the Secretary of State not later than the date the statement required under ORS 260.068 is filed.

SECTION 17. PROVISIONS TO PROVIDE ADEQUATE FUNDING IN FUTURE ELECTION CYCLES. Notwithstanding any provision of section 6 of this 2000 Act:

(1) Not later than the 10th business day following the end of the qualifying period before the biennial primary election, the Secretary of State shall determine whether the amount deposited in the Political Accountability Fund under section 6 of this 2000 Act will be sufficient to provide the amount the secretary estimates will be necessary to make payments to candidates under sections 2 to 26 of this 2000 Act at the biennial primary and general elections. The determination of the Secretary of State shall be based on the amount of revenues intended to be available to certified candidates under section 13 of this 2000 Act, the number of candidates who are certified candidates at the biennial primary election, the projected number of certified candidates at the general election and any other factors specified by the Secretary of State by rule.

(2) If the Secretary of State determines under subsection (1) of this section that the amount deposited in the Political Accountability Fund under section 6 of this 2000 Act will be insufficient to provide the amount the secretary estimates will be necessary to make payments to candidates under sections 2 to 26 of this 2000 Act at the biennial primary and general elections, the secretary shall request the additional amount the secretary estimates will be necessary from the Emergency Board. The Emergency Board, out of funds available for the purpose, shall allocate that amount to the Secretary of State for the purpose of making payments to candidates under sections 2 to 26 of this 2000 Act at the biennial primary and general elections. The amount allocated to the Secretary of State under this subsection shall be deposited in the Political Accountability Fund. Any moneys allocated to the Secretary of State under this subsection that have not been distributed to certified candidates as of the 20th day following the general election shall be transferred by the Secretary of State from the Political Accountability Fund to the General Fund to be available for general governmental expenditures.

(3) In addition to the provisions of subsection (2) of this section, if the Secretary of State determines under subsection (1) of this section that the amount deposited in the Political Accountability Fund under section 6 of this 2000 Act will be insufficient to provide the amount the secretary estimates will be necessary to make payments to candidates under sections 2 to 26 of this 2000 Act at the biennial primary and general elections, the secretary may request the State Treasurer to transfer the additional amount the secretary considers necessary from the General Fund or other funds to the Political Accountability Fund in the manner specified in ORS 293.210. Notwithstanding any provision of ORS 293.210, the State Treasurer shall transfer that amount from the General Fund or other funds to the Political Accountability Fund not later than 10 business days after receiving the request from the Secretary of State. The next deposit or deposits made to the Political Accountability Fund after the transfer described in this subsection shall be considered collateral for the transfer made by the State Treasurer under this subsection. Moneys in the Political Accountability Fund may be used to repay any transfer and accrued interest to the State Treasurer after all obligations to certified candidates are satisfied. The State Treasurer shall notify the Legislative Assembly if the Political Accountability Fund will not be balanced before the end of the biennium. If the Political Accountability Fund will not be balanced before the end of the biennium, the Legislative Assembly shall appropriate sufficient funds to repay any transfer made under this subsection and accrued interest before the end of the biennium during which the transfer was made. The additional funds transferred by the State Treasurer into the Political Accountability Fund under this subsection shall be used for making payments to candidates under

sections 2 to 26 of this 2000 Act at the biennial primary and general elections.

(4) The amount of funds appropriated to the Political Accountability Fund for biennial primary and general elections held after 2002 shall not be less than the amount described in section 6 (1) of this 2000 Act or the amount of payments made from the fund for the immediately preceding biennial primary and general elections, whichever amount is greater. In addition, each Legislative Assembly at a regular session occurring after 2001, based on a recommendation from the Secretary of State, shall appropriate an additional amount to the Political Accountability Fund to account for reasonable growth. Each regular session of the Legislative Assembly shall give priority to the reduction of tax expenditures as a method to provide more revenues for the Political Accountability Fund.

SECTION 18. AUTOMATIC ADJUSTMENT FOR INFLATION.

Beginning on July 1, 2005, the dollar amounts specified in section 13 of this 2000 Act shall be adjusted annually by the Secretary of State based upon the change in the Portland Consumer Price Index for All Urban Consumers for All Items as prepared by the Bureau of Labor Statistics of the United States Department of Labor or its successor during the preceding 12-month period. The amounts determined under this section shall be rounded to the nearest dollar.

SECTION 19. HEARING ON CERTIFICATION AND MATCHING FUND DISPUTES.

(1) A candidate who has been refused certification or an opponent of a candidate who has been granted certification under section 10 of this 2000 Act may challenge a certification decision by the Secretary of State by filing a written request for a hearing with the Secretary of State not later than three business days after the certification decision is made.

(2) A candidate who has been granted or refused matching funds under section 14 of this 2000 Act, or an opponent of a candidate who has been granted matching funds under section 14 of this 2000 Act, may challenge the matching funds decision by the Secretary of State by filing a written request for a hearing with the Secretary of State not later than three business days after the matching funds decision is made.

(3) The parties involved in the request for a hearing need not appear in person at a hearing held under this section, but instead may submit sworn affidavits and other evidence to the Secretary of State for entry in the hearing record. Such documents must be received by the Secretary of State not later than one business day before the day of the hearing.

(4) All hearings under this section shall be held not later than five business days after the request for a hearing is filed under this section. The hearing shall be conducted as a contested case hearing pursuant to the applicable provisions of ORS 183.413 to 183.470.

(5) The Secretary of State shall issue an order not later than three business days after a hearing. The Secretary of State may grant or revoke certification under this section. The Secretary of State may grant or revoke matching funds, or modify a matching funds decision, under this section.

(6) Judicial review of an order made under this section shall be as provided in ORS 183.480 to 183.497 for judicial review of contested cases.

(7) If the certification of a candidate is revoked following a hearing under this section, the candidate shall return to the Secretary of State an amount of money equal to the total amount of revenues distributed to the candidate from the Political Accountability Fund. If matching funds distributed under section 14 of this 2000 Act are revoked, the candidate shall return to the Secretary of State an amount of money equal to the amount of revoked matching funds distributed to the candidate from the Political Accountability Fund. If the Secretary of State or a court finds that a request for a hearing under this section was made frivolously or to cause delay or hardship, the Secretary of State or the court may require the person who filed the request for a hearing to pay costs of the secretary, court and opposing parties, and attorney fees of the opposing parties, if any.

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SECTION 20. ADMINISTRATION OF POLITICAL ACCOUNTABILITY ACT BY SECRETARY OF STATE. (1) The Secretary of State shall adopt rules to ensure effective administration of sections 2 to 26 of this 2000 Act. The rules shall include but are not limited to procedures for:

(a) Qualification, certification and disbursement of Political Accountability Fund revenues and return of unspent fund revenues for contests involving special elections, recounts, vacancies, withdrawals or replacement candidates;

- (b) Obtaining qualifying contributions;
- (c) Certification as a Political Accountability Act candidate;
- (d) Collection of revenues for the Political Accountability Fund;
- (e) Distribution of fund revenues to certified candidates; and
- (f) Return of fund disbursements and other moneys to the fund.

(2) The Secretary of State shall prescribe forms for notices and written proof of delivery required to be filed under sections 21 and 22 of this 2000 Act and furnish the forms to persons required to file the notices and written proof of delivery.

SECTION 21. INDEPENDENT EXPENDITURE DISCLOSURE REQUIREMENTS. (1) Notwithstanding ORS 260.044 (1), a person making an independent expenditure in an amount of \$1,000 or more, or independent expenditures in an aggregate amount of \$1,000 or more, supporting or opposing a candidate or candidates for nomination or election to statewide office or the office of state Senator or state Representative shall file notice, deliver copies of the notice and file written proof of delivery of copies of the notice as provided in this section.

(2) The person making an independent expenditure or expenditures described in subsection (1) of this section shall:

(a) File written notice with the Secretary of State. The notice shall describe the amount and use of the independent expenditure or expenditures and state the name of the candidate or candidates the independent expenditure or expenditures are intended to support or oppose;

(b) Deliver a copy of the notice to each candidate at the same election for the nomination or office described in subsection (1) of this section for whom a nominating petition, a declaration of candidacy or a certificate of nomination has been filed; and

(c) File written proof with the Secretary of State that a copy of the notice was delivered to each candidate described in paragraph (b) of this subsection.

(3) The notice and written proof of delivery shall be filed with the secretary and copies of the notice shall be delivered to candidates no later than 5 p.m. of the next business day after funds for the independent expenditure or expenditures are obligated. The notice and written proof of delivery shall be filed together.

(4) The copy of the notice shall be delivered to each candidate by registered or certified mail or by another method that provides written proof that the copy of the notice was delivered. A copy of the notice shall be considered to be delivered when the copy is mailed, sent, transmitted or otherwise delivered. Nothing in this section requires that a candidate receive a copy of the notice prior to the deadline specified in subsection (3) of this section.

(5) Each separate independent expenditure or aggregate amount of independent expenditures described in subsection (1) of this section shall require compliance with the provisions of this section.

(6) For purposes of this section, an independent expenditure is obligated when the expenditure is made or an agreement to make the expenditure is made.

SECTION 22. DISCLOSURE REQUIREMENTS FOR NONPARTICIPATING CANDIDATES TO ENSURE TIMELY RELEASE OF MATCHING FUNDS. (1) A nonparticipating candidate for nomination or election to statewide office or the office of state Senator or state Representative shall file notice, deliver copies of the notice and file written proof of delivery of copies of the notice as provided in this section if:

(a) The nonparticipating candidate receives contributions or makes expenditures during the total period described in ORS 260.058 (1) or 260.068 (1) in an aggregate amount that exceeds the amount of revenues to be distributed to opposing certified candidates for the same nomination or office as specified in

section 13 of this 2000 Act; or

(b) Any combination of contributions received or expenditures made by the nonparticipating candidate during the total period described in ORS 260.058 (1) or 260.068 (1) and independent expenditures described in section 14 (2) of this 2000 Act exceeds in aggregate the amount of revenues to be distributed to opposing certified candidates for the same nomination or office under section 13 of this 2000 Act.

(2) The nonparticipating candidate described in subsection (1) of this section shall:

(a) File written notice with the Secretary of State. The notice shall describe the amount of contributions received or expenditures made;

(b) Deliver a copy of the notice to each certified candidate at the same election for the nomination or office described in subsection (1) of this section for whom a nominating petition, a declaration of candidacy or a certificate of nomination has been filed; and

(c) File written proof with the Secretary of State that a copy of the notice was delivered to each candidate described in paragraph (b) of this subsection. The written proof of delivery shall be filed together with the notice.

(3)(a) Except as provided in paragraph (b) of this subsection, the notice and written proof of delivery shall be filed with the secretary and copies of the notice shall be delivered to certified candidates no later than 5 p.m. of the second business day after:

(A) The amount of contributions received or expenditures made exceeds the amount described in subsection (1) of this section; or
 (B) A notice received under section 21 of this 2000 Act indicates that independent expenditures obligated, alone or together with contributions received or expenditures made by the nonparticipating candidate, exceed the amount described in subsection (1) of this section.

(b) During the period beginning on the first day of the accounting period for the second preelection statement of contributions received and expenditures made described in ORS 260.058 and 260.068 and ending on the date of the election, the notice and written proof of delivery shall be filed with the secretary and copies of the notice shall be delivered to certified candidates no later than 5 p.m. of the next business day after:

(A) The amount of contributions received or expenditures made exceeds the amount described in subsection (1) of this section; or
 (B) A notice received under section 21 of this 2000 Act indicates that independent expenditures obligated, alone or together with contributions received or expenditures made by the nonparticipating candidate, exceed the amount described in subsection (1) of this section.

(4) The copy of the notice shall be delivered to each certified candidate by registered or certified mail or by another method that provides written proof that the copy of the notice was delivered. A copy of the notice shall be considered to be delivered when the copy is mailed, sent, transmitted or otherwise delivered. Nothing in this section requires that a certified candidate receive a copy of the notice prior to the deadline specified in subsection (3) of this section.

(5) Following the first notice required under this section, a separate notice is required each time a nonparticipating candidate receives contributions or makes expenditures in an aggregate amount of:

- (a) \$20,000 or more in the case of a candidate for nomination or election to the office of Governor;
- (b) \$10,000 or more in the case of a candidate for nomination or election to any statewide office other than Governor; and
- (c) \$5,000 or more in the case of a candidate for nomination or election to the office of state Senator or state Representative.

(6) The Secretary of State shall provide forms to facilitate compliance with this section.

(7) For purposes of this section, an expenditure is obligated when the expenditure is made or an agreement to make the expenditure is made.

SECTION 23. POLITICAL ADVERTISEMENT DISCLOSURE REQUIREMENTS FOR POLITICAL ACCOUNTABILITY ACT CANDIDATES. (1) As part of the declaration of intent described

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in section 8 of this 2000 Act, a participating or certified candidate shall agree to include the information described in subsections (2) to (4) of this section in any advertisement advocating the nomination, election or defeat of a candidate and paid for by the participating or certified candidate or the principal campaign committee of the participating or certified candidate.

(2) A printed advertisement described in subsection (1) of this section shall include the phrase "Paid for by" followed by the name of the candidate or principal campaign committee of the candidate. The advertisement shall also include the following statement: "As a candidate participating in the Political Accountability Act, I take personal responsibility for the content of this campaign ad." The statement shall be followed by a copy of the signature of the candidate and the legibly printed name of the candidate. As used in this subsection, "printed advertisement" means a brochure, pamphlet, flyer, newspaper or magazine advertisement or other similar advertisement designated by the Secretary of State by rule. "Printed advertisement" does not include any button, sign or other similar advertisement designated by the Secretary of State by rule.

(3) A radio advertisement described in subsection (1) of this section shall include the phrase "Paid for by" followed by the name of the candidate or principal campaign committee of the candidate. The advertisement shall also include the following statement made by the candidate: "As a candidate participating in the Political Accountability Act, I take personal responsibility for the content of this campaign ad."

(4) A television or video advertisement described in subsection (1) of this section shall include the phrase "Paid for by" followed by the name of the candidate or principal campaign committee of the candidate. The phrase shall occur visually or audibly. The advertisement shall also include the following statement made by the candidate: "As a candidate participating in the Political Accountability Act, I take personal responsibility for the content of this campaign ad." The statement shall be made by the candidate while in front of the camera or while a photograph of the candidate is displayed.

SECTION 24. VOTERS' PAMPHLET NOTICE OF PARTICIPATION IN POLITICAL ACCOUNTABILITY ACT SYSTEM.

If a candidate for nomination or election to statewide office or the office of state Senator or state Representative is a participating candidate in the Political Accountability Act, the Secretary of State shall include with the voters' pamphlet statement of the candidate at the biennial primary and general elections, a statement indicating that the candidate is a participating candidate in the Political Accountability Act and has agreed to the terms and conditions of the Political Accountability Act, including limitations on campaign contributions and expenditures.

SECTION 25. WITHDRAWAL OF CERTIFIED CANDIDATE; REPAYMENT OF PUBLIC FUNDS WITH INTEREST REQUIRED.

(1) A certified candidate may withdraw as a certified candidate by filing a written statement of withdrawal with the Secretary of State. At the time the statement of withdrawal is filed, the candidate shall also deliver to the Secretary of State an amount of money equal to all revenues distributed to the candidate from the Political Accountability Fund after the date the candidate was certified, plus interest on the total amount of revenues received at a rate of 12 percent per annum.

(2) A certified candidate who withdraws as a candidate for nomination or election as provided in ORS chapter 249 shall comply with the requirements of subsection (1) of this section at the time the candidate files a statement of withdrawal.

(3) A certified candidate who withdraws as a certified candidate or as a candidate, or who is required to deliver money to the fund under section 26 of this 2000 Act, shall not receive any contribution or make any expenditure until the candidate has delivered to the Secretary of State any moneys required to be delivered under this section and section 26 of this 2000 Act.

(4) A certified candidate who withdraws as a certified candidate or as a candidate shall be personally liable for any amounts to be paid to the Secretary of State under this section.

(5) If a certified candidate withdraws as a certified candidate or

as a candidate, or if a certified candidate is required to deliver money to the fund under section 26 of this 2000 Act, the Secretary of State shall disseminate public notice to that effect within one business day of the withdrawal or determination made under section 26 of this 2000 Act.

(6) The Secretary of State shall deposit moneys received under this section in the Political Accountability Fund.

SECTION 26. PENALTIES; REMOVAL AS CERTIFIED CANDIDATE FOR RECEIVING PRIVATE CONTRIBUTIONS; REPAYMENT OF PUBLIC FUNDS.

(1) The Secretary of State or the Attorney General may impose a civil penalty not to exceed \$10,000 for any violation of section 4, 8 (3), 9, 10, 11 (2) to (5), 16, 21 or 25 of this 2000 Act.

(2) For violations of section 11 (1) of this 2000 Act, the Secretary of State or Attorney General may impose a civil penalty not to exceed the greater of \$10,000 or the amount of any contribution or expenditure received or made in violation of section 11 (1) of this 2000 Act.

(3) Civil penalties under this section shall be imposed in the manner provided in ORS 260.995.

(4) If a civil penalty has been imposed under this section against a candidate or the principal campaign committee of a candidate, the candidate shall be personally liable for the amount to be paid under this section. If a civil penalty has been imposed under this section against a political committee other than a principal campaign committee, the directors of the political committee shall be jointly and severally liable for any amount to be paid under this section.

(5) A certified candidate against whom a civil penalty has been imposed for violation of section 11 (1) of this 2000 Act shall be removed as a certified candidate by the Secretary of State and shall not be eligible to receive revenues from the Political Accountability Fund during the biennial primary and general election cycle during which the penalty is imposed. At the time the civil penalty is imposed, the candidate shall deliver to the Secretary of State an amount of money equal to all revenues distributed to the candidate from the Political Accountability Fund after the date the candidate was certified, plus interest on the total amount of revenues received at a rate of 12 percent per annum.

(6) If the Secretary of State or Attorney General determines that a participating or certified candidate has violated any provision of section 23 of this 2000 Act:

(a) The candidate shall deliver to the Secretary of State an amount of money equal to the cost of any advertisement made in violation of section 23 of this 2000 Act, plus interest on the amount of money delivered at a rate of 12 percent per annum; and

(b) If the Secretary of State or Attorney General determines that a participating or certified candidate has violated any provision of section 23 of this 2000 Act three or more times, the candidate shall be removed as a participating or certified candidate by the Secretary of State or Attorney General and shall not be eligible to receive revenues from the Political Accountability Fund during the biennial primary and general election cycle during which the violation occurred. If applicable, the candidate shall deliver to the Secretary of State an amount of money equal to all revenues distributed to the candidate from the Political Accountability Fund after the date the candidate was certified, plus interest on the total amount of revenues received at a rate of 12 percent per annum.

(7) All penalties and moneys received under this section for violations of any provision of sections 2 to 26 of this 2000 Act shall be paid into the State Treasury and credited to the Political Accountability Fund.

SECTION 27. AMENDMENT BECAUSE LANGUAGE NO LONGER APPLICABLE. ORS 260.188 is amended to read:

260.188. (1) An expenditure not qualifying as an independent expenditure shall be considered an in-kind contribution to the candidate or the principal campaign committee of the candidate and an expenditure by the candidate or the principal campaign committee of the candidate.

(2) For purposes of ORS 260.180, the amount of an expendi-

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~~ture not qualifying as an independent expenditure shall count against the expenditure limits of the candidate for whose benefit the expenditure was made.]~~

~~[(3) For purposes of the contribution limitations established by ORS 260.180, the amount of an expenditure not qualifying as an independent expenditure shall count against the contribution limits of the person or political committee making the expenditure.]~~

~~[(4)] (2) No person, including a candidate or political committee, shall report an expenditure as an independent expenditure if the expenditure does not qualify as an independent expenditure under ORS 260.005.~~

SECTION 28, 29, 30, 31, AND 32 PERTAIN TO MAKING FUNDS AVAILABLE FOR THE POLITICAL ACCOUNTABILITY FUND THROUGH REPEAL OF THE POLITICAL TAX CREDIT FOR CANDIDATES WHO MAY PARTICIPATE IN THE POLITICAL ACCOUNTABILITY ACT. THE POLITICAL ACCOUNTABILITY ACT WILL MORE EFFECTIVELY ACHIEVE THE PUBLIC POLICY PURPOSE OF THE POLITICAL TAX CREDIT WHICH IS TO INCREASE PUBLIC PARTICIPATION IN POLITICS. CREDIT NOT AVAILABLE AFTER JANUARY 1, 2001 BUT REPEALED IN 2004 TO ALLOW FOR LATE AND AMENDED TAX RETURNS.

SECTION 28. ORS 316.102 is amended to read:

316.102. (1) A credit against taxes shall be allowed for voluntary contributions in money made in the taxable year:

(a) To a major political party qualified under ORS 248.006 or to a committee thereof or to a minor political party qualified under ORS 248.008 or to a committee thereof.

(b) Except as provided in subsection (4) of this section, to or for the use of a person who must be a candidate for nomination or election to a federal, state or local elective office in any biennial primary election, presidential preference primary election, general election or special election in this state. The person must, in the calendar year in which the contribution is made, either be listed on a biennial primary election, presidential preference primary election, general election or special election ballot in this state or have filed in this state one of the following:

- (A) A prospective petition;
- (B) A declaration of candidacy;
- (C) A certificate of nomination; or
- (D) A designation of a principal campaign committee.

(c) To a political committee, as defined in ORS 260.005, organized and operated exclusively to support or oppose ballot measures or questions to be voted upon within this state if the political committee has certified the name of its treasurer to the filing officer, as defined in ORS 260.005, in the manner provided in ORS chapter 260.

(2) The credit allowed by subsection (1) of this section shall be the lesser of:

(a) The total contribution, not to exceed \$50 on a separate return; the total contribution, not to exceed \$100 on a joint return; or

(b) The tax liability of the taxpayer.

(3) The claim for tax credit shall be substantiated by submission, with the tax return, of official receipts of the candidate, agent, political party or committee thereof or political committee to whom contribution was made.

(4) A credit against taxes shall not be allowed under this section for voluntary contributions of money made in the taxable year to a candidate for statewide office or the office of state Senator or state Representative ~~[if the candidate has not filed a declaration of limitation on expenditures under ORS 260.180 for each election at which the candidate is a candidate for nomination or election indicating that the candidate will not make attributable expenditures in excess of the applicable limitations described in ORS 260.180].~~

(5) As used in this section, "statewide office" ~~[means the office of Governor, Secretary of State, State Treasurer, Attorney General, Superintendent of Public Instruction and Commissioner of the Bureau of Labor and Industries]~~ has the meaning given that term in section 3 of this 2000 Act.

SECTION 29. If Senate Bill 369 (1999) becomes law, section 28 of this 2000 Act (amending ORS 316.102) is repealed and ORS

316.102, as amended by section 27, chapter :HR3B., Oregon Laws 1999 (Enrolled Senate Bill 369), is amended to read:

316.102. (1) A credit against taxes shall be allowed for voluntary contributions in money made in the taxable year:

(a) To a major political party qualified under ORS 248.006 or to a committee thereof or to a minor political party qualified under ORS 248.008 or to a committee thereof.

(b) Except as provided in subsection (4) of this section, to or for the use of a person who must be a candidate for nomination or election to a federal, state or local elective office in any biennial primary election, general election or special election in this state. The person must, in the calendar year in which the contribution is made, either be listed on a biennial primary election, general election or special election ballot in this state or have filed in this state one of the following:

- (A) A prospective petition;
- (B) A declaration of candidacy;
- (C) A certificate of nomination; or
- (D) A designation of a principal campaign committee.

(c) Except as provided in subsection (4) of this section, to a political committee, as defined in ORS 260.005, if the political committee has certified the name of its treasurer to the filing officer, as defined in ORS 260.005, in the manner provided in ORS chapter 260.

(2) The credit allowed by subsection (1) of this section shall be the lesser of:

(a) The total contribution, not to exceed \$50 on a separate return; the total contribution, not to exceed \$100 on a joint return; or

(b) The tax liability of the taxpayer.

(3) The claim for tax credit shall be substantiated by submission, with the tax return, of official receipts of the candidate, agent, political party or committee thereof or political committee to whom contribution was made.

(4) A credit against taxes shall not be allowed under this section for voluntary contributions of money made in the taxable year to a candidate for statewide office or the office of state Senator or state Representative.

(5) As used in this section, "statewide office" has the meaning given that term in section 3 of this 2000 Act.

SECTION 30. If Senate Bill 946 (1999) becomes law, section 33, chapter :HR3B., Oregon Laws 1999 (Enrolled Senate Bill 946) (amending ORS 316.102), is repealed.

SECTION 31. The amendments to ORS 316.102 by section 28 or 29 of this 2000 Act apply to tax years beginning on or after January 1, 2001.

SECTION 32. PROCEEDINGS OR PROSECUTIONS RELATED TO ELECTION LAW VIOLATIONS OCCURRING PRIOR TO EFFECTIVE DATE OF THIS ACT WILL BE ADDRESSED UNDER LAW IN PLACE PRIOR TO EFFECTIVE DATE OF THIS ACT.

(1) Sections 1 to 26 of this 2000 Act and the amendments to ORS 260.188 by section 27 of this 2000 Act apply only to activities occurring and proceedings, actions, prosecutions or other business or matters undertaken or commenced under ORS chapter 260 on or after the effective date of this 2000 Act.

(2) Any proceeding, action, prosecution or other business or matter undertaken or commenced before the effective date of this 2000 Act under ORS chapter 260 (1997 Edition), and still pending on the effective date of this 2000 Act, may be conducted and completed in the same manner, under the same terms and conditions and with the same effect as though undertaken, conducted or completed before the effective date of this 2000 Act.

(3) Nothing in this 2000 Act relieves any person of any obligation with respect to a tax, fee, fine, civil penalty or other charge, interest, penalty, forfeiture or other liability, duty or obligation.

SECTION 33. LAWS REPEALED BECAUSE NO LONGER APPLICABLE. ORS 260.160, 260.164, 260.178, 260.180, 260.182, 260.184, 260.190, 260.192, 260.202, 260.265, 260.997 and 260.999 are repealed.

SECTION 34. POLITICAL ACCOUNTABILITY ACT AVAILABLE IN 2002 ELECTION CYCLE FOR CANDIDATES FOR GOVERNOR, SECRETARY OF STATE, ATTORNEY GENERAL, STATE

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TREASURER, STATE REPRESENTATIVE AND STATE SENATOR.

(1) It is the intent of this 2000 Act that candidates for nomination or election to statewide office, as defined in section 3 of this 2000 Act, and candidates for nomination or election to the offices of state Senator and state Representative shall first receive revenues from the Political Accountability Fund for use in the biennial primary and general elections held in 2002.

(2) In accordance with subsection (1) of this section:

(a) The amendments to ORS 260.188 and 316.102 by sections 27 and 28 or 29 of this 2000 Act become operative January 1, 2001;

(b) Sections 4, 7 to 19 and 22 to 26 of this 2000 Act become operative July 1, 2001; and

(c) Subject to section 39 of this 2000 Act, the repeal of statutes by section 33 of this 2000 Act becomes operative January 1, 2001.

(3) The Secretary of State may take any action prior to the operative date of any provision of this 2000 Act that is necessary to implement any provision of this 2000 Act on or after the operative date of any provision of this 2000 Act.

SECTION 35. SECTIONS ADDED TO EXISTING LAW. Sections 1 to 26 of this 2000 Act are added to and made a party of ORS chapter 260.

SECTION 36. APPLICABILITY OF SECTION 21. Section 21 of this 2000 Act applies to independent expenditures obligated on or after the effective date of this 2000 Act.

SECTION 37. SEVERABILITY CLAUSE. (1) If any part of this 2000 Act is held unconstitutional, void or otherwise without effect, the remaining parts shall remain in force unless:

(a) This 2000 Act provides otherwise;

(b) The remaining parts are so essentially and inseparably connected with and dependent upon the part that is unconstitutional, void or without effect that it is apparent that the remaining parts would not have been enacted without the part that is unconstitutional, void or without effect; or

(c) The remaining parts, standing alone, are incomplete and incapable of being executed in accordance with the intent of this 2000 Act.

(2) If any of the provisions of this 2000 Act relating to the provision of adequate funding of the Political Accountability Act are held unconstitutional, void or otherwise without effect, the Legislative Assembly shall make adequate funding available, in accordance with the provisions of this 2000 Act, at the next following regular or special session of the Legislative Assembly.

SECTION 38. EFFECT OF SECTION CAPTIONS. The section captions used in this 2000 Act are provided only for the convenience of the reader and do not become part of the statutory law of this state or express any intent in the enactment of this 2000 Act.

SECTION 39. CONFLICT AMENDMENTS. If Senate Bill 369 (1999) becomes law, sections 27 (amending ORS 260.188 (1997 Edition)) and 33 of this 2000 Act are repealed.

NOTE: **Boldfaced** type indicates new language; [~~bracketed and strikethrough~~] type indicates deletions or comments.

EXPLANATORY STATEMENT

The Political Accountability Act, Measure 6, establishes an alternative system to provide campaign funds to qualifying candidates who agree to limit the political contributions they receive and the amount of their campaign spending. Measure 6 provides limited public funding for the campaigns of qualifying candidates for Governor, Secretary of State, Treasurer, Attorney General, state Senator, and state Representative. Candidates qualify by: 1) agreeing to accept only certain permitted contributions and make expenditures only from those sources; 2) receiving specified numbers of \$5 contributions from Oregon residents to demonstrate public support.

The number of \$5 qualifying contributions for each applicable office are: Governor – 8,000; Secretary of State – 6,000; Attorney General and Treasurer – 4,000; state Senator – 500; and state Representative – 300.

Money may be spent only on legitimate campaign expenses. The source of public funds is savings to the General Fund generated by the repeal of use of the Political Tax Credit for contributions to candidates who have the option of running under the Political Accountability Act; any unspent money provided to a participating candidate; any money that has been distributed to a participating candidate who withdraws that must be returned; any penalties assessed against participating candidates; voluntary contributions made directly to the fund; and additional funds appropriated by the Legislative Assembly. Full funding is mandated and the legislature is directed to give priority for reduction of tax expenditures to meet the goal. The use of the Political Tax Credit by political committees, ballot measure committees, and candidates for races not covered by Measure 6 is not affected. Measure 6 includes an inflation adjustment provision. There is an overall cap to the amount of money that can be distributed to participating candidates in any one biennium. The cap is \$5 per year times the number of Oregonians eligible to register to vote.

Measure 6 includes increased disclosure requirements for contributions and independent expenditures. Non-qualifying candidates must give notice to opposing candidates and the Secretary of State when they receive or spend an amount that exceeds the amount of public funds to be distributed for that race. Any person or organization making an independent expenditure of more than \$1,000 must give notice to affected candidates and the Secretary of State. Matching funds are available to a participating candidate if a non-participating candidate has received more contributions than the funding allowed for a participating candidate. Matching funds are also available if a combination of contributions to a non-participating candidate and independent expenditures targeting a particular candidate reach the allowed funding level for a participating candidate. Matching funds are limited with a cap at double the original amount.

Political advertisements for participating candidates must include the statement: "I take personal responsibility for the content of this campaign ad." Candidates participating in the Political Accountability Act will be identified in the Voters' Pamphlet. Measure 6 will be administered by the Secretary of State Elections Division with expedited hearing options available. Civil penalties up to \$10,000 may be imposed for violations.

Committee Members:	Appointed by:
Kappy Eaton	Chief Petitioners
Representative Diane Rosenbaum	Chief Petitioners
Andrew Anderson	Secretary of State
Fred VanNatta	Secretary of State
Edward L. Clark, Jr.	Members of the Committee

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

Measure No. 6 Arguments

ARGUMENT IN FAVOR

Frequently Asked Questions about Measure 6

"Why do we need it?"

Money helps candidates win elections. Politicians improve their chances of raising money by following the will of those with money to contribute. Therefore, those with money to contribute have special influence over government.

"Can't we just limit the size of contributions?"

No, it doesn't work. In fact, there are contribution limits in place right now for federal candidates, but these limits haven't given us an honest federal government.

"Why not?"

The limits are easily and routinely evaded. 1) Big corporations give employees special "bonuses" to contribute. 2) Instead of one large contribution, individual donors make contributions to multiple political committees that support the same candidate. 3) Donors can also give money to the political party. 4) Special interests write and air their **own** political ads. None of these evasions can be prevented; the first is hard to prove and the rest are considered free speech.

"Can't we limit how much is spent?"

No. The U.S. Supreme Court has ruled that spending limits are unconstitutional.

"Why will Measure 6 solve the problem?"

Campaigns educate voters, so candidates must have enough money to effectively campaign. But the people and institutions that fund political campaigns dominate our government. Measure 6 will allow citizens to run for office without relying on private contributions. It will create real political accountability by combining spending limits, strict reporting requirements, and limited public financing.

"Won't this mean higher taxes?"

No. Eliminating special favors will save Oregon more than Measure 6 will cost.

"How can you be sure of that?"

Special interests invest money in politicians because they expect to make far **more** money from favorable legislation, tax breaks, subsidies, outright giveaways, and other legislative favors. That means eliminating these favors will save **far more** than the cost of replacing special interest campaign contributions.

Special interests view paying for political campaigns as a good investment. **They're right. Vote YES on Measure 6!**

(This information furnished by John Flanery.)

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

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ARGUMENT IN FAVOR

The League of Women Voters of Oregon asks you to join us in voting YES ON MEASURE 6.

We have a unique opportunity here in Oregon to help lead the nation in campaign finance reform. In response to the growing problem of money in politics, the League of Women Voters is proud to have helped create the Oregon Political Accountability Act (now before the voters as Measure 6), which aims for nothing less than to reinvigorate our democracy.

The League of Women Voters has a long history of support for measures which help address the cycle of cynicism and disinterest which threaten our basic relationship to government. After careful study, we have determined that without building a "clean money" alternative tied to strict reporting requirements and spending limits, our democracy will continue to be threatened by the dominant role of big money interest.

Under the act, political candidates who agree to limit the cost of their campaigns, and to also accept no private campaign contributions, can receive limited public financing from the Political Accountability fund.

This comprehensive campaign finance reform would help level the playing field in Oregon politics and allow those candidates with the best qualifications and ideas to compete with those with the most money.

Once the Political Accountability Act passes, politicians will be able to get elected without trading their votes to big money interests, and we will greatly increase the likelihood that the interests of all Oregonians will be served by our elected officials.

Please take a moment to put the voice of the people back into our political system. Elected officials should be free to serve the people who put them in office, not the contributors who pay for their campaigns. Measure 6 provides the best opportunity in Oregon history for meaningful, constitutionally valid campaign finance reform.

PLEASE VOTE YES ON MEASURE 6.

(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. 6 Arguments

ARGUMENT IN FAVOR

PEOPLE WHO CARE ABOUT FAIR ELECTIONS CARE ABOUT CLEAN MONEY ELECTIONS

Having served Oregon as Secretary of State, each one of us has spent a great deal of time dealing with problems associated with our campaign finance system.

After careful scrutiny, we believe that real campaign finance reform is not possible unless we address the core of the problem: money. Here in Oregon, the \$12.5 million spent on 1998 legislative races set a new record, with less than 4 percent of those funds coming from contributions of \$50 or less. Meanwhile, another record was set -- for lowest voter turnout for both the primary and general elections. The people of Oregon truly are excluded and therefore turning away from a system run by wealthy contributors and special interests.

It is frustrating that not a single piece of substantive reform has passed the Oregon legislature since 1973. In the meantime, we have witnessed an exponential increase in the degree of negative partisanship in Oregon politics tied to the narrow agendas of special interests.

Big money interests pour more money into politics through a variety of devices, from bundled campaign contributions to soft money issue ads. As vast amounts of money flow into the system, costs skyrocket. Candidates consequently spend more time raising money and less time talking to voters.

Clearly, the regulations governing campaign financing require fundamental restructuring. Already, four states -- Maine, Massachusetts, Arizona, and Vermont -- have adopted reform measures to create a "Clean Money" option to allow candidates to reject contributions from special interests.

As chief elections officials for the state, we each have had a great concern for the integrity of our political process.

We urge all Oregonians to vote yes on Measure #6 to restore integrity to the process.

SECRETARY OF STATE BILL BRADBURY (D)
FORMER SECRETARY OF STATE NORMA PAULUS (R)
FORMER SECRETARY OF STATE PHIL KEISLING (D)
FORMER SECRETARY OF STATE BARBARA ROBERTS (D)

(This information furnished by Norma Paulus.)

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

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ARGUMENT IN FAVOR

Republicans for Campaign Finance Reform

Every election, it seems more money than ever before gets raised and spent to influence voters, but fewer people bother to participate in a system they see as increasingly removed from the needs of real people.

Oregon cannot prosper economically without a legislative system that can make decisions about what is best for the state as a whole. Nothing good can come of a system preoccupied with partisan gridlock and the petty agendas of politicians loaded with the burden of raising increasingly huge budgets. We all lose when our civic and economic infrastructures deteriorate as special interests and lobbyists rule through the influence of campaign contributions.

Once elected, some individuals can be hamstrung by the role special interest money plays in discouraging legislators from thinking and acting independently.

That's why we are asking you to support a fundamental change in the way we finance elections.

In 1973, Oregonians were successful in passing comprehensive campaign finance reform only to have it struck down on a minor point by the Supreme Court. None of our efforts to limit campaign contributions have withstood Supreme Court tests to date. For that reason, we are joining a bipartisan coalition in a new tactic -- one which we are confident will survive a court challenge because it is working in other states already.

Under the Political Accountability Act, participating candidates agree to limit the cost of their campaigns, and accept no private campaign contributions during the primary or general elections. In return, candidates receive a set amount of public support.

It's time we created a system where good people can run and serve the common good with only we the people to answer to at the end of the day.

We therefore urge all our fellow Republicans to vote YES ON 6.

NORMA PAULUS, CHIEF PETITIONER AND FORMER SUPER-INTENDENT OF PUBLIC INSTRUCTION
REP. JOHN DELLENBACK, CHIEF PETITIONER AND FORMER MEMBER OF CONGRESS
VERNE DUNCAN, STATE SENATOR

(This information furnished by Norma Paulus.)

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

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Measure No. 6 Arguments

ARGUMENT IN FAVOR

The American Cancer Society Supports Measure 6

What if your ballot carried a warning label:

CAUTION: Special interest contributions can be dangerous to your health.

Unfortunately, it doesn't. Yet most of the time, the public is unaware of how high-priced lobbyists and a handful of big money special interests control the political process.

As a public health non-profit, we don't often venture into direct politics. But we know better than most the dangerous influence of big money contributors in politics. In fact, it is no exaggeration to say that special interest money can literally kill people by blocking legislation that would otherwise save lives.

Measure 6 is an important and positive alternative to a campaign finance system that most people rightly see as broken. It will start to restore confidence in our basic electoral process, and help give the public an equal voice with special interest lobbyists.

Of course, no one reform can fix everything, but Measure 6 is a critical first step toward helping restore both our public health and the health of our democracy.

Please, consider voting YES on MEASURE 6.

THE AMERICAN CANCER SOCIETY NORTHWEST DIVISION

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

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

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ARGUMENT IN FAVOR

Ecumenical Ministries of Oregon Supports Ballot Measure #6

The Ecumenical Ministries of Oregon (EMO) Board and Public Policy Committee view this measure as an important first step in campaign finance reform. Because the measure is statutory, any changes that need to be made after its implementation can be addressed by the Legislature. It is our hope that the measure will encourage well-qualified candidates to run, especially those who might otherwise have been discouraged for lack of funds.

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.

ECUMENICAL MINISTRIES OF OREGON

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

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

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Measure No. 6 Arguments

ARGUMENT IN FAVOR

Oregon's Educational Professionals Ask You To Join Us In Voting YES ON MEASURE 6.

As educators, we are called upon to teach our children about the value of representational government and the strength of American democracy. Thankfully, we are not asked to explain why it is that our elected leaders talk so much about needing to invest in education, but never seem to have money left over for schools after their backroom deal-making is completed and they go back to the business of raising campaign contributions.

We all know that our political system is corrupted by the influence of a handful of wealthy donors and big money interests, but most of the time there is very little we can do to change the equation. Until now.

Measure 6 will bring fairness and accountability back to the political process. It will level the playing field so candidates with the best ideas and qualifications can compete with those who simply have the most money.

By combining spending limits with more extensive and timely reporting requirements, it will also limit the barrage of negative attacks that now dominate our political discourse. The limited "clean money" public financing it makes available to qualified candidates will cut the most direct and powerful link between big money special interests and politicians. Candidates elected under this system will be free to vote their conscience, answering only to the voters of their district. That is the true essence of representational government.

Because Measure 6 makes government more accountable to the people, we believe it will be good for education. Most importantly, we believe it is good for democracy in Oregon.

Help us support education and a stronger democracy. VOTE YES ON MEASURE 6.

AMERICAN FEDERATION OF TEACHERS OF OREGON

(This information furnished by Amy Hunter, Director of Government Relations, American Federation of Teachers-Oregon.)

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

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ARGUMENT IN FAVOR

VOTE YES ON #6 by OREGON COMMON CAUSE

Since its founding, Common Cause has worked to promote open, honest and accountable government. For the past 30 years we have represented the concerned voice of people fighting against corruption in government.

Today in Oregon we have a rare opportunity to support a positive alternative to the system of virtual bribery and influence peddling we currently call campaign finance. Common Cause strongly endorses Ballot Measure #6 and is proud that our activists and members in Oregon have helped lead this effort to rebuild the electoral foundation of our democracy.

The strength and genius of our system of government is the equation of "one person equals one vote". That core principle is now threatened by a government of, by and for a very small number of very large contributors. We believe it is time to put the voter ahead of the checkbook in the electoral process by eliminating the means by which some special interests control the government process.

Many now believe that one vote does not matter as much as the thousand or hundred thousand dollar checks from a big giver. But today your one vote can help liberate our democracy from the clutches of a few wealthy donors and narrow special interests.

We can complain about the corrupt influence of big money in politics but today we are given the chance to do something about it. This election we the people can make all the difference by overwhelmingly passing Ballot Measure #6 as a message to the country that the spirit of a democracy of, by and for the people is still strong here in Oregon.

END POLITICAL TRICKS – VOTE YES ON #6.

OREGON COMMON CAUSE

(This information furnished by David Buchanan, Oregon Common Cause.)

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

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Measure No. 6 Arguments

ARGUMENT IN FAVOR

Congressman DeFazio Supports Measure #6

Dear Oregonian:

Measure #6 will help take special interest money out of Oregon politics. It will limit campaign spending for political candidates and provide a system of real accountability to control how political dollars are spent and reported.

Measure #6 is not a cure-all, but it will make a significant difference. The "clean money" alternatives it provides will allow qualified candidates to run for office without big money contributors.

I volunteered to collect signatures to place Measure #6 on the ballot. As an elected official, it is clear to me that we need meaningful campaign finance reform. Big money interests have put democracy at risk, demeaning and demoralizing political candidates and discouraging voters from participating. Measure #6 will put the voice of the people back in Oregon politics.

Measure #6 has broad, non-partisan support, but needs yours too. This is our chance to ensure that elected officials in Oregon work for all the people, not just special interests.

Please vote YES on Measure #6. The fairness of Oregon's political system depends on it.

Sincerely,

PETER DEFAZIO, MEMBER OF CONGRESS

(This information furnished by Peter DeFazio.)

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

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ARGUMENT IN FAVOR

A Farmer Speaks in Favor of Measure #6

As a private citizen, community member, and retired farmer, I urge Oregonians to strongly consider voting YES on Measure 6.

When you've spent time farming as I have, you learn to look at problems more deeply than how they first seem. If a crop looks bad, you learn to closely examine the soil it's growing in.

While I don't have near as much experience in politics, I think the same logic applies. Few people I know are pleased about the election choices we have to make every year -- especially with all the money spent on negative campaigns -- but how can we expect anything better with our current campaign finance system!

It is difficult to get talented and qualified people to run for office when that means spending most of one's time trying to raise money. A few \$50 contributions from friends and relatives doesn't go far...so candidates have to kiss up to special interests if they really want to have a chance. I understand that one of the legislative races this year in the Portland area is going to cost over \$1,000,000. A million dollars being spent to get a job that pays \$1,200 a month!

Clearly, there are many people with a lot at stake in what happens in Salem, people who are willing to give that money. As a fairly active member of the farming industry, and as a past legislative candidate, I have witnessed the constant lobbying efforts that go on. I know first hand about the money game going on behind the scenes.

I think it's time to create a way that people can get elected without being tied to special interests so that farmers and other folks like you and me can be represented in Salem as much as any big money lobbyist.

That's why I'm voting yes on Measure 6.

MARCUS SIMANTEL, RETIRED OREGON FARMER

(This information furnished by Marcus Simantel.)

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

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Measure No. 6 Arguments

ARGUMENT IN FAVOR

There is a reason why with each election cycle less and less people participate in the political process. Low voter turnout and lack of voter confidence needs to be recognized as two sides of the same coin. Too often, when we complain about declining political participation rates we assume that the problem is voter apathy. Elitist efforts to force people to vote will always fail, because they fail to respect the logic of non-participation.

Most people feel that their votes matter very little compared to the influence of big-money contributors. Mostly, they're right. Until we confront this uncomfortable truth, we have no business asking people to believe in representative democracy.

Money in politics is often talked about without looking at just what "special interests" are NOT being served as a result of the current system of campaign finance. In our country today, whole communities of people are systematically ignored through the legislative process because they are not significant enough financial contributors. Having a handful of minority representatives does little to change the fact that the voices of many communities are muted by the volume at which money talks.

Politicians from both parties admit that the current system is broken, but are unable or unwilling to break the ties of big money. That's why it's up to the people to enact real reform.

VOTE YES ON MEASURE 6.

REPRESENTATIVE JO ANN BOWMAN (DISTRICT 19)

(This information furnished by Jo Ann Bowman, Representative, District #19.)

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

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ARGUMENT IN FAVOR

The American Association of University Women of Oregon Speak Out in Favor of Measure 6

The American Association of University Women of Oregon is dedicated to supporting measures that help to strengthen our democracy and restore voter trust in the electoral process.

It is those firmly held values which lead us to support Measure 6, and to urge all Oregonians to join us in enacting real campaign finance reform.

"Clean Money" reform is already demonstrating success in Maine, Vermont, Arizona and Massachusetts. Oregon can be proud to help lead a national movement by passing this groundbreaking campaign finance reform initiative.

We believe the campaign spending limits and reporting requirements of Measure 6 are the key to making public financing a viable reform option. The measure is well crafted to avoid lengthy court challenges.

It is time here in Oregon to make a strong statement in support of bringing democracy back to the people. Measure 6 is the right choice to help level the playing field of politics while restoring fairness and accountability to our electoral system.

Please join the thousands of members of the American Association of University Women across Oregon who will be voting YES on 6!

Katherine "Kappy" Eaton
AMERICAN ASSOCIATION OF UNIVERSITY WOMEN OF OREGON

(This information furnished by Katherine "Kappy" Eaton, American Association of University Women of Oregon.)

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Measure No. 6 Arguments

ARGUMENT IN FAVOR

Year after year, people who care about our environment and quality of life are called upon to fight against efforts to weaken protections for our land, air, water, and health.

The 1999 Oregon Legislature was among the most hostile to environmental protection in our state's history. Among other attacks, lawmakers:

- launched a full-scale assault on Oregon's land use laws;
- enacted polluter-sponsored legislation to limit citizens' access to information on toxic chemical use in their communities;
- passed several bills attacking Oregon's landmark Salmon Plan;
- voted to subsidize heavily polluting companies merely for obeying pollution laws; and
- raided funds the voters had approved for improving our underfunded state parks and protecting threatened salmon.

How did our politicians get so out of touch with public support for clean water, clean air, and healthy communities? The explanation is obvious: the corrosive influence of special interest money in our political system.

The impact of anti-environmental money in politics is clear.

Money in politics has become a problem of epidemic proportions. "Clean money" public financing will sever the ties between politicians and big money interests, and give candidates who support environmental protections an independent means of reaching the public.

We hope all those concerned about the future of Oregon's environment and the livability of our communities will vote YES on Measure 6.

SIERRA CLUB
OREGON LEAGUE OF CONSERVATION VOTERS
1000 FRIENDS OF OREGON

(This information furnished by Carol Porto, Sierra Club.)

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

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ARGUMENT IN FAVOR

It's no secret that Oregon's current campaign finance system makes it extremely difficult for real people to run for office. In order to launch a successful campaign you either need to be independently wealthy or a full-time fundraiser. These expensive campaigns have forced candidates to spend the majority of their time begging for money from special interest groups and lobbyists. Unfortunately, this type of campaign environment breeds the potential for abuse and lack of accountability with the voters.

As an elected official, I know how difficult it is to run a political campaign even in the best of circumstances. Four years ago, I had the pleasure of running against an opponent who (like myself) was committed to running a campaign based on issues – instead of who could raised the most money. This unique approach to running a campaign included a mutually established low spending limit. Our race was based on both respect for one another and the voters of Deschutes County.

This year Oregonians have an opportunity to take back control of their future through campaign finance reform. Measure #6 will help put accountability back into campaign finance – making candidates accountable for campaign spending, and, most importantly, making politicians accountable to the people who elect them.

Measure #6 will help make our state government serve ALL the people of Oregon, NOT just big campaign contributors.

I'm voting YES on Measure #6 and I hope you will too.

LINDA L. SWEARINGEN
DESCHUTES COUNTY COMMISSIONER

(This information furnished by Linda Swearingen, Deschutes County Commission.)

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

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Measure No. 6 Arguments

ARGUMENT IN FAVOR

The Asian Pacific American Network of Oregon urges all Oregon voters to support Measure 6 as a way to provide desperately needed reform to our current system of campaign finance, and to create a means of opening the democratic process up to all voices in the American community.

Our network of leaders, activists and allies for Oregon's Asian-Pacific Islanders (Cambodian, Chamorro, Chinese, Filipino, Hawaiian, Hmong, Japanese, Korean, Lao, Mien, Samoan, Thai, Tongan, Vietnamese) is relatively new as a community organization. Our goal of earning the opportunity to effectively represent our concerns to government leaders is made systematically difficult by the extent to which money is valued over people in many current political contexts.

We believe that a bridge can and should be built between all communities, regardless of race or background. In that way, our various skills and abilities can translate into prosperity that embraces cultural, spiritual and material success for our families.

But to mobilize the collective social, cultural and economic strength of many communities, we need a system that rewards participation in democracy regardless of how much money you give to a candidate.

Measure 6 won't change everything about politics overnight, but it will create a more open, fair and honest debate by removing the shadow of doubt about whether elected leaders really have the best interest of our community – and all communities within it – at heart when they vote on our future.

Please vote YES on Measure 6.

ASIAN PACIFIC AMERICAN NETWORK OF OREGON (APANO)
(Cambodian, Chamorro, Chinese, Filipino, Hawaiian, Hmong, Japanese, Korean, Lao, Mien, Samoan, Thai, Tongan, and Vietnamese communities)

Thach Nguyen
Taro O'Sullivan
Katy Yen
Pamela Richardson
Emma Reid
Hongsa Chanthavong
Choeun Neou
Lee Po Cha

(This information furnished by Thach Nguyen, APANO.)

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

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ARGUMENT IN FAVOR

Oregon Action urges all Oregonians who want to restore democracy to vote YES on Measure 6.

In 1999, Oregon Action released *Undermining Democracy*, a report showing the connection between campaign contributions and the progress of more than 3 dozen bills in the last session. We don't expose any illegal activities. We don't have to. The real scandal is what is legal.

More than 2/3rds of the money given to candidates in 1996 came from donors who gave over \$10,000. This isn't giving; it's investing. Contributors invest in access and influence. Their successful investments undermine democracy by increasing voter cynicism and distrust. The result is decreased citizen participation in elections and decision-making.

When the 1999 legislature voted to roll back the minimum wage for farm and restaurant workers, was it because of sincere indifference to working families or sincere gratitude for the \$700,000 invested by agribusiness and restaurant PAC's and their allies in the 98 election campaigns? We cannot know for sure, but sixty of those legislators received an "investment" from at least one of them. That undermines democracy.

In another example from the dozens in our report, an investment of \$900,000 in the 1998 elections by electric and phone utilities and their allies delivered over \$700 million in returns from the 1999 legislature. We should all invest so wisely.

By voting YES on Measure 6, we can invest to strengthen democracy.

We can invest in politically accountable elections with public financing. We can invest in electing leaders accountable to no one but the public. We can invest in restoring democracy.

There's a saying in politics, "You gotta dance with them what brung ya." The people of Oregon must do the bringing. If our Legislature is to be bought, then let the people buy it free and clear of cynicism, suspicion and distrust. **Vote YES on Measure 6. It's a wise investment.**

Oregon Action's *Undermining Democracy* report 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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Measure No. 6 Arguments

ARGUMENT IN FAVOR

Rural Oregonians Speak On Behalf of Measure #6

It's no secret that big money currently rules the electoral process. Here in Oregon, that means a small handful of lobbyists and political powerbrokers decide who can run for office and what kinds of bills will make it through the legislature.

Mostly, that means rural Oregonians get short shrift. We can't contribute anywhere near the kind of money that it takes to compete in Salem, and even our elected representatives are dependent on outside funds to run for office.

Measure 6 -- The Political Accountability Act -- would change that by cutting the ties that bind candidates to big money contributors, therefore allowing elected officials to make decisions based on the merits of legislation and the interests of their constituents alone.

Measure 6 would allow true community leaders to run for office, instead of just insiders tied to the money game. By eliminating the need for candidates to spend all their time raising money, elected officials can instead spend their time talking to real people about real needs that need to be addressed by our state government.

The Political Accountability Act is Oregon's best, first step to comprehensive campaign finance reform.

We urge all Oregonians to support MEASURE 6.

RURAL ORGANIZING PROJECT

(This information furnished by Maidi Terry, Oregon Political Accountability Campaign.)

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

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ARGUMENT IN FAVOR

The Oregon Working Group for Campaign Finance Reform is proud to have helped craft Measure 6, and urges all Oregonians to support this critically needed campaign finance reform.

In 1997 the courts struck down an earlier campaign finance measure that Oregon voters had approved overwhelmingly. A broad array of bipartisan leaders and interested organizations then came together to craft a new law that would create comprehensive reform and also stand up in court.

We took great care to research and develop policy with extensive input over two and half years. This policy work is the basis for Measure 6, which will enact real and necessary changes in the way we fund campaigns for public office in the state of Oregon.

This model of reform has already passed in Maine, Vermont, Arizona and Massachusetts. Courts have now extensively tested its core provisions and found them to be constitutional.

The care taken to prepare this measure gives us great confidence that it will create meaningful change without creating unnecessary bureaucracy or getting bogged down in the courts. We hope you join us in voting YES on this historic initiative.

OREGON WORKING GROUP FOR CAMPAIGN FINANCE REFORM

(This information furnished by Janice Thompson, Oregon Working Group for Campaign Finance Reform.)

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Measure No. 6 Arguments

ARGUMENT IN FAVOR

There are 12.5 million reasons to vote for Measure 6.

That's one for every dollar spent on 1998 legislative races in Oregon. As we think of the upcoming Governor's race, we could add millions more.

As politicians continue to set new spending records, fewer and fewer voters are willing to participate in a system they see as removed from their lives and not serving their basic interests.

Measure 6 will **bring much needed accountability** to the political process by **limiting spending** and **creating strict reporting requirements** for qualified candidates. In order to put the people back into politics, it will provide a limited amount of public funding to candidates who are willing to **reject special interest contributions**.

We are proud of the broad, bipartisan coalition that has come together to support Measure 6.

Chief petitioners include leading Republicans **Norma Paulus** and former Congressman **John Dellenback**, as well as **Kappy Eaton**, Statewide Public Policy Chair from the American Association of University Women of Oregon. Prominent Democrats, including Representative **Peter DeFazio**, Multnomah County Chair **Beverly Stein**, and former Secretary of State **Phil Keisling** have also endorsed the measure.

In addition to longtime campaign finance reform advocates such as **Common Cause**, **Oregon Action** and **OSPIRG**, our campaign has built a strong base of support from organizations that aren't traditionally viewed as active in campaign finance reform.

Oregon AARP, **Sierra Club**, **Ecumenical Ministries of Oregon** and the **American Cancer Society** have backed Measure 6 because they share the concern of many voters that special interests and big money contributors have become the dominant constituency of elected officials.

It is time for comprehensive, meaningful reform of the way we finance elections in Oregon. Measure 6 will help level the playing field of Oregon politics so candidates with the best ideas and qualifications can compete with those with the most money. It will help make our elections about voters, not big money contributors.

1-877-92BFAIR or www.nobigmoney.com for more information.

(This information furnished by Maidi Terry, Oregon Political Accountability Campaign.)

(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

ACLU OF OREGON URGES YOU TO VOTE "YES" ON MEASURE 6

The American Civil Liberties Union of Oregon urges you to vote "Yes" on Ballot Measure 6.

The ACLU of Oregon has endorsed Measure 6 because it will provide positive campaign finance reform while also protecting the Oregon Bill of Rights. The Oregon ACLU's endorsement of Measure 6 marks the first time that any affiliate of the ACLU has endorsed a "clean money" measure that has qualified for the ballot anywhere in the country.

ACLU has opposed many campaign finance proposals in Oregon and other states because those measures have either sought to impose unconstitutional mandatory restrictions on political campaigns or have been constitutional amendments designed to weaken the Oregon or federal Bill of Rights. While ACLU agrees that the current political campaign system needs a major overhaul, we can't support proposals that would weaken or violate the Bill of Rights.

MEASURE 6 IS DIFFERENT

Measure 6 is different from other campaign finance reform proposals because it imposes voluntary restrictions on candidates in exchange for providing "clean money" for campaigns. For those candidates who choose to participate, Measure 6 will eliminate the need for candidates to go begging to special interest groups for campaign donations.

Measure 6 may not fix everything that's wrong with election campaigns, but it is definitely a step in the right direction. And because Measure 6 is not a constitutional amendment, if something doesn't work right it can easily be fixed by the Legislature or through the initiative process.

SUPPORT CAMPAIGN FINANCE REFORM AND THE BILL OF RIGHTS! VOTE "YES" ON MEASURE 6!!

For more information on the ACLU of Oregon's positions Write us 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. 6 Arguments

ARGUMENT IN FAVOR

IF YOU WANT REAL CAMPAIGN FINANCE REFORM,

VOTE "YES" on 6

AND

"NO" on 98

These two important measures — 6 and 98 — go hand in hand. Legal Experts agree that Measure 98 could "trump" Measure 6, even if Measure 6 gets more votes!

Measure 6 is good for Oregon

Organizations including seniors, environmental, labor and consumer groups have put forth the Oregon Political Accountability Act-Measure 6. This measure is a major step in returning politics to the hands of working Oregonians — instead of in the hands of special interests, where it has been.

Under Measure 6, a candidate may voluntarily choose to run as a "clean money" candidate and must demonstrate enough public support in their district by collecting a specified number of small qualifying contributions from residents in their district. The candidate must also agree to limit spending and pledge to reject private contributions. In exchange, qualifying candidates receive public funds to pay for their campaigns.

Although the vast majority of Oregonians support this type of real campaign finance reform, Bill Sizemore's Measure 98 could stop Measure 6 from being implemented — even if 6 gets more votes than 98! Sizemore himself knows this. In an Oregonian article, dated May 31, 2000, Sizemore said that this "proposed constitutional amendment (Measure 98) would trump Measure 6."

In other words, because fair campaigns would allow public resources to be used for political purposes, Measure 98 could essentially void Measure 6 and all its supporters have done to take back Oregon politics from wealthy special interests.

Vote no on Measure 98, and clear the way for Measure 6 and fair politics in Oregon.

Maureen Kirk
Oregon State Public Interest Research Group

(This information furnished by Maureen Kirk, Oregon State Public Interest Research Group (OSPIRG).)

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

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ARGUMENT IN FAVOR

Small Business Owners Support Measure 6

As Oregonians, we have been fortunate to avoid many of the kinds of scandals that other states have seen as a result of the current systems of campaign finance. However, the logic of campaign finance still puts many good people in bad positions every day in our political system.

As long as there is a direct incentive for politicians to appease campaign contributors, the best interests of the voters will always be weighed against the needs of large contributors. Regardless of how any one decision turns out, we believe elected leaders should simply be free to represent their constituents without potentially conflicting considerations.

Measure 6 will help to make our political system more accountable to the people in several ways:

*It will provide an alternative "clean money" campaign finance system to allow elected officials to speak and vote their conscience.

*Before they can qualify for public funds, legislative candidates who want to participate in this system must limit out of state contributions by collecting 75% of qualifying contributions from people in their own district.

*Candidates who want to participate in this new system must agree to limit their personal contribution to their campaign to \$100 to keep the playing field level, regardless of personal wealth.

*Finally, Measure 6 would change reporting requirements for special interest groups that run television ads by requiring immediate and full disclosure of the money being spent and where it comes from.

We believe that together, these reforms will help rebuild confidence in our political system, and will help good people get elected to political office the right way — with no strings attached.

That's why we are voting YES on Measure 6.

Patricia M. Dudley
Tom Kelly
Madeline B. Moore
Mary M. Sellin

(This information furnished by Patricia M. Dudley.)

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

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Measure No. 6 Arguments

ARGUMENT IN OPPOSITION

MEASURE SIX IS FATALLY FLAWED

Measure Six contains a loophole so huge you could drive a freight train through it.

Instead of stopping the flow of money from special interest groups and large donors to candidates for public office, it could increase it. Here's why:

The U.S. Supreme Court has ruled that individuals can spend as much of their own personal money expressing their personal political views as they wish. Therefore, Measure Six cannot prohibit independent expenditures, which is money spent, not by the candidate himself, but by some other individual, supporting or opposing the candidate.

The fatal flaw with Measure Six is that it requires the taxpayers to give matching funds to a candidate, if an independent expenditure is made supporting his opponent or attacking him.

Such flawed language will cause an unbelievable mess. Consider the following example:

Candidates Bob and Sue are both running for governor and both receive the \$1.2 million of taxpayer money that Measure Six stipulates they receive. Both are evenly matched. Then millionaire Joe spends \$250,000 of his own money running television ads allegedly supporting Sue. Under Measure Six, Bob would then get \$250,000 more tax dollars to bring his spending up to Sue's level. Sound Good?

But wait. Let's look at Joe's independent expenditure television ad supposedly "supporting" Sue. The pictures of Sue in the ad are not so flattering. The voice on the ads says that Sue wants a sales tax; wants to get rid of Oregon's public beach law and wants to increase gas taxes. Bottom line, the ad doesn't help Sue. It hurts her. **Nonetheless, her opponent could get \$250,000 in taxpayer matching funds to spend attacking Sue even more.** What a mess!

The net result of this huge loophole: Special interests would be just as powerful as before; campaigns would be just as expensive; only now those nasty, negative attack ads would be paid for with our tax dollars.

VOTE NO ON MEASURE SIX

(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

MEASURE SIX IS NOT CAMPAIGN FINANCE REFORM

The supporters of Measure Six claim the measure is a campaign finance reform measure. They claim it will help get the money out of politics. Not so.

The truth is, Measure Six is part of a national campaign financed largely by some very wealthy, very powerful, extreme left-wing individuals and groups. **These individuals and organizations are taking advantage of the public's desire for some kind of campaign finance reform and placing measures like Measure Six on the ballot across the country, using out-of-state money, to pass measures like Measure Six, which would force taxpayers to fund political campaigns.**

If Measure Six passes, taxpayers will be forced to finance half of the cost of the campaigns of the candidates they don't like while they are also supporting half of the campaigns of the candidates they do like. That's not just a radical idea. It's a rotten idea.

Think of the candidate you like the least. Maybe it's some left-wing whacko. Maybe it's some right-wing whacko. For some, it might be some squishy, lukewarm moderate. No matter. **If Measure Six passes, your hard-earned tax dollars could very well help fund that person's political campaign.**

Kind of reminds one of Thomas Jefferson's statement that it was sinful and tyrannical to force anyone to spend money supporting a political cause he doesn't believe in. **Crazy and un-American as that may seem, if Measure Six passes, we will all be doing exactly that.** We will all be paying taxes to support candidates we don't like.

There are lots of campaign finance reform proposals being discussed these days. Just so happens Measure Six is about the worst of the lot. So, please don't vote for it.

Measure Six is not campaign finance reform. A reform makes things better. Measure Six makes them worse.

VOTE NO ON MEASURE SIX

(This information furnished by Bill Sizemore, Oregon Taxpayers United.)

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Measure No. 6 Arguments

ARGUMENT IN OPPOSITION

After Oregon taxpayers financed the campaign ads for an Aryan Nations or Klu Klux Klan candidate a few times the reasons to oppose measure 6 would be easier to explain.

If the measure 6 process for public funding of campaigns is approved it will certainly happen. And that is not all. Every ideology or self-promoter will be using tax money to run for public office in Oregon.

All it takes to get public funding is a \$5.00 contribution from a number of individuals. The number varies by office but as few as three hundred gets you started.

A \$1500 investment in "seed money" produces \$25,000 of tax money, a pretty good deal in anyone's language. A person could stand at the super market in a weekend and qualify for the taxpayers' money. They then tap into public funds for their personal "political" expenditures...money that should be spent on education or health care for our children.

Measure six increases taxes by \$1,000,000 and will cost the Secretary of State an estimated \$400,000 to administer. It may cost as much as \$24,000,000 an election cycle.

Many people find campaign advertising misleading, offensive and objectionable. Flooding our campaigns with candidates promoting extremist agenda's paid for with tax money will not improve Oregon's election process. It may well discourage voter participation while providing self-promotion to fringe candidates for every imaginable cause.

\$1500 seed money to qualify for \$25,000 in tax money with few strings attached will be very attractive to many people for many reasons other than responsible public service.

Imagine: Political Advertisements paid for with tax money.

Measure 6 must be defeated

It will not improve Oregon's election system.

VOTE NO MEASURE 6!

(This information furnished by Fred VanNatta, Center to Protect Free Speech.)

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

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ARGUMENT IN OPPOSITION

Dear Voter:

Oregon's political system is not corrupt. Those who serve in our legislature and in state offices do so at great personal sacrifice. They forsake "civilian employment," earn paltry salaries, and open their lives to immense media scrutiny. But they still serve because they are driven by a personal need to make positive contributions to our state and communities.

Unfortunately, their campaigns are expensive. The cost of direct mail, radio, television and print advertising has risen dramatically over the years. Candidates seek resources from those who share their views to help cover these costs. Generally, candidates who espouse differing yet honestly held positions are equally well supported in their campaigns. And, generally, they are not beholden to any particular group or "special interest."

Measure 6 destroys this balance. By making millions of taxpayer dollars available to any group that can gather between 300 and 8,000 five-dollar contributions, Measure 6 will fund the campaigns of fringe candidates whom in all likelihood will not share your views. Talk about "special interests!"

A candidate for governor who raises a sufficient number of five dollar contributions from his or her mailing list can receive \$1,800,000.00 or more from taxpayers to spread a message. Lon Mabon and the OCA have a constitutional right to speak, but should they spread their campaign message with millions of dollars of our tax money? Radical environmental groups have equivalent free speech rights but should they tap millions of dollars of taxpayer money to disseminate their radical points of view?

Let them find others who are willing to support their views financially and with volunteer time.

Measure 6 will force you, through your tax dollars, to support candidates who broadcast messages which you may personally find abhorrent. Our campaign finance system is certainly not perfect. But the medicine prescribed by Measure 6 is much worse than the malady it seeks to cure. Please vote no.

(This information furnished by John DiLorenzo, Jr.)

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

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Measure No. 6 Arguments

ARGUMENT IN OPPOSITION

Dear Voter:

The authors of Measure 6 ask you to vote for 39 sections of new laws. These provisions are rife with opportunities for abuse and mischief. For instance, Sections 14 and 21 of the measure require any person who independently runs political advertisements that support or oppose a candidate to file notices with the candidates in the race and the Secretary of State reporting the amount of the expenditure. Section 14(2) then permits an opposing candidate for the same office to receive additional matching funds in the amount of the independent expenditure which is either made in support of his opponent or in opposition to him.

However, there is no effective way to determine who the independent expenditure was truly intended to support or oppose.

For instance, Smith and Jones may be opposing one another in a race. An unscrupulous person might truly support Smith, but spend \$20,000 on radio ads with the following message: "Vote for Jones. She supports a sales tax, it will be good for you." Well, that message is not likely to gain many votes for Jones and will probably persuade people to vote for Smith instead. Regardless, Smith will be entitled to an equivalent amount of money from the public fund to make up for the independent expenditure which was supposedly in favor of Jones. Jones will protest, but there will be little she can do before the election.

This is but one problem which immediately comes to mind following a review of the measure. Once the lawyers pick all 39 sections over, there will likely be many more.

I hope you share my view that taxpayer dollars should not be used to spread the messages of fringe "special interest" groups. But even if you don't share that philosophy, this measure is flawed. It will present many opportunities to the unscrupulous for abuse. In this case, the prescription is worse than the disease.

(This information furnished by John DiLorenzo, Jr.)

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

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ARGUMENT IN OPPOSITION

Dear Voter:

This is the third part of my letter to voters in opposition to Measure 6. My first letter emphasized why Measure 6 would permit fringe political groups with mailing lists to qualify for millions of dollars of taxpayer funds to fund the campaigns of their special interest candidates and why you should strenuously object to your tax dollars being used to spread messages which you find abhorrent. The second letter pointed out an example of some of the opportunities for abuse which are present in this technical and lengthy measure. This third letter is written in an effort to point out how the measure will likely become a financial albatross.

The first responsibility of a new legislature is to pass a budget to meet the state's needs. But Measure 6 attempts to bind future legislatures to fund the campaigns of the multitudes of candidates who will seek public financing to disseminate their messages. In particular, section 17 of the measure provides that if the political accountability fund will not be balanced before the end of the biennium, the legislative assembly must appropriate sufficient funds to make up the difference. In addition, section 17(4) provides that each legislative assembly at a regular session occurring after 2001 based on a recommendation from the Secretary of State must appropriate an additional amount to the Fund for reasonable growth.

These provisions may likely be overturned by the courts. But if they are not, as the "free public money" available to special interests becomes irresistible, pressure will grow on the legislature to increase funding beyond the \$24 million limit.

As well intentioned as the authors may be, the mechanism which they prescribe will become a serious competitor to Oregon's more pressing needs like schools and public safety. The "cure" is worse than the ailment.

Please join with me in opposing Measure 6.

(This information furnished by John DiLorenzo, Jr.)

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

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Measure No. 6 Arguments

ARGUMENT IN OPPOSITION

Are politicians Oregon's most needy citizens?

Read a newspaper, watch TV news, or listen to the radio and you'll find a regular list of things many Oregonians consider priorities for our state's resources:

- Public kindergarten – 12th grade education
- Road and highway maintenance and improvements
- The Oregon Health Plan that provides health care to the poorest Oregonians
- Proactive, citizen-based efforts to help the environment like the Oregon Plan
- Oregon's community colleges and universities
- Services to Families and Children
- Law enforcement and fire protection
- Water and sewer plant upgrades

It makes you wonder why the sponsors of Ballot Measure 6 want to spend up to \$24,000,000 every election cycle paying for political campaigns.

Twenty four million dollars. How many kids would that put through college? How many kids would that immunize from deadly diseases? How many teachers would that hire? How many fire fighters or police would that pay for? How many major road projects?

Politicians don't need the money. For example, Gov. Kitzhaber can't even run for another term, and yet he had \$136,000 left over in his campaign coffers last spring. Two candidates for state treasurer spent over \$200,000 in the primary election, **each**.

Ballot Measure 6 is an alleged solution to a problem that does not exist. All Oregonians have access to our political system as it is, from the family farmer in Medford, to the union pipe-fitter in Portland, to the small business owner in Bend. Worse than that, **Ballot Measure 6 will grab up to \$24 million dollars every election cycle from those who need it most, and put in the pockets of those who don't need it at all.**

The family farmers and ranchers of the Oregon Farm Bureau urge you to

VOTE NO on BALLOT MEASURE 6.

(This information furnished by Dave Dillon, Oregon Farm Bureau.)

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

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Measure No. 7

Proposed by initiative petition to be voted on at the General Election, November 7, 2000.

BALLOT TITLE

7 AMENDS CONSTITUTION: REQUIRES PAYMENT TO LANDOWNER IF GOVERNMENT REGULATION REDUCES PROPERTY VALUE

RESULT OF "YES" VOTE: "Yes" vote requires state, local government pay property owner if law, regulation reduces property value.

RESULT OF "NO" VOTE: "No" vote rejects requiring government pay compensation if law or regulation reduces property value.

SUMMARY: Amends Constitution. Oregon Constitution prohibits taking private property for public use without just compensation. Oregon Supreme Court has not required compensation when property value merely reduced. Measure requires state, local governments pay landowner amount of reduction in market value if law, regulation reduces property value. Compensation required if owner must act to protect certain natural resource, cultural values or low income housing. Exemption for historically recognized nuisance laws or if owner sells alcohol, pornography, operates casino. Applies if regulation adopted after owner acquires property.

ESTIMATE OF FINANCIAL IMPACT: Direct costs to the state are estimated to be \$1.6 billion per year. Local government direct costs are estimated to be \$3.8 billion per year.

There is no state or local government revenue impact.

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 SUBSECTIONS TO SECTION 18 OF ARTICLE I:

- (a) If the state, a political subdivision of the state, or a local government passes or enforces a regulation that restricts the use of private real property, and the restriction has the effect of reducing the value of a property upon which the restriction is imposed; the property owner shall be paid just compensation equal to the reduction in the fair market value of the property.
- (b) For purposes of this section, adoption or enforcement of historically and commonly recognized nuisance laws shall not be deemed to have caused a reduction in the value of a property. The phrase "historically and commonly recognized nuisance laws" shall be narrowly construed in favor of a finding that just compensation is required under this section.
- (c) A regulating entity may impose, to the minimum extent required, a regulation to implement a requirement of federal law without payment of compensation under this section. Nothing in this 2000 Amendment shall require compensation due to a government regulation prohibiting the use of a property for the purpose of selling pornography, performing nude dancing, selling alcoholic beverages or other controlled substances, or operating a casino or gaming parlor.
- (d) Compensation shall be due the property owner if the regulation was adopted, first enforced or applied after the current owner of the property became the owner, and continues to apply to the property 90 days after the owner applies for compensation under this section.
- (e) Definitions: For purposes of this section, "regulation" shall include any law, rule, ordinance, resolution, goal, or other

enforceable enactment of government; "real property" shall include any structure built or sited on the property, aggregate and other removable minerals, and any forest product or other crop grown on the property; "reduction in the fair market value" shall mean the difference in the fair market value of the property before and after application of the regulation, and shall include the net cost to the landowner of an affirmative obligation to protect, provide, or preserve wildlife habitat, natural areas, wetlands, ecosystems, scenery, open space, historical, archaeological or cultural resources, or low income housing; and "just compensation" shall include, if a claim for compensation is denied or not fully paid within 90 days of filing, reasonable attorney fees and expenses necessary to collect the compensation.

- (f) If any phrase, clause, or part of this section is found to be invalid by a court of competent jurisdiction, the remaining phrases, clauses and parts shall remain in full force and effect.

Measure No. 7

EXPLANATORY STATEMENT

Ballot Measure 7 would amend the Oregon Constitution to require the state government and all local governments to pay private real property owners when a state or local government regulation restricts the use of real property and reduces its value. "Regulation" is defined as "any law, rule, ordinance, resolution, goal, or other enforceable enactment of government." "Real property" is defined to include "any structure built or sited on the property, aggregate and other removable minerals, and any forest product or other crop grown on the property."

The Oregon Constitution now prohibits taking private property for public use without compensating the owner for the value of the property. However, the Oregon Constitution does not require any payment when the value of property is reduced by a regulation that only restricts the use of private property.

Ballot Measure 7 requires payment to a landowner if an existing or future regulation is adopted, first enforced or applied after the current owner became the owner and still applies to the property 90 days after the owner seeks payment. The payment required is the difference in fair market value of the property before and after a regulation is applied. If a claim is denied or remains unpaid 90 days after the claim is made, "just compensation" would also include reasonable attorney fees and necessary collection expenses.

If Ballot Measure 7 passes, state and local governments will have a choice: pay owners of real property under the measure; repeal or change a regulation that is subject to the measure; or contest the application of the measure in court.

Ballot Measure 7 specifically identifies requirements to "protect, provide, or preserve wildlife habitat, natural areas, wetlands, ecosystems, scenery, open space, historical, archaeological or cultural resources, or low income housing" as regulations requiring payments to landowners. However, its stated coverage is broad enough to cover every regulation, with certain exceptions, that decreases the value of a real property by restricting its use.

Ballot Measure 7 makes exceptions for "historically and commonly recognized nuisance laws," for regulations required to implement federal law and for regulations that prohibit the use of a property for selling pornography, performing nude dancing, selling alcoholic beverages or other controlled substances or operating a casino or a gaming parlor. The measure directs that the nuisance law exception be construed narrowly to favor a finding that payment is required.

If passed, the amendment would take effect 30 days after the election.

Committee Members:

Larry George
David Hunnicutt
Tim Sercombe*
Randy Tucker*
George Joseph

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.)

Measure No. 7 Arguments

ARGUMENT IN FAVOR

The Dolan family urges you to support Measure 7.

In 1987, we asked the City of Tigard for permission to expand our plumbing store. The City agreed, but said they would not issue a building permit unless we gave them a portion of our property for a bike path.

We told the City that we would sell them the land they wanted for \$14,000 which was the fair market value of the land.

But the City said no, and told us that we would not get our permit unless we gave them our land for free.

We spent the next 10 years fighting the City over a \$14,000 strip of land. We went to the Oregon Land Use Board of Appeals, the Oregon Court of Appeals, the Oregon Supreme Court, the United States Supreme Court, and back down again.

Finally, after 10 years of fighting, the City had to buy our land and pay our attorney fees. The cost - **\$1.5 million of your taxpayer dollars.**

That's \$1.5 million of taxpayer dollars for land that we would have voluntarily sold to them for \$14,000. What a waste.

We support Measure 7 because it will cut down on endless litigation like ours. If Measure 7 would have been in place in 1987, the City would have purchased our land for \$14,000, instead of fighting us every step of the way and eventually wasting \$1.5 million of your hard earned tax dollars.

Please vote yes on Measure 7.

(This information furnished by Dan Dolan.)

ARGUMENT IN FAVOR

If you are like most people, your home and property are the most valuable thing you own.

That's why most people are very careful when they buy property. You check to make sure that you can use your land before paying for it. After all, you want to be sure that the property can be used for a home, business, or farm or whatever else you had in mind.

But what happens when the government changes the rules after you purchase your land, and you can no longer use your property as you had planned? In most cases, you lose.

Why? Because a court cannot award you money for the loss of the use of your land until you have submitted enough applications to the government to prove that your land has no value. In some cases, as many as 25 separate applications must be filed.

Each of these applications costs money - in many cases, the cost to submit the applications is more than the value of the property!

In other words, you have to pay multiple application fees to the same government that changed the rules and took away all value of your property, just to get your day in court, and even if you win in court, you don't get your application fees back. What a ripoff.

Measure 7 will end this ridiculous game. Rather than making a landowner submit application after application to the government, knowing full well that each application will be denied, Measure 7 sets up a simple process for making your claim for compensation.

If the government takes your land, they should pay you for it, and they shouldn't tie you up in red tape and outrageous fees just so you can have your day in court.

Please vote yes on Measure 7.

(This information furnished by Bill Moshofsky, Just Compensation For Regulatory Takings Committee.)

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

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Measure No. 7 Arguments

ARGUMENT IN FAVOR

Protect Oregon's Family Farm Base and Schools

Rural Schools and Communities Depend on Property Values

Not only do farms and ranches depend on property values, local rural communities depend on the tax base to run local governments and local schools. When government takes private property values, everyone loses.

If it is Free, Then There is Unlimited Demand

Unfortunately, even though the Constitution requires compensation when government takes your land, some governments refuse to pay for what they take. They know that almost no landowner will have the money or stamina to fight a lengthy court battle just to recover the lost value of their land. Because there is little chance that their actions will be challenged, there are no consequences to taking land without paying for it.

We Need a Balance Between the Economy and Preservation

There are some Oregonians who want to stop all land uses on rural lands, and make Oregon one giant public park. We all cherish Oregon's public parks and beaches. But we also need to make sure that farmers, ranchers, and foresters have land to farm and harvest timber. These industries create jobs and tax revenue for struggling Oregon towns and cities.

By allowing government to preserve areas it wants to protect, and allowing other lands to be used, we strengthen our economy, and provide help for so many Oregonians in depressed areas.

Vote Yes on Measure 7

Measure 7 clears away government hurdles to compensation, and strikes a balance between the economy and preservation. A yes vote on Measure 7 will provide much needed relief for farmers and ranchers, and will strengthen the tax base in all Oregon communities.

(This information furnished by Lawrence George, Oregon Family Farm PAC.)

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

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ARGUMENT IN FAVOR

Treating people fairly is a foundation of our country.

If you are like most voters you know that government is required to pay you if they take your land - in fact, its required by the Constitution.

Most of the time, government complies with the Constitution and pays for what it takes.

But sometimes, instead of paying for what it wants, government decides that it can simply adopt a law that makes it impossible for a landowner to use his land.

This is like telling your neighbor he can't live in his house, and then offering to buy it from him at pennies on the dollar.

In order for a landowner to challenge a government regulation that takes away the value of his property, a landowner must fight a long and costly court battle. This is fine for large corporations or a few wealthy land barons.

But the thought of paying lawyers hundreds of thousands of dollars to fight a court battle for your home or land is too much for the average American family. Most people give up before they ever get started.

That's why Measure 7 is important.

Measure 7 will guarantee that you are treated fairly by the government. If they want your land, that's fine, provided they pay you for it.

Simple, understandable, and fair. That's what Measure 7 is all about.

Please vote yes on Measure 7.

(This information furnished by Bill Moshofsky, Just Compensation For Regulatory Takings Committee.)

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

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Measure No. 7 Arguments

ARGUMENT IN FAVOR

Protect Family Farms - Vote Yes on Measure 7

Family farms form the heart of Oregon agriculture. Many of the foods you eat come from our farms.

Because we make our living off the land, it is vital to farmers that we can use our land for farming.

We don't fear our neighbor, who wants to live on his land, and we don't believe that the government should pass laws which artificially destroy the value of our neighbor's property so he has to sell it to us at a rock bottom price. We are farmers, but we aren't thieves.

But what we do fear are extremists who want to pass laws which would outlaw farming. These people have absolutely no idea about how we take care of our land, or what we do to make sure that we put healthy food on your table.

It seems that every year, we are fighting another attack on our livelihood in the legislature, in the courts, and through the administrative agencies.

That's why we support Measure 7. Measure 7 will help protect farmers from extremist attacks, so that we can continue to provide you with quality agricultural products at reasonable prices.

Please join us in voting yes on Measure 7.

(This information furnished by Lawrence George, Oregon Family Farm PAC.)

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

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ARGUMENT IN FAVOR

Oregonians In Action Asks You to Vote Yes on Measure 7

Measure 7 provides much needed protection for property rights, one of our most basic civil rights.

Measure 7 simply makes it clear that government must compensate property owners when regulations take away the right to use their property to provide public benefits. Unfortunately, some government regulators believe they can take away up to 95% of the use and value of private property without compensating the owner.

It's not fair to require individual property owners to bear burdens that the general public should bear. Also, it's not good policy for government to be able to confiscate private property without paying for it.

Measure 7 will bring balance and realism to government regulatory policies. It will force regulators to consider the impacts on property owners of imposing restrictions on the use of property before doing so.

Measure 7 will assure more tax revenues for schools and local government by protecting and increasing the value of property on the tax rolls.

Vote Yes on Measure 7

For more information on Measure 7 or on property rights, feel free to visit our website at www.oia.org or call 503-620-0258

(This information furnished by Frank Nims, Oregonians In Action.)

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

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Measure No. 7 Arguments

ARGUMENT IN FAVOR

**Support Private Property Rights
Vote Yes on Measure #7**

Measure #7 does what is right!

Measure #7 sets-up a straightforward process to require government to pay landowners when its laws or regulations cause a drop in market value to their private property. Presently the Oregon Constitution states that state government must pay if it "takes" the title to private lands for the public's benefit. Today, however, "takings" law is so convoluted that there is little hope of compensation when government regulations cause the reduction in value of private property.

When is enough, enough?

For generations, Oregon ranchers have voluntarily provided beautiful landscapes and wildlife habitat for the public's benefit. When government requires additional overburdensome regulations that devalue these private lands, the landowner should not be required to continually absorb the economic loss. If the public wants to control private lands for their benefit, then the public should be willing to pay.

The Constitutional "Takings" Clause should not just be for big corporations

Years of litigation, the stress of court action, and financial impact on the family operation all create a devastating situation for the average rancher. The value of the disputed property may be as small as \$10,000, but the court costs for compensation can run in the hundreds of thousands – or even millions. Measure #7 allows every property owner to receive fair compensation, not only those who can afford the years and cost of litigation.

It will not cost state government budget busting dollars.

When the public (through government actions) wishes to restrict the use of private property, it must first determine an overwhelming public need. If such a need exists, then using taxpayer's money is justified. If there is no such need and there will be no "taking" then no public money will be spent, thus no cost to government.

Measure #7 brings much needed balance and fairness to the process.

The Oregon Cattlemen's Association urge you to support Measure #7

(This information furnished by John V. Hays, Oregon Cattlemen's Association.)

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

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ARGUMENT IN FAVOR

Oregon Grange

The Oregon State Grange Asks You To Vote Yes On Measure 7.

The Oregon State Grange is the largest grassroots, rural-based fraternal organization in the state with 246 local Granges.

Grange members believe that a fair and responsive state government is vital for good government, and that is why we are urging you to vote yes on Measure 7.

Protect Property Rights

Although the Constitution is clear that government shall compensate property owners when it takes private property, government has made the process nearly impossible for individual property owners to receive compensation.

Today, the process would force an individual property owner to take the state to federal court to receive compensation. It shouldn't cost hundreds of thousands of dollars in litigation fees to receive what is fair.

Protect Our Rural Economies

Our rural economies and our local governments' tax bases are dependent on the value of private property. In some local areas of the state, our rural economies are being undermined by state regulations that were clearly not designed for that local area. Measure #7 would require the state to evaluate the importance of the regulation as it applies to individual communities -- protecting our economies and the tax base that our local government and schools depend on.

Measure 7 is about fairness, common sense, and protecting private property rights. The Oregon State Grange urges your "Yes" vote on Measure 7.

(This information furnished by Catherine Johnston, The Oregon State Grange.)

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Measure No. 7 Arguments

ARGUMENT IN FAVOR

“Why buy the cow when you can get the milk for free?”

This has been the reasoning of politicians when it comes to your property. Every year government officials enact thousands of laws, rules and regulations that strip your property of its value (milk) while leaving you with the cost of maintaining the property (cow).

Measure 7 promises an end to this disingenuous practice.

Your property belongs to you, not the government. Whether a home or saving account, your property is the result of your hard work and effort.

We create governments to protect our freedoms. The right to own property is a fundamental freedom. People work for years to acquire property. When government officials enact regulations that strip a property of its value, they disregard our rights of ownership. No matter what you think of the goals behind such laws, it is wrong to trample the rights of innocent people to achieve them.

Measure 7 corrects this injustice. It serves to check the government's exercise of arbitrary power. By shifting the cost of regulations from the victims to the government, Measure 7 will make politicians think twice before wrecking lives and dreams with a pen stroke.

Government officials claim that Measure 7 will cost Oregon billions of dollars. Not true. There are no new costs involved at all, only a shift of existing costs to those responsible for creating them.

We all know that a fair society is one in which individuals are required to be responsible for their actions. The government should lead by example. Measure 7 will make sure it does.

It is time the politicians and bureaucrats paid for their milk.

Furnished by the Libertarian Party of Oregon

For more information call 1(800) 829-1992 or visit us online at www.lporegon.org

The Libertarian Party is Oregon's third largest political party. Libertarians are fiscally conservative and socially tolerant, believing that government should be limited to protecting freedom while ensuring personal responsibility.

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

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

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ARGUMENT IN FAVOR

MEASURE 7 BENEFITS TAXPAYERS

Oregon Taxpayers United is Oregon's foremost taxpayer watchdog organization. We oppose government waste and are responsible for billions of dollars in taxpayer savings. We also analyze ballot measures to determine their impact on taxpayers.

Opponents of Measure 7 have claimed the measure will cost state and local governments \$5 billion dollars per year by requiring them to justly compensate property owners when government regulations reduce the value of private property. **After careful consideration we have concluded that these claims are patently false.** In fact, the opposite is true.

Measure 7 will actually save the taxpayers money. Why? **Because when the restrictions government places on private property lower the value of that property, it generates less property tax revenue.** This forces other property owners to make up the difference.

The effect of Measure 7 would be the spreading of the tax burden over a wider base and a lessening of the pressure to increase property taxes on current property taxpayers. **Our research, the conclusions of which were confirmed by independent government studies, revealed that property taxes are currently paid on less than 23 percent of property in Oregon!**

The 23 percent currently paying property taxes are shouldering the burden for the 77 percent of the property not taxed. Currently, the government is taking additional private property off property tax rolls at an unbelievable rate. Each time they do so, it increases the pressure on the rest of us.

If the government's claim that they intend to keep an additional \$5 billion per year off the tax rolls is true, the result would be an increase of hundreds of millions of dollars in the tax burden borne by the rest of us – renters and homeowners alike.

It is our conclusion, therefore, that claims that Measure 7 will cost taxpayers a lot of money are merely scare tactics designed to defeat a fair pro-taxpayer measure.

WE URGE A YES VOTE ON MEASURE 7!

(This information furnished by Becky Miller, Oregon Taxpayers United.)

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Measure No. 7 Arguments

ARGUMENT IN OPPOSITION

THE LEAGUE OF WOMEN VOTERS OF OREGON URGES YOU TO VOTE NO ON MEASURE 7

The League of Women Voters of Oregon asks you to oppose Measure 7.

Measure 7 would amend Oregon's Constitution to require taxpayers to pay compensation to landowners for regulations which protect public health, safety, the environment -- Oregon's livability. Oregon's Constitution (as well as the U.S. Constitution) already has a provision requiring compensation for the "taking" of private property. Decisions as to what constitutes a "taking" are now made in court. The vagueness of the language of Measure 7 would add additional challenges to these decisions, still likely to be made in court.

WOULD COST TAXPAYERS MILLIONS

Both state and local government are affected by this measure. The estimated fiscal impact of this measure per year for all levels of government is an astronomic \$5.4 billion. The red tape quagmire created for both state and local governments in trying to determine whether the value of property has been reduced will be equally enormous, as will the resulting litigation costs.

Measure 7 would be effective retroactively. Landowners who have continuously owned property since before the date a regulation became effective, could claim compensation. Many large landowners and corporations in the state fall into that category.

WOULD HAVE A CHILLING EFFECT ON OREGON'S LIVABILITY

Given such significant costs, government could be reluctant to enforce existing regulations protecting farm and forestland, wildlife habitat, salmon and the health of Oregon's rivers. Vague language defining "nuisance laws" could lead to litigation and delayed enforcement. Measure 7 could force Oregon to stop enforcing basic safeguards that protect the health of our families, our neighborhoods and Oregon's environment. The chilling effect of having to prove that compensation is not required could be hazardous to Oregon's livability.

Measure 7 is not in the public's interest.

The League of Women Voters of Oregon urges you to vote NO on Measure 7.

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

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ARGUMENT IN OPPOSITION

What is the "fair market value" of a wetland?

No on 7

I caretake 50 acres of land near the Clackamas River. On this land is a wetland naturally replenished by rainfall and underground aquifers converging into a series of pools feeding into the Clackamas River. This river basin is confronted with the same kinds of problems found in other watersheds: deterioration of habitat, dams, the destruction of salmon runs, urban growth and development, mismanagement of agriculture and forest lands, and natural resource extraction; all in an ecological imbalance begging to be healed.

I am in court trying to prevent a proposed mining operation from intersecting the underground aquifer and drying up the wetlands where I live when they remove the aggregate from their adjoining land. From the very beginning the odds have been stacked in their favor. In Oregon, gravel mining is king and what regulations there are, for the most part protect the industry. Now, under Ballot Measure 7, even those regulations will work to reward mining operators who can show a reduction in their property values if they are forced to comply with "an affirmative obligation to protect, provide, or preserve wildlife habitat, natural areas, wetlands, ecosystems, scenery, open space, historical, archaeological or cultural resources, or low income housing." The language in this proposed law is far reaching.

The Department of Administrative Services estimates that Measure 7 will cost taxpayers \$5.4 billion a year. It is hard to comprehend what this means for all Oregonians and what the cost will be to our environment when we make the market value of just gravel deposits alone more important than wetlands and ecosystems? In the words of Henry David Thoreau:

"And the cost of a thing is the amount of what I will call life which is required to be exchanged for it, immediately or in the long run."

Vote No on 7

Lloyd Marbet
Candidate for Secretary of State
www.marbet.org

(This information furnished by Lloyd Marbet.)

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Measure No. 7 Arguments

ARGUMENT IN OPPOSITION

Oregon Recreation & Park Association
Oregon Park Association
Oppose Measure 7

The Oregon Recreation & Park Association and Oregon Park Association, organizations with over 500 professional members that provide park and recreation services throughout the state, strongly oppose Measure 7.

Measure 7 could cost Oregon taxpayers billions of dollars for questionable purposes. Taxpayers could be forced to spend vast amounts on litigation and court fees to determine exactly what this poorly written measure means.

Most parks and recreation services are provided by state and local governments. The severe cuts that could occur if this measure passes **would seriously harm services in every community in the state.** Recreation activities such as picnicking; tennis and basketball; baseball, softball, football and soccer; trails and playgrounds; open space and greenway preservation; skate parks; swimming pools; recreation and senior centers; after school recreation and arts programs could be severely affected by the budgetary triage which would occur if this measure passed.

Measure 7 goes too far and guts the intent of current land use laws in Oregon. **It will make the protection of water quality and wildlife habitat much more difficult, and it can take decision-making away from citizens and put it in the hands of lawyers.** No longer will communities or citizens in our neighborhoods be allowed to participate in the process of determining land use or how nearby properties are developed and utilized. Those decisions could be made through money-driven claims of self-serving individuals.

Please reject measure 7 by voting "NO"

Oregon Recreation & Park Association
Oregon Park Association

(This information furnished by Stephen A. Bosak, Oregon Recreation & Park Association, Oregon Parks Association.)

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

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ARGUMENT IN OPPOSITION

Oregonians from across the state urge you to:
Vote NO on Measure 7

- **Measure 7 will cost Oregon taxpayers billions of dollars--** official estimates say it could cost as much as the entire state General Fund budget.
- **Measure 7 spends tax dollars to pay corporations and developers** simply for obeying the basic rules of our community.
- **Measure 7 could also overturn the rules that protect our state's forest and farmland,** and could eliminate local zoning laws that keep inappropriate industry at a distance from your home and your local school.

**Measure 7 costs too much.
Measure 7 puts our quality of life at risk.
Measure 7 doesn't belong in the Oregon Constitution.
Vote No on 7.**

Commissioner Carol York, Hood River

Mary Sellin, Clatsop County

John Van Landingham, Lane County

Commissioner John J. Howard, Union County

Commissioner Linda Modrell, Benton County

Reverend Dr Marilyn Sewell, Multnomah County

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

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

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Measure No. 7 Arguments

ARGUMENT IN OPPOSITION

OREGON BUSINESS ASSOCIATION OPPOSES MEASURE 7

MEASURE 7 THREATENS OREGON'S LONG-TERM ECONOMIC COMPETITIVENESS

Over the last decade Oregon companies have created thousands of family wage jobs and paid millions of dollars in taxes to support important public services. As a result, our state is enjoying a period of unprecedented prosperity. But this prosperity and the health of Oregon's economy are endangered by Measure 7.

POORLY DRAFTED MEASURE WILL LIKELY HARM BUSINESS

Measure 7 is poorly drafted and filled with unintended consequences. It will tie individuals and businesses up in court for years while lawyers sue trying to determine what the measure means. Businesses will have an extremely difficult time planning future investments and making investments in their existing businesses. If passed, the measure could result in a cost to state and local governments of \$5.4 billion per year, an amount equal to nearly 50% of the state's entire biennial General Fund budget.

MEASURE 7 THREATENS OREGON'S QUALITY OF LIFE

Oregon's environment and natural-resource base are among the top reasons our state has a healthy economy. By protecting the environment and preventing urban sprawl, Oregon has created a favorable climate for all kinds of businesses. If passed, Measure 7 will change the remarkably beautiful face of Oregon. It will effectively nullify the urban growth boundary, reduce property values in many areas, and as lawsuits pile up, force the federal government to step in and take control. This measure is anti-Oregon and strongly opposed by the Association.

The Oregon Business Association is the state's newest statewide business organization representing small and large businesses across the state. The Association urges you to keep this poorly-written measure out of Oregon's Constitution.

Tom Kelly
Chair, Oregon Business Association

Lynn Lundquist, Former Oregon Speaker of the House
President, Oregon Business Association

OREGON BUSINESS ASSOCIATION URGES A "NO" VOTE ON MEASURE 7

(This information furnished by Tom Kelly, Chairman, Lynn Lundquist, President; Oregon Business Association.)

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ARGUMENT IN OPPOSITION

GOVERNOR JOHN KITZHABER URGES YOU TO VOTE NO ON MEASURE 7

Dear Fellow Oregonians,

Ballot Measure 7 will cost Oregon taxpayers billions of dollars. Official estimates say it could cost as much as the entire state General Fund. And what would our tax dollars be spent on? Paying people simply to obey the basic rules of our state. Measure 7 could also overturn the rules that protect our farm and forest land, and overturn local zoning that keeps someone from putting an auto repair shop or fast food outlet next to your home.

In addition, Measure 7 is so poorly drafted and filled with unintended consequences it will likely tie Oregon businesses and individuals up in court for years. Something this expensive, this poorly written should not be made an amendment to our Constitution. I urge you to vote "no" on measure 7 this November.

KEEP OREGON'S ECONOMY AND ENVIRONMENT HEALTHY VOTE NO ON MEASURE 7

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

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Measure No. 7 Arguments

ARGUMENT IN OPPOSITION

**FORMER OREGON GOVERNORS
MARK HATFIELD
AND
NEIL GOLDSCHMIDT
SAY
MEASURE 7 THREATENS OREGON'S ECONOMY
AND ENVIRONMENT**

We have spent decades ensuring that Oregon maintains a thriving economy in the midst of natural beauty. Oregon's land use system which protects farm and forest land; the state's beach bill which opened every mile of beaches to the public; environmental protections for clean air and water; and the state's overall business climate -- all of these protections and more are threatened by Measure 7.

This Constitutional measure is so poorly drafted it will likely cost Oregon taxpayers billions of dollars. The official estimated costs of fully implementing Measure 7 are \$5.4 billion per year, an amount equal to 50% of the entire state general fund, which pays for important items like education and law enforcement.

Measure 7 threatens our state's healthy economy. Businesses require a stable regulatory system enabling them to make important investment decisions about their business. Measure 7 is filled with unintended consequences, and interpreting it will likely tie our state up in court for years making it difficult for business owners to make important decisions about the future of their companies.

Finally, Measure 7 would weaken our state's land use system and seriously reduce protections for farm and forest land across the state. We and many other Oregonians have fought long hours for farm and forest land protection and we should not let this measure threaten the natural beauty that makes Oregon a great place to live and do business.

**FORMER GOVERNOR NEIL GOLDSCHMIDT
FORMER GOVERNOR MARK HATFIELD**

(This information furnished by Mark Hatfield.)

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ARGUMENT IN OPPOSITION

**Oregon Police and Prosecutors Say
MEASURE 7 ENDANGERS PUBLIC SAFETY**

State and local governments fund important elements of our public safety system including: state police, county sheriffs, state and local corrections facilities, crime prevention, drug abuse prevention activities, and our court system. Each of these elements plays a vital role in keeping our communities safe places to live.

Official estimates put Measure 7 costs to Oregon taxpayers at \$5.4 billion dollars per year. That is more than the state currently spends on all elements of our public safety system.

In addition to the enormous cost, if Measure 7 passes, state and local governments would likely be forced to cut important public safety programs. We have worked diligently over the past decade to make our communities safe places. We cannot afford to put this achievement at risk with this poorly written Constitutional measure.

**KEEP OUR COMMUNITIES SAFE
VOTE NO ON 7**

Sheriff Ris Bradshaw
Clackamas County

Sheriff Dan Noelle
Multnomah County

Sheriff John Pardon
Douglas County

Sheriff Stan Robson
Benton County

(This information furnished by Sheriff Dan Noelle.)

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

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Measure No. 7 Arguments

ARGUMENT IN OPPOSITION

PROTECT THE COLUMBIA GORGE VOTE NO ON 7

The Columbia River Gorge is a national treasure that must be protected for our children and future generations. If passed, Measure 7 could steal this scenic treasure from our children or bankrupt the state. This is how:

- Measure 7 would require the state to pay special interests to obey state and local laws that protects the Columbia River Gorge from rampant development, pollution, open-pit mining, or irresponsible clearcutting.
- Taxpayers may have to shell out millions of dollars to pay developers to comply with laws that protect the Gorge and keep our air and water clean.
- The result could be that these laws would not be enforced because we will not be able to pay the ransom to protect the Columbia River Gorge.

Think about your favorite place in the Gorge and the times that you have spent with friends and family at this special place. Now imagine it forever ruined because taxpayers couldn't afford to pay off developers and polluters. This could be the result if Measure 7 passes.

Whether you live in the Columbia Gorge or experience it through sightseeing, hiking, picnicking or fishing – whether you go to the Gorge often or just once in a while, it is very important to protect this priceless part of our natural heritage.

One of the most important things that you can do this year to protect the Gorge is to vote "No" on Measure 7.

We urge you to vote "No" on Measure 7.

ENDORSEERS:

Nancy Russell, founder, Friends of the Columbia Gorge
Dr. John Reynolds, chair, Friends of the Columbia Gorge
Dr. William Bell, Columbia Gorge Community College President,
The Dalles
Barbara and Robert Bailey, orchardists, The Dalles
State Representative Chris Beck
Former State Senator Dick Springer

(This information furnished by Michael Lang, Friends of the Columbia Gorge.)

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ARGUMENT IN OPPOSITION

Teachers and Educators urge you to VOTE NO on 7

The state is now responsible for funding 70% of school budgets for every school district, large and small, in the state. For the current school year 2000-01, the State Legislature allocated approximately \$2.4 billion for our schools.

Official estimates say Measure 7 will cost Oregon taxpayers \$5.4 billion dollars PER YEAR. That's an amount equivalent to nearly half of our state's General Fund and twice what the Legislature allocated for schools this year.

There is no simpler way to put it than this: Schools are our largest state expenditure and would likely suffer the greatest loss should this measure pass.

Oregon depends on our schools to educate and inspire our children. We cannot afford to put their education at risk with this poorly written Constitutional amendment.

KEEP OUR SCHOOLS STRONG VOTE NO ON 7

**Oregon Education Association
American Federation of Teachers -- Oregon**

(This information furnished by Tricia Bosak, Oregon Education Assoc.)

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

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Measure No. 7 Arguments

ARGUMENT IN OPPOSITION

OREGON'S BUSINESS COMMUNITY URGES YOU TO VOTE NO ON MEASURE 7

As members of Oregon's business community, we are proud of our role making Oregon work. Over the last decade Oregon companies have created thousands of family wage jobs and paid millions of dollars in taxes to support important public services. Oregon succeeds when business, government and citizens can work in a partnership, creating an environment that makes our state a great place to live and do business.

As a result, our state is enjoying a period of unprecedented prosperity. But this prosperity and the health of Oregon's economy are threatened by Measure 7.

MEASURE 7 WILL LIKELY HAVE SEVERE CONSEQUENCES FOR BUSINESS

Whatever the proponents of Measure 7 intended, the measure is so poorly written that it will tie us up in court for years. A stable, rational business climate that all businesses depend on for making investment decisions will be thrown out the window in exchange for years of costly court battles. If passed, official estimates say the measure would result in a cost to the state and local governments of \$5.4 billion per year, an amount equal to nearly 50% of the state's entire biennial General Fund budget which funds important services like education and health care.

Finally, Oregon's land use system has created a favorable business climate for many businesses in our state in addition to maintaining a high degree of livability for citizens. Proponents assert that this measure would eliminate urban growth boundaries, and we think this a bad idea. If passed, land use laws that protect farm and forest land as well as our state's rural character would be harmed.

Measure 7 is poorly written and has no place in Oregon's Constitution.

VOTE NO ON MEASURE 7 BAD FOR BUSINESS. BAD FOR OREGON.

Northwest Environmental Business Council
Oregon Business Association
Brett Wilcox, Northwest Aluminum
Bill Williams, Bear Creek Corporation
Fred Miller, Portland General Electric
Jim Johnson, Intel Corporation

(This information furnished by Nik Blosser, Oregon Business Association.)

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

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ARGUMENT IN OPPOSITION

NW STEELHEADERS VOTE NO ON 7

IT HURTS FISH AND FISHERMEN

Anyone who cares about the future of fishing in Oregon should vote "NO" on Measure 7. The reason why is that Measure 7 will require Oregon taxpayers to pay developers and polluters to follow laws that protect our public resources, such as clean water and healthy fish runs.

MEASURE 7 WILL BANKRUPT THE STATE

Measure 7 will cost Oregon taxpayers billions of dollars just to pay corporations and developers to obey basic rules that protect our quality of life, such as protecting fish habitat and maintaining access to Oregon rivers and lakes. The result will be that laws ensuring public access, protecting water quality and providing for healthy fish rules won't be enforced because taxpayers can't afford the ransom placed on these public resources.

MEASURE 7 WILL REDUCE ACCESS

Measure 7 could overturn local zoning laws, opening up stream corridors to unregulated development. This will limit access to Oregon's best steelhead rivers and harm fish habitat.

MEASURE 7 MEANS LESS FISH

Limits on logging and development along streams could be overturned. This would harm fish habitat and reduce fish runs. Rules ensuring instream flows for fish could not be enforced. No water? No fish!

If you care about the future of fishing in Oregon,

VOTE NO ON MEASURE 7

IT HURTS FISH AND FISHERMEN

Association of Northwest Steelheaders

(This information furnished by Norman E. Ritchie, P.E., Association of Northwest Steelheaders.)

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

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Measure No. 7 Arguments

ARGUMENT IN OPPOSITION

STATEMENT IN OPPOSITION BY FORMER OREGON APPELLATE JUDGES

MEASURE 7 IS UNNECESSARY

The Oregon and U.S. Constitutions already protect the property rights of citizens by preventing the government from taking private property for public use without just compensation. State and federal courts have repeatedly ruled that such compensation is not warranted when a government regulation merely reduces the value of property, unless virtually all value is lost.

MEASURE 7 IS EXTREME

Measure 7 requires the government to pay property owners every time any single regulation, viewed in isolation, reduces property value by any amount, no matter how small. Moreover many regulations increase property values, but Measure 7 does not take this into account in calculating required payments. Measure 7 will cost Oregonians 5.4 billion dollars per year equal to the state's annual general fund budget. We can't risk putting something that expensive into Oregon's Constitution.

COSTLY COURT BATTLES

Measure 7 has numerous ambiguities that will lead to an avalanche of litigation due to the large amounts of money at stake.

- How is the market value determined?
- What does it mean that nuisances are to be "narrowly construed"?
- Are legal pharmaceuticals included in the definition of "controlled substances"?
- How will "net costs" be determined, and how will future increases in value as a result of a regulation be addressed?
- Does the measure require payment even to landowners who bought property knowing its use was restricted when the restriction is "applied", e.g., by the denial of a permit?

Betty Roberts
Justice
Oregon Supreme Court
1982-1986

Jacob Tanzer
Justice
Oregon Supreme Court
1980-1983

William L. Richardson
Chief Judge & Judge
Oregon Court of Appeals
1976-1997

(This information furnished by Betty Roberts.)

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

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ARGUMENT IN OPPOSITION

Trustees and Staff of The Nature Conservancy Urge You to Vote NO on 7

MEASURE 7 THREATENS OREGON'S WILDLIFE

Oregon's quality of life includes a precious diversity of fish, wildlife, native plants and their habitats. As our population keeps growing, we must work to preserve Oregon's natural heritage for our children and grandchildren.

Measure 7 will make it impossible to protect Oregon's wildlife and their habitats for future generations.

By requiring that taxpayers reimburse property owners for so-called regulatory "takings," Measure 7 will shred Oregon's safety net for wetlands, streams, fish runs, wildlife habitats, parks and open spaces. This radical measure will lead to gridlock, endless court battles and enormous costs to taxpayers.

Today, 415 of Oregon's 3,773 identified plant and animal species – one in every nine – are at risk of extinction. To safeguard our natural heritage, we need a diversity of approaches, including purchase of critical lands, incentives for voluntary conservation, and even-handed regulations adopted through the democratic process.

Across Oregon, caring individuals, corporate leaders, farmers, ranchers, volunteers, non-profits, cities, counties and elected leaders are working hard to create solutions that balance private property rights with environmental protection. We won't always agree, but people of good will working together are the best hope for Oregon's at-risk fish and wildlife.

Measure 7 will make it impossible for Oregon citizens to fairly and effectively protect wetlands, streams, water quality and important wildlife habitats. Ironically, by allowing our environment to be despoiled, it will even reduce some property values.

Vote No on Measure 7

Trustees and Staff of The Nature Conservancy of Oregon:

- Ron Berger
- Paulette Bierzychudek
- Brian Booth
- Ellis Feinstein
- Skip Freedman
- Brian Gard
- Robert G. Gootee
- Daniel D. Heagerty
- Tom Imeson
- Stephen E. Kantor
- Peter G. McDonald
- James T. Post
- Mary B. Ruble
- Patricia L. Wessinger
- Russell Hoeflich, Vice President and Oregon Director
- Catherine Macdonald, Director of Conservation
- Michael Powelson, Director of Agency Relations
- Carrie Walkiewicz, Director of Development

(This information furnished by Russell Hoeflich, The Nature Conservancy of Oregon.)

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

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Measure No. 7 Arguments

ARGUMENT IN OPPOSITION

PROTECT OREGON'S COAST

VOTE NO ON 7

Oregon's shoreline and coastal region has been treasured by our citizens throughout our state's history. In Oregon, the beaches are reserved for all the people. We protect our dunes and estuaries, and are struggling to restore the salmon runs in our coastal rivers and the ecosystems of our coastal forests.

One victim of Measure 7 would be our cherished Beach Law, which keeps our entire shoreline open to the public. Passage of this measure could block off public access to many beaches by enabling private interests to claim large portions of our shore. Instead of our open beaches, we could see barriers, fences, "No Trespassing" signs and commercial development.

Measure 7 would hamper, if not completely destroy, the Oregon Salmon Plan and our promising efforts at watershed management. Compensating landowners for theoretical profits will make it too expensive to enforce responsible land use that protects aquatic habitat and Oregon's salmon. This could have an especially devastating economic impact on the coast's fishing and recreational industries.

Measure 7 would very likely thwart efforts to prevent development in hazardous areas prone to erosion, landslides, and flooding. And it could eliminate our ability to prevent landowners from destroying the natural shoreline by "armoring" it with sheets of concrete and rip-rap.

Nowhere is sprawling growth a greater problem than on the coast. Measure 7 would give us the choice of seeing Highway 101 turn into endless strip malls, and private gates blocking off access to Oregon beaches, or bribing landowners not to harm the public interest.

Oregon's coastal communities, conservation groups and responsible officials ask you to

VOTE NO ON 7.

Oregon Shores Conservation Coalition
Oregon Chapter, Surfrider Foundation
Kalmiopsis Audubon Society
Cape Arago Audubon Society
Citizens for Florence
Citizens for Orderly Development, Curry County
Columbia Deepening Opposition Group
Lori Hollingsworth, Lincoln City Councilor
Cheryl Thorp, Curry County Commissioner
Doug Thompson, Astoria City Councilor

(This information furnished by Phillip Johnson, Oregon Shores Conservation Coalition.)

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

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ARGUMENT IN OPPOSITION

OREGON FAMILY FARMERS OPPOSE MEASURE 7

As family farmers and ranchers from every corner of Oregon, we respectfully ask our fellow Oregonians to VOTE NO ON MEASURE 7 to protect Oregon's farm, ranch, and forest land.

We are Oregonians who make our living by growing vegetables, fruit, grains, livestock, and trees. Oregon's land use planning laws, including farm and forest zoning, are what has protected our land from unchecked urban sprawl and rural development. These laws have been essential to maintaining the basic livelihood of thousands of families who earn their living in agriculture and have enabled Oregon's farms, nurseries, ranches, and forests to contribute billions of dollars to our state economy.

MEASURE 7 WOULD HARM OREGON FARMERS

Measure 7 would force taxpayers to pay hundreds of millions of dollars to developers and speculators—or simply stop enforcing the laws that protect our farm and forest land from being covered with subdivisions. The same goes for the laws that protect your own homes from inappropriate neighborhood development.

Either way, we all lose.

PLEASE VOTE NO ON MEASURE 7.

Bob & Barbara Bailey
Cherries
Wasco County

Gary L. Harris
Onion & Carrot Seeds
Jefferson County

Lois & Clif Kenagy
Row Crops
Benton County

Ambrose & Susan McAuliffe
Cattle & Calves
Klamath County

Dave & Ellen Vanasche
Grass and Legume Seed
Washington County

David & Diana Lett
Wine Grapes
Yamhill County

Jim Wood
Cattle, Horses, Hay, Timber
Crook County

J & T Farms
Vegetable Seed, Grass Seed,
Hay, Grain,
Commercial Horse Stables
Marion County

Michael & Susan McCarthy
Pears, Apples, Hay, Timber,
Cattle
Hood River County

Jud & Diana Parsons
Timber, Christmas Trees,
Grass Seed
Jackson and Marion Counties

Mark Tipperman
Cattle, Timber
Union County

Donald Logan
Christmas Trees, Hay, Timber
Washington County

Jim Monroe
Sheep, Timber
Linn County

(This information furnished by Diana Parsons, Hill Crest Orchards.)

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

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Measure No. 7 Arguments

ARGUMENT IN OPPOSITION

Measure 7 Would RUIN the Oregon We Love!

Oregon has the nation's strongest program to manage its growth. It protects farmland and forestland. It curbs wasteful, sprawling development of endless strip malls that cause traffic congestion. It helps guarantee public beaches and makes more affordable housing available.

Measure 7 would lock into Oregon's Constitution a dangerous, costly requirement that could force lawmakers to REPEAL the laws that protect our communities and our quality of life.

"[Measure 7 author Stu Miller] suggested urban growth boundaries might be scrapped, because they limit development..."

Salem Statesman Journal, 7/27/00

Measure 7 radically weakens our state's land use laws. It would drastically reduce protections for farm and forest land across the state, and increase unplanned urban sprawl.

Measure 7 Threatens Neighborhoods and Property Values

Measure 7 is so poorly drafted that if it passed, existing neighborhood zoning could be thrown out, and your neighbor could be allowed to put something next door to you that lowers your property value, like a junkyard, an auto repair shop, a fast food outlet, or a convenience store.

LOVE OREGON? VOTE NO ON 7

- Friends of Douglas County
- Jackson County Citizens League
- Citizens for Orderly Development (Curry County)
- Friends of Linn County
- Alliance for Responsible Land Use in Deschutes County
- Friends of Benton County
- Oregon Shores Conservation Coalition
- Friends of Yamhill County
- Friends of Marion County
- Hood River Valley Residents Committee
- Friends of Eugene
- Citizens For Florence
- Friends of Bend
- Columbia County Citizens for Orderly Growth
- Friends of Polk County
- 1000 Friends of Oregon

www.NoOn2and7.com

(This information furnished by Robert Liberty, 1000 Friends of Oregon.)

ARGUMENT IN OPPOSITION

OREGON NURSERY OWNERS AND OPERATORS OPPOSE MEASURE 7

As owners and operators of nurseries, we urge you to VOTE NO ON MEASURE 7 so our industry can continue to thrive and provide jobs for Oregonians.

Nurseries in Oregon are mostly small, owner-operated firms, but our industry is making a big contribution to our state's prosperity. Oregon's fast-growing nursery industry is now the largest contributor to our state's \$3.5 billion agricultural economy. In 1998, Oregon trailed only California and Florida in total horticultural production, with a record \$532 million in sales—an increase of 8% over 1997.

Unlike many other agricultural commodities, most of Oregon's nursery products are grown in counties that also have large urban populations. The top five nursery producing counties in the state are Marion, Clackamas, Washington, Yamhill, and Multnomah Counties.

By protecting our industry's land base from uncontrolled urban sprawl, Oregon's land use and farmland protection laws have enabled nurseries to flourish, even in the face of rapid population growth. These laws have been essential to maintaining the basic livelihood of thousands of Oregonians who earn their living in nurseries and other agricultural operations.

MEASURE 7 WOULD HARM OREGON'S NURSERY INDUSTRY

Measure 7 would force taxpayers to pay hundreds of millions of dollars to developers and speculators—or simply stop enforcing the laws that protect the land our nursery operations need if they are to continue contributing to our state's economy. Either way, we all lose.

Don't put this costly and destructive measure in Oregon's Constitution.

PLEASE VOTE NO ON MEASURE 7.

- | | |
|--------------------------|--------------------|
| Alice Doyle and Greg Lee | Bob Iwasaki |
| Log House Plants | Nurseryman |
| Cottage Grove | Washington County |
| Susan Anderson | Rod Park |
| Anderson Gardens | Park's Nursery |
| Hillsboro | Gresham |
| Drew Hunter | Marcus Simantel |
| Nursery Operator | Retired Nurseryman |
| Salem | Portland |
| Jim Gilbert | |
| Northwoods Nursery | |
| Molalla | |

(This information furnished by Alice Doyle.)

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Measure No. 7 Arguments

ARGUMENT IN OPPOSITION

I am writing to ask you to please join me in voting NO on Measure 7. This irresponsible measure endangers the financial stability of our state, threatens our healthy economy, and restricts our ability to fund essential state and local projects and services.

This measure is bad for Oregon, and it does not belong in our Constitution.

As Oregon's chief financial officer, I am responsible for the prudent management of the state's financial resources. Part of that responsibility is to protect Oregon's credit rating, which allows the state to issue bonds to fund a variety of important public needs, from new school construction and road maintenance to health care facilities and affordable housing.

The price tag of this measure is staggering. In addition to \$3.8 billion in local government costs, the potential cost to the state is \$1.6 billion a year—more than 30% of Oregon's annual general fund budget. For this reason, Measure 7 would likely damage the state's credit rating, costing Oregon taxpayers millions of dollars and limiting the number of projects that can be funded.

Estimates show that a single drop in the state's credit rating would cost Oregonians more than \$400 million in increased interest costs on money used to build and maintain needed projects. That is money that we could be spending on education or health care.

Aside from the serious financial ramifications, Measure 7 is so ambiguous and poorly drafted that it could be tied up in court for years, leading to unnecessary court costs, further financial uncertainty and a delay in funding critical projects and services that many Oregonians rely on.

Measure 7 will cost Oregon taxpayers hundreds of millions of dollars, and we will receive nothing for our money. We should spend our money on services that will benefit all Oregonians.

Please join me in voting NO on Measure 7.

**Jim Hill
State Treasurer**

(This information furnished by Jim Hill, Oregon State Treasurer.)

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ARGUMENT IN OPPOSITION

Oregon Chapter of the American Planning Association

It's no accident that Oregon's still a beautiful place to live. For more than a century, Oregonians have worked to protect our land from urban sprawl and uncontrolled development. But Measure 7 would undo all that. It's a full-scale assault on Oregon's land and environment – and on our pocketbooks.

Measure 7 is retroactive. It would require taxpayers to pay landowners for complying with laws passed decades ago.

For example, suppose a big corporation bought a thousand acres of forestland along the Willamette River in 1960. The company managed timber there for 40 years quite profitably. But today it wants to cut all the trees, subdivide the land into small lots, and sell them for development. Right now, several laws would prevent that. Land-use laws prohibit subdivisions in forest zones. The Forest Practices Act requires replanting after timber is cut, and it prohibits tree-cutting along riverbanks. The Willamette River Greenway limits development along our state's largest river. But under Measure 7, the corporation could argue that those laws have reduced the value of its property. It could file a claim (no matter how exaggerated) for millions of dollars. The agencies that administer those laws would face a terrible choice: pay the claim (using your tax dollars!), or don't enforce the laws.

Either way, Oregonians would lose with Measure 7. If all the claims for "lost value" were paid, millions of tax dollars needed for schools, roads, and police would go to timber companies, corporate farms, and land speculators instead. If such claims were not paid, the laws that protect our land would not be enforced. The result would be new shopping centers on farmland; subdivisions along our wild rivers and streams; billboards along scenic highways; a crush of condos on coastal beaches.

Oregon doesn't need welfare for developers. We do need to protect our land from sprawl and speculation.

Vote "No" on Measure 7.

(This information furnished by Joe Landry, Oregon Chapter of the American Planning Association.)

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Measure No. 7 Arguments

ARGUMENT IN OPPOSITION

MEASURE 7 WILL HARM THE HEALTH AND SAFETY OF OUR FAMILIES AND COMMUNITIES

Concerned about your health and the health of your children? Of course you are. But a poorly drafted initiative could have unintended effects that would be extremely harmful to all of us.

Measure 7's Overwhelming Costs Will Drain Funding from Health Care

Measure 7 would impose massive new costs on Oregon taxpayers – for more bureaucratic red tape. The cost to state and local governments – an estimated \$5.4 billion a year or the equivalent of Oregon's annual budget – would gut our ability to run important programs like the Oregon Health Plan.

Measure 7 Will Derail Critical Health and Safety Rules

Measure 7 would also sabotage protections for your health, home and neighborhood. Taxpayers would be required to pay property owners to comply with important laws that safeguard our health – or we would have to simply stop enforcing the laws that protect us.

Health Regulations that Could Become Impossible to Implement or Enforce if Measure 7 Passes Include:

- laws that protect children and nonsmokers from secondhand smoke
- rules that protect drinking water quality
- rules to prevent cancer-causing pesticides from being sprayed near schools or neighborhoods
- building safety codes
- worker safety regulations
- standards that ensure the safety of our food

This harmful measure should not be in Oregon's Constitution.

Protect Your Health. Vote No on Measure 7.

Eric Dover, MD, Portland
 William Morton, MD, Portland
 David Fitchett, MD, Albany
 Mary Ellen Coulter, MD, Bend
 Thomas Ewald, MD, Ashland
 Craig Mather, MD, Ashland

(This information furnished by Caroline Fitchett, Oregon Community Protection PAC.)

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

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ARGUMENT IN OPPOSITION

SALMON FOR ALL URGES A NO VOTE ON MEASURE 7

The Costs are Too High

Measure 7 is the most expensive measure on the ballot. With a fiscal impact of 5.4 Billion dollars annually – the same as Oregon's General Fund budget – its impact to local communities and the state will be devastating. **And the measure is retroactive – benefiting many large landowners and out of state corporations.** Something this expensive deserves more deliberation and consideration than this.

Measure 7 HURTS OREGON SALMON

The high price tag of Measure 7 will ensure many important salmon enhancement programs will likely go unfounded.

Here are just a few examples:

- Oregon Salmon Plan
- Select Area Fisheries
- Watershed Enhancement Programs

Measure 7 HURTS OREGON'S FISHERMEN

Measure 7 will divert funds from important salmon habitat restoration programs and Select Area Fishery programs that benefit the salmon and the fishermen. This measure will move these funds into the hands of wealthy landowners and corporations.

Measure 7 TOO EXPENSIVE FOR OREGON'S CONSTITUTION

Measure 7 is filed with unintended consequences that will tie us up in court for years. It's a full employment act for lawyers. Something this poorly written and expensive doesn't belong in Our Constitution.

SALMON FOR ALL URGES YOU TO VOTE NO ON 7

Salmon for All

(This information furnished by Lovenia Warren, Salmon for All.)

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

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Measure No. 7 Arguments

ARGUMENT IN OPPOSITION

MEASURE 7 WILL GUT OREGON'S CLEAN WATER AND CLEAN AIR SAFEGUARDS

Measure 7 may be the most dangerous and misleading initiative ever placed before Oregon voters. It is an assault on your right to protect your neighborhood and family from pollution.

Environmental Blackmail

Don't be misled into thinking Measure 7 is just about "land." It's so poorly written that our tax dollars could go to polluters just to enforce clean water and clean air safeguards.

Measure 7 won't protect your property – it hurts it. Measure 7 is written to look only at the property of a landowner denied a particular use who sues for payment. It doesn't look at the impact on neighbors.

We'd have to pay a toxic waste dump not to locate in a neighborhood if the corporation building the dump could make more money that way than by building homes. Yet, Measure 7 would not pay a dime to nearby homeowners for the loss they'd suffer.

This is an extreme example. There are hundreds of other examples where tax dollars would flow to polluters just to protect our right to a clean environment. That's wrong.

Costly to Taxpayers

The real purpose behind Measure 7 is to make it too expensive to enforce environmental laws. It would be locked into our Constitution so the Legislature couldn't fix it. Faced with billions of dollars in costs for lawsuits and payments – possibly as high as the state's entire budget – the Legislature would have no choice but to make safeguards voluntary. And that's what polluters really want.

Your taxes would go to pay off big polluters to obey basic environmental and safety laws; it's like paying criminals not to rob banks.

The possible ways of wasting your tax dollars are endless – and bottomless.

**Protect clean water and air – and your pocketbook.
Vote NO on Measure 7.**

Oregon Environmental Council	Columbia Riverkeeper
Oregon League of Conservation Voters	Tualatin Riverkeepers
Sierra Club	Willamette Riverkeeper

(This information furnished by Jeff Allen, Oregon Environmental Council.)

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

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ARGUMENT IN OPPOSITION

OREGON CHAPTERS OF THE AUDUBON SOCIETY URGE YOU TO VOTE NO ON MEASURE 7

Should Oregon Taxpayers Pay Billions To Developers To Obey The Law?

Ballot Measure 7 will cost Oregon taxpayers billions of dollars—official estimates say it could cost as much as \$5.4 billion per year.

And what would our tax dollars be spent on? Paying corporations and developers simply to obey the basic rules of our community, including environmental laws. Measure 7 could erase the rules that protect our rivers, streams, wetlands, and forests, and overturn local zoning that keeps someone from destroying important fish and wildlife habitat areas along waterways near your home.

Should We Amend Oregon's Constitution So Lawyers Control Our Quality Of Life?

Measure 7 is so poorly drafted and filled with unintended consequences it will tie us up in court for years and be a full employment act for lawyers. Something this expensive, this poorly thought out should not be in our constitution.

Measure 7 Will Threaten The Rules That Make Oregon A Special Place That Is Safe, Fair And Livable.

Oregon's citizens value our state's wildlife, wild places and quality of life. The supporters of Measure 7 know the price of everything and the value of nothing. Measure 7 will cost billions in tax dollars and will give power over our health, safety, fish and wildlife, scenic resources, wetlands and streams to special interests, out-of-state corporations and politicians.

If Measure 7 passes, we lose our ability to keep our communities good places to live for both wildlife and people.

WE URGE YOU TO VOTE NO ON MEASURE 7.

Audubon Society of Corvallis
Audubon Society of Portland
Cape Arago Audubon Society
Central Oregon Audubon Society
Columbia Gorge Audubon Society
Kalmiopsis Audubon Society
Lane County Audubon Society
Rogue Valley Audubon Society
Salem Audubon Society
Siskiyou Audubon Society

(This information furnished by Ron Carley, Audubon Society of Portland.)

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Measure No. 7 Arguments

ARGUMENT IN OPPOSITION

**Congressman Earl Blumenauer urges you to
VOTE NO on 7**

Oregon has been a national leader in land use, environmental protection and health care. This innovation has required creative and even courageous legislation and leadership. Our entrepreneurial spirit and record of accomplishments are seriously threatened by Ballot Measure 7.

Measure 7 will cost Oregon taxpayers billions of dollars -- official estimates say it could cost as much as \$5.4 billion PER YEAR, an amount nearly equal to the entire state General Fund. And what would our tax dollars be spent on? Paying corporations and individuals simply to obey existing laws. Measure 7 could also overturn the rules that protect our forest and farmland, eliminate urban growth boundaries, and overturn local zoning that keeps someone from putting an auto repair shop or convenience store next to your home.

Measure 7 is so poorly drafted and filled with unintended consequences it will tie us up in court for years and be a full employment act for lawyers. Something this expensive, this poorly thought out should not be made an amendment to our Constitution.

Please join me in voting NO on 7 so we can keep Oregon a great place to live.

Vote NO on 7. It's Anti-Oregon.

Earl Blumenauer
Member of Congress

(This information furnished by Earl Blumenauer.)

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ARGUMENT IN OPPOSITION

**MEASURE 7 WOULD HURT SENIORS—
AND ALL OREGONIANS
IT DOESN'T BELONG IN OREGON'S CONSTITUTION**

By requiring taxpayers to pay property owners for obeying laws that protect the public, Measure 7 would have devastating effects on Oregon. The measure costs too much, mucks ups the constitution and harms senior citizens.

HIGHER TAXES

- The state estimates this measure would cost **\$5.4 BILLION EVERY YEAR—more than any other measure on the ballot**—if we continued to enforce basic laws. This is as much as **Oregon's entire general fund budget—OVER \$1,500 PER OREGONIAN.**

And for what? To pay corporations and developers to obey the law.

CUTS IN HEALTH CARE AND OTHER CRITICAL SERVICES

- Unless the Legislature raised new taxes, it would be **forced to make severe cuts in programs that benefit seniors.** The Oregon Health Plan would likely see funding decrease dramatically, as would many other senior services:
 - Transportation services for seniors
 - Affordable housing

DECLINING PROPERTY VALUES

- Because it would weaken or eliminate enforcement of key community protection laws—**like basic residential zoning, which prevents an auto repair shop or fast food outlet from being built next to your home**—Measure 7 would expose seniors and other Oregon homeowners to **eroding property values and quality of life** due to incompatible or excessive development of neighboring properties.

VOTE NO ON MEASURE 7. IT HURTS SENIORS.

United Seniors of Oregon
Oregon Advocacy Coalition of Seniors and People with Disabilities
Oregon State Council of Senior Citizens
Portland Gray Panthers

(This information furnished by Jim Davis, Oregon Advocacy Coalition of Seniors & People with Disabilities, Portland Gray Panthers.)

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Measure No. 7 Arguments

ARGUMENT IN OPPOSITION

VOTE NO on 7

As a practicing physician on the Oregon coast I am concerned about any effort to compromise government regulations protecting Oregonians from pollution and toxic materials exposure, and as an environmentalist I am concerned about any attempt to dilute or negate environmental protections.

Ballot Measure 7 makes no sense. Not only is the projected annual price tag of 5.4 billion dollars a clear budget buster, but it also forces the state to pay landowners not to pollute or release toxic materials, not to destroy riparian areas and create soil erosion, not to destroy wildlife and wildlife habitat, not to violate local zoning ordinances or land use planning objectives, if any such restrictions are perceived as decreasing the market value of that property or corporate asset. In essence it allows a landowner to announce an intention to do something detrimental to the greater needs of society and then the state would have to decide whether to ignore vital social and environmental concerns by allowing the offensive action, or come up with the money to pay off the landowner.

Such important policies as land use planning, Oregon's open beach law, the Oregon Plan for Salmon Recovery, reforms of Oregon's Forest Practices Act, state wildlife management plans and restrictions on air and water pollution all would fall victim to this initiative.

Ballot measure 7 takes an extremist view emphasizing property rights and ignoring the fact that with rights come responsibilities. So frequently actions taken on one's property have impacts far beyond that property's boundaries, and the rest of society impacted by those actions have rights too. Protecting those rights is the purpose of government regulations. It is only common sense that nobody should expect to be paid not to do harm. Measure 7 must be rejected as a fiscally irresponsible extremist view that totally misses the point of the real meaning of stewardship of the land.

Raymond P. Nolan, M.D., Ph.D.
Coos Bay, Oregon

(This information furnished by Raymond P. Nolan, M.D., Ph.D.)

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ARGUMENT IN OPPOSITION

LOCAL ELECTED OFFICIALS OPPOSE MEASURE 7

MEASURE 7 IS A RAID ON LOCAL TAXPAYERS

Measure 7 masquerades as a "fairness" measure, but instead establishes unfair standards for paying compensation to special interests. The official estimate is that passage of Measure 7 will create an ANNUAL COST of \$3.8 billion for local governments and \$1.6 billion for state government. Where would we get the money to pay those enormous costs? YOUR TAX DOLLARS!

This "annual cost" includes only the costs of actual compensation, not the costs of determining how much compensation must be paid. The supporters of this measure argue that all local governments have to do is to either pay the bill received from the property owner or repeal the regulation. WOULD YOU PAY A BILL IF YOU WEREN'T SURE YOU OWED IT? NEITHER WOULD WE! That means we'd have to hire new property assessors and lawyers to assure we don't overpay. How can we keep your tax bills low when Measure 7 forces us to build a BRAND NEW BUREAUCRACY?

Measure 7 is so POORLY WRITTEN that it's unclear which laws and regulations would be affected. Measure 7 could require us to pay your tax dollars to: allow access to public beaches; companies to follow mining requirements; builders to follow building code or seismic requirements.

Measure 7, if passed, will likely lead to HUGE COSTS THROUGH NEW TAXES, ANOTHER NEW BUREAUCRACY, MORE UNNECESSARY RED TAPE AND YEARS OF COSTLY COURT BATTLES.

MEASURE 7 IS NOT FAIR TO TAXPAYERS – VOTE NO ON 7!

Todd Kellstrom, Mayor, City of Klamath Falls
Mike Swaim, Mayor, City of Salem
Robert E. Ramig, Mayor, City of Pendleton
Susan Roberts, Mayor, City of Enterprise
Susan Reid, City Councilor, City of Ashland
Helen Berg, Mayor, City of Corvallis
Charlotte Lehan, Mayor, City of Wilsonville,
Jim Young, Mayor, City of Bend
Mary Nicholson, Mayor, City of Milton-Freewater
Association of Oregon Counties

(This information furnished by Mary Nicholson.)

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Measure No. 7 Arguments

ARGUMENT IN OPPOSITION

"Lawyers will love this."

"This will be tied up in courts for years."

"They should call this 'The Full Employment Act for Lawyers'."

Not much of an endorsement for a ballot measure, is it? Yet these are the kinds of comments people are making about Ballot Measure 7, the so-called "takings" measure.

Measure 7 would amend the Oregon Constitution – here we go with that again – to require that the public compensate property owners whenever a regulation reduces a property value. The "public," of course, is us - the Oregon taxpayers.

This Bill Sizemore-authored initiative may sound OK at first blush. There are three key questions to ask before you cast a vote: what does it really mean, and how much will it really cost, and who really benefits?

Measure 7 means, in the simplest of terms, we would be using tax dollars to pay landowners and developers for merely obeying the basic rules of zoning, air and water pollution safeguards and protection of wetlands and wildlife habitat. The measure applies statewide, although it is really aimed at Metro and the Portland area.

How much would it cost? Official estimates are in the \$5 billion range. Passing this measure would force Oregonians into a no-win situation: we can pay out billions of dollars in "compensation" to special interests, or we can simply stop enforcing basic safeguards that protect Oregon's unique quality of life.

Who benefits? That's easy – large landowners, developers, and anyone else that is required to meet zoning, environmental and open space laws.

The cost and consequences of Measure 7 make this an easy choice: Just Say 'No!'

Join us and Vote NO! On Measure 7.

**Mary Botkin, Oregon AFSCME Council 75
Tim Nesbitt, Oregon AFL-CIO
Rich Peppers, Oregon Public Employees Union**

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

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ARGUMENT IN OPPOSITION

Advocacy Coalition for Seniors & People with Disabilities Oppose Ballot Measure 7

The Advocacy Coalition for Seniors and People with Disabilities strongly oppose Ballot Measure 7. We are a statewide organization that seeks to ensure quality services and adequate funding for programs that are essential to the quality of life and health of some of Oregon's most vulnerable citizens, our senior citizens and people with disabilities.

- .Ballot Measure 7 simply is too costly. Legislative fiscal impact statements estimate the cost to be approximately 5.4 billion dollars. That price tag is equivalent to our state's entire budget.
- Ballot Measure 7 is extreme, poorly written, and will be subject to lengthy and expensive lawsuits
- Land use policies encompass protections for senior citizens and people with disabilities needing affordable, accessible housing. We want to keep those protections in place.

Oregon is a good place to live. Our public services and quality of life is threatened by measures such as this. It doesn't belong in our Constitution and it doesn't belong in Oregon. **Please join us in voting NO on Measure 7.**

Ruth McEwen-Co-Chair, Advocacy Coalition

(This information furnished by Ruth A. McEwen, Advocacy Coalition for Seniors and People with Disabilities.)

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

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Measure No. 8

Proposed by initiative petition to be voted on at the General Election, November 7, 2000.

BALLOT TITLE

8 AMENDS CONSTITUTION: LIMITS STATE APPROPRIATIONS TO PERCENTAGE OF STATE'S PRIOR PERSONAL INCOME

RESULT OF "YES" VOTE: "Yes" vote limits state appropriations to 15 percent of state's personal income in prior biennium.

RESULT OF "NO" VOTE: "No" vote leaves constitution without limit on appropriations for state government expenditures.

SUMMARY: Amends constitution. Constitution requires legislative appropriation before spending state, federal funds in treasury; does not limit appropriations. Statute limits growth rate of appropriations for general governmental purposes. Measure limits biennial state appropriations to 15 percent of state's personal income in prior biennium. Exempts most appropriations funded by state-issued bonds. Would have required over \$3.7 billion cut in current biennium's appropriations. Increasing limit requires Governor's emergency declaration, 3/4 approval of each legislative house. Distributes revenues over limit (except from dedicated investment funds) to taxpayers.

ESTIMATE OF FINANCIAL IMPACT: The measure will reduce state government appropriations by an estimated \$5.7 billion for the 2001-2003 biennium.

The measure may result in a reduction of state-shared state and federal revenues to local governments.

TEXT OF MEASURE

Be it enacted by the people of the State of Oregon:

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

SECTION 1d. (1)(a) Appropriations for state government expenditures in each biennium shall not exceed an amount which is 15 percent of the state's personal income, except as provided in subsection (b) and (c) of this section. For purposes of this section, this state's personal income is total personal income for the two calendar years ending before the beginning of the biennium, as computed by the Federal Government.

(b) The limitations of this section shall not apply to appropriations funded by revenues from the issuance of bonds by the state. Appropriations to pay principal and interest on all state debt and appropriations funded by revenues from all other instruments of debt, are subject to the limitations of this section.

(c) Only after a declaration of emergency by the Governor, the Legislative Assembly, by a three-fourths majority vote in each house of all members elected to each house, may enact legislation increasing for a biennium the appropriation limits established by this section.

(d) The limitations of this section shall apply to state government appropriations commencing with the biennium beginning in 2001.

(2) Notwithstanding any other provision of this Constitution, revenues, other than earnings from dedicated investment funds, received by the state in a biennium that are in excess of the appropriation limits established by this section, shall be distributed to taxpayers who paid state income taxes attributable to tax

years ending in the biennium, in proportion to the amount each taxpayer paid. This distribution shall not be counted as an appropriation for purposes of this section.

PARAGRAPH 2. If any portion, clause, or phrase of the new section 1d of Article IX is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, the remaining portions, clauses, and phrases of the new section shall not be affected but shall remain in full force and effect.

EXPLANATORY STATEMENT

Ballot Measure 8 would amend the Oregon Constitution by linking the rate of growth of state government spending to the rate of growth of personal income in the state. The measure would limit all state spending, regardless of the source of the funds, to no more than 15 percent of total personal income of Oregonians earned in the two calendar years immediately preceding the budget period (biennium).

If the state collects revenues in excess of the limit, the measure would require that those excess revenues be distributed to Oregon taxpayers in proportion to the income taxes they paid in the biennium. Excluded from this distribution are earnings from dedicated investment funds, such as retirement funds or the Common School Fund.

The Legislature could vote to increase spending beyond the limit, but only if the Governor specifically declares an emergency, and three-fourths of the elected members of both the House and the Senate vote for the increased level of spending.

The limit covers state spending from all sources of funds, such as taxes, fees, federal funds, and investment earnings. The measure would exclude from the limit proceeds from state-issued bonds, although it does include the funds appropriated to repay those bonds.

For comparison, the state has recently experienced a spending level of about 18 percent of personal income. The estimated impact of the measure on the 2001-2003 state budget would be to limit expenditures to an amount \$5.7 billion less than the projected spending of \$32.4 billion.

The measure limits state spending. The measure does not cut state taxes, nor does it direct the Legislature or Governor how state funds are spent within the new limit.

Committee Members:

Joe W. Foxall
Don McIntire
Lynn Marie Crider
James Scherzinger
Dave Moss

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. 8 Arguments

ARGUMENT IN FAVOR

CHIEF PETITIONERS MAKE THE CASE FOR MEASURE 8

Taxpayers have learned the hard way that limiting a specific tax provides only temporary relief

Trying to control the cost of government by limiting taxes is like squeezing a balloon ... squeeze it in one place and it gets bigger somewhere else! In no time at all, government agencies creatively invent new fees, bigger fines and backdoor taxes to expand the spending balloon.

Instead of limiting taxes, Measure 8 simply limits **the cause of higher taxes -- SPENDING!** If we limit how much politicians can spend, the balloon won't expand faster than our economy!

For the past 25 years, total annual spending by the State of Oregon has averaged more than 18% of all Oregonians' total personal income.

Measure 8 would limit that spending to 15%, require any excess taxes collected be returned to income tax payers, and includes a clause to break the limit in case of financial emergency.

- **Measure 8** will result in state budgets based on the **peoples' ability to pay, rather than on the government's ability to spend.**
- **Measure 8** will **NOT REQUIRE** budget cuts. Budgets will simply **not be able to grow as rapidly.**
- **Measure 8** would limit spending in the next two-year budget cycle to approximately \$30 billion ... **about the same amount as this budget cycle!**
- **Measure 8's** spending limit will inspire our legislature to **find efficiencies and eliminate waste**, and will **create competition among agencies** to prove their cost effectiveness and efficiency.
- **Measure 8** requires that excess revenue collected be returned to income taxpayers. Money the state cannot collect because of the spending limit keeps circulating, **stimulates the economy, and ultimately increases income!**
- **Measure 8** will give the State a vital interest in the economic well-being of its citizens because **state revenue increases when personal income increases.**

Measure 8 is good for Oregonians and GOOD FOR THEIR GOVERNMENT

VOTE YES ON 8.

(This information furnished by Joe Foxall, Don McIntire, Ron Sunseri.)

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

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ARGUMENT IN FAVOR

An alarming trend is that spending by all governments in the 1990's -- federal, state, local -- has skyrocketed. The decade's robust economy has produced volumes of cash to all governments, which just hate to give any of it back once they've got it. Awash in the revenues generated by a booming economy, our legislature has even proposed a "rainy day fund" where they would stash our tax dollars to be spent years after they have taken it from us!

Measure 8 represents a historic opportunity for Oregonians to lead the rest of the nation in slowing the growth of government by not allowing state spending to increase faster than its citizens own economic growth. If we pass this measure, revenues collected in excess of what the state is allowed to spend will simply be returned to income taxpayers on a proportionate basis. Money that will be spent by taxpayers, or perhaps put into our own individual "rainy day funds."

This measure requires that the state spend no more than 15% of the aggregate Personal Income of the people of this state, a statistic published by the federal Bureau of Economic Analysis. In essence, this measure limits the size of state government to the peoples' ability to foot the bills.

Measure 8 does not change income tax rates. The 15% does not refer to a tax rate, but to spending limit that is defined as that percentage of the state's personal incomes.

State legislators recognized the popularity and political appeal of a state spending limit when they referred a statutory spending limit in 1980. The only problem with the Legislature's spending limit: It hasn't limited spending because the politicians routinely exempt certain spending from the definition of "spending."

Measure 8 represents a reasonable constitutional spending limit that the legislature and the governor will have to abide by. It will finally require them to prioritize their spending, and become effective stewards of the citizens' tax dollars.

(This information furnished by Paul S. Bleeg.)

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Measure No. 8 Arguments

ARGUMENT IN FAVOR

AT LAST! A WAY OF PAYING FOR GOVERNMENT BASED ON WHAT WE CAN AFFORD INSTEAD OF HOW MUCH THE GOVERNMENT WANTS TO SPEND!

I'll bet you didn't know that Oregon already has a state spending limit. **Yep! Voters passed it in 1990, 10 to 1.** But it's never really had an effect because it's only a law, not a constitutional limit. So **legislators can ignore it, and they do.**

Measure 8 finally puts a limit in the State Constitution where **they can't ignore it any more!**

Measure 8 **only** puts a limit on **how much** the legislature and bureaucracies can spend. It still allows **complete flexibility** on how **they spend it.**

Measure 8 doesn't mandate specific budget cuts, or micro-manage any budget or agency.

It will be up to legislators to prioritize their spending. Agencies will have to be accountable for their budgets and prove their cost-effectiveness to the legislature.

Don't get me wrong. Fifteen percent of the personal income of all Oregonians for financing state government is still a big pile of money, but at least it's a limit! Up until now, with the exception of the occasional kicker, no matter how much money is collected from whatever source, the legislature spends it all, every time.

Measure 8 will tie the spending of State Government to the **affordability of those who actually pay the bills** – Oregon taxpayers!

When our collective income grows, (and it always does), so will the amount available for government to spend ... just not more than we can afford.

MAKE THE GOVERNMENT LIVE WITHIN OUR MEANS.

Vote YES on Measure 8!

(This information furnished by Steve Beal.)

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ARGUMENT IN FAVOR

**THE SKY IS NOT FALLING
(Again)!**

Remember 10 years ago when the government types said people would be dying in the streets if Measure 5 passed? Well, they're back at it, doing their Chicken Little thing on Measure 8.

Here are two of their phony attacks on Measure 8:

ATTACK #1: Measure 8 will cause unacceptable "cuts" in education, safety, and human services.

FACT: Wrong! MEASURE 8 CUTS NOTHING, IT JUST DOESN'T ALLOW STATE SPENDING TO INCREASE FASTER THAN THE GROWTH OF OUR OWN INCOME.

State spending will increase because, ever since they began keeping records, personal income in Oregon has grown every year, without fail. In the last decade, income **increased at an average rate of about 12% per biennium.** If state spending can grow at the same rate, what are they complaining about?

What they're complaining about is that they won't get to spend money faster than we make it. They call that "cuts"! No essential services will have to be touched if the Legislature works at finding efficiencies and trimming excesses.

ATTACK #2: Measure 8 will keep Oregon from receiving federal money.

FACT: Wrong! MEASURE 8 IN NO WAY PROHIBITS STATE APPROPRIATION OF FEDERAL FUNDS.

Measure 8 does not restrict any kind of appropriation. It simply says that at some point, total spending may not exceed the 15% limit.

One of the best things about Measure 8's limit is that it will force legislators to make some choices and prioritize. Perhaps they will turn down NO federal funds! Or, they may be more discerning about which federal funds they take. Remember, federal funds often require the state to spend money to qualify for federal matching funds which can come with onerous strings attached.

Or, if Uncle Sam becomes unusually generous in sending "free money" to the state, it could lead to income tax reduction or reduction of some other taxes and fees.

Vote Yes on Measure 8.

(This information furnished by Molly Hickman.)

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Measure No. 8 Arguments

ARGUMENT IN FAVOR

Make Oregon Competitive

What happens to businesses that take their customers for granted?

How about businesses that refuse to innovate, charging higher prices without ever improving?

Imagine a company committed to heavy investments that was unsure of its future earnings?

How long would such a company last if most of its customers were already dissatisfied?

No company could perform like this for long, without endless resources or an absolute monopoly.

Oregon's resources are not endless, but, the state is a monopoly. Oregonians cannot choose a different government, we live in a monopoly.

Fortunately, we do have some leverage over this monopoly. Even though the government ignores us, we have the ultimate power to change it.

Ballot Measure 8 promises just that!

Measure 8 guarantees that government spending will not grow faster than our incomes. By pegging government spending to 15% of our personal income, government will not swell out of proportion.

Legislators will work within spending limits. State agencies will compete for tax dollars, this competition will bring about efficiencies and productivity gains. When government must finally respond to market forces like the rest us, it will be on the road to accountability.

Measure 8 will not result in drastic cuts.

With every attempt to rein in government, we hear these same frantic cries:

"Schools will shut down!"

"Bridges will collapse!"

"Dogs and cats will engage in unnatural unions!"

HOGWASH!

Our government can easily provide essential services to us with 15% of our money. In fact, it can do it with much less.

It is time we asked government to compete, to innovate, to make priorities, to stop taking us for granted.

Voté YES on 8.

Furnished by the Libertarian Party of Oregon

The Libertarian Party is Oregon's third largest political party. Libertarians are fiscally conservative, socially tolerant, believing that government should be limited to protecting freedom 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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ARGUMENT IN OPPOSITION

Measure 8 is a Threat to Oregon's Public Higher Education

We teach on the campuses of the Oregon University System. We are concerned about the damage that Measure 8 would inflict on our universities, our state, and our students.

Since 1989, the cost of attending has risen beyond the reach of many. Measure 8 would make this bad situation even worse and would make Oregon's public universities less able to do the job Oregon expects of it:

- This measure would limit spending from all sources that support our institutions, including Federal dollars, tuition fees, gifts and other sources. Thus we could not use Federal funds for programs like agriculture to replace state funds.
- Because higher education funds are in the same pool as other state agencies, any increase in spending on higher education, even from private or Federal funds, would force cuts in other agencies. Yet the Oregon University System should be expanding for the growing number of graduates from Oregon's high schools.
- If applied in the 1999-2001 biennium, Measure 8 would require a 20.4% cut that would have to come out of space for students, new faculty, outreach services such as extension and community education, and scientific research supporting Oregon's economy.

Because we care about our students, our schools, and our state, we strongly urge that you vote No on Measure 8.

Mark Clark, Associate Professor, Humanities and Social Sciences, Oregon Institute of Technology*

John R. Cooper, Professor of English, Portland State University*

Arlene B. Courtney, Professor of Chemistry, Western Oregon University*

Jeffrey L. Johnson, Professor of Philosophy, Eastern Oregon University*

Gordon Matzke, Professor of Geosciences and Faculty Senate President, Oregon State University*

Jeffrey A. Myers, Professor of Geology, Western Oregon University*

Adele Schepige, Assistant Professor of Elementary Education, Western Oregon University*

Paul E. Simonds, Professor of Anthropology, the University of Oregon*

*Institutions are named for identification purposes only and do not represent positions on this measure by the institutions.

(This information furnished by John R. Cooper, Jeffery L. Johnson, Mark Clark, Gordon E. Matzke, Adele C. Schepige, Jeffrey A. Myers, Arlene R. Courtney, Paul E. Simonds; Professors United to Save Higher Education (PUSHE).)

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Measure No. 8 Arguments

ARGUMENT IN OPPOSITION

**Organizations In Every Part of Oregon,
From Every Walk of Life,
Have Joined Together to Say:**

VOTE NO ON MEASURE 8

**This is a small sample of those who have joined in
opposition to Measure 8:**

- League of Women Voters of Oregon
- Human Services Coalition of Oregon
- Alzheimers Association, Oregon Trail Chapter
- Oregon State Council of Senior Citizens
- Children First for Oregon
- Oregon State Fire Fighters Council
- Oregon Health Care Association
- Eugene Police Employees' Association
- Christian Church (Disciples of Christ)
- Roseburg Police Employees' Association
- Bend Chamber of Commerce
- Reverend William R. Ellis, Jr.
- Oregonians for Public Safety
- American Jewish Committee, Oregon Chapter
- Congressman Earl Blumenauer
- Oregon Education Association
- Oregon State Police Officers' Association
- Portland Gray Panthers
- Oregon Consumer League
- Tigard United Methodist Church
- Oregon AFL-CIO
- Oregon AFSCME, Council 75
- Confederation of Oregon School Administrators
- OPEU, SEIU Local 503
- Oregon Catholic Conference
- Jewish Federation of Portland Community Relations Committee
- Oregon Council, American Electronics Association
- Oregon Council of Police Associations
- Crown Pacific
- Oregon School Boards Association
- Oregon Building Officials Association
- Oregon Advocacy Coalition of Seniors and People with Disabilities
- Rabbi Daniel Isaak

**Too Little Benefit. Too Great a Cost.
Vote NO on Measure 8**

www.ouroregon.org

(This information furnished by Shannon Floyd, The Committee for Our Oregon.)

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ARGUMENT IN OPPOSITION

LEAGUE OF WOMEN VOTERS - NO ON 8

**The League of Women Voters of Oregon Urges a
No Vote on Measure 8**

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.

A Massive Cut With Minimal Tax Reductions

Measure 8 says it will be a "limit" on state spending. However, it probably will be nearly a \$5 billion cut from the current level of services all Oregonians count on. Yet Measure 8 does not guarantee tax reductions. And if there are tax reductions, the bulk could go to higher income taxpayers, which is unfair to the majority of Oregonians.

Impacting a Wide Range of Important Services

Because it affects all state spending (not just that funded by Oregon state taxes), Measure 8's probable \$5 billion cut would seriously impact adequate funding for:

- schools and higher education
- health care (including the Oregon Health Plan and Medicaid)
- repair and maintenance of our roads and bridges
- services to seniors and the disabled
- public safety
- protection of our natural resources

Losing our Fair Share of Federal Funding

Measure 8 could force Oregon to turn away hundreds of million of dollars in federal funding – dollars that Oregonians pay in federal taxes. This will not lower Oregonians federal tax bills, but will in effect force us to send our federal tax dollars to other states.

**Please Join the Oregon League of Women Voters in
Voting NO on 8**

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

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Measure No. 8 Arguments

ARGUMENT IN OPPOSITION

**The businesses that keep Oregonians working and
The people who make Oregon work
Say Measure 8 Doesn't Work for Oregon!**

The Oregon Business Council is an association of chief executives from many of Oregon's largest businesses. Its member companies employ 88,000 Oregonians and contribute billions of dollars into Oregon's economy.

The American Federation of State, County and Municipal Employees Council 75 represents 20,500 of the working families that provide our communities with services such as health care, state corrections, and other public safety services.

We are very different organizations. But we thought that by joining together we could make a point:

Whoever you are, whatever you do, Measure 8 is a bad idea for Oregon.

Together, we share a vision of a great Oregon future:

- Diverse businesses providing quality jobs and a talented workforce able to perform these jobs well.
- Communities that are safe, caring and engaging places to live.
- Quality public infrastructure and services.

The public sector needs a healthy economy. The private sector needs high quality public services because they are essential for business to be successful. Both are threatened by Measure 8.

Measure 8 claims to be a limit on government. In fact, the practical effect of this measure would be to arbitrarily cut public services – even those that are largely supported by federal funds and dedicated fees. It is probable that the state would have to return hundreds of millions of federal dollars to Washington.

That would become, in effect, a contribution by Oregonians to the public services of other states.

Whether you are running a company, or a working family, voting for Measure 8 would be a bad business decision.

**Join the Oregon Business Council
Oregon AFSCME Council 75
And all those who care about Oregon
VOTE NO ON 8**

(This information furnished by Duncan Wyse, President, Oregon Business Council; Ken Allen, Oregon AFSCME Council 75.)

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ARGUMENT IN OPPOSITION

A Message from Oregon's Leading School Advocates

Like Measure 91, Measure 8 offers Oregon taxpayers little or no benefit, at a terrible cost to our schools.

Like Measure 91, Measure 8 will force a nearly 20% cut in state funding. When those cuts get to the local school level, there is no way to avoid significant impacts, including:

- Increased class sizes
- Old and outdated books and materials
- Lost programs like music and art
- Teacher layoffs

But in some important ways, Measure 8 is even worse.

Oregon's school funding system mandates that the vast majority of funds come from the state. And the way Measure 8 works would not only make it against the law to replace that state funding, **it would make it unconstitutional!**

At the same time, Measure 8 doesn't offer any particular benefits to Oregon taxpayers.

**Little benefit. Great cost.
VOTE NO ON 8**

Oregon School Boards Association

Oregon Education Association

Oregon School Employees Association

Confederation of Oregon Schools Administrators

American Federation of Teachers

(This information furnished by Ozzie Rose, Confederation of Oregon School Administrators; James Sager, Oregon Education Association; John Marshall, Oregon School Boards Association; Debbi Covert, President, American Federation of Teachers--Oregon; Ed Edwards, Oregon School Employees Association.)

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Measure No. 8 Arguments

ARGUMENT IN OPPOSITION

A Message from Governor John Kitzhaber, M.D.

Measure 8 is one of those measures that sound simple. Just a "limit" on government spending, that's all.

But what Measure 8 really does isn't simple. If you look just a little closer, you can see that it makes absolutely no sense at all.

Measure 8 isn't a limit, it is actually a nearly \$5 billion cut in the next state budget. This magnitude of cut is far too great to avoid significant impacts.

And your state income taxes are only about one-third of the money Measure 8 applies to. **It also puts a cap on the billions of dollars we get in federal funds and from non-tax revenues.** Instead of using those dollars for Oregon's critical needs, we will have to turn them away.

That won't lower your tax bill. It just means that more of your federal tax dollars will stay in Washington DC or go to other states.

And where will the state cuts come from? From all state budgets – K-12 schools, our universities and community colleges, health care, repairing and maintaining roads and bridges, state police and prisons and more.

Will it mean the end of the world? No, it won't. But it will change Oregon from the state we know today. And it will certainly put a halt to efforts to build a stronger, fairer, more prosperous future for all Oregonians.

There is plenty of room for Oregonians to disagree about the extent and role of government. There is plenty of room for Oregonians to disagree about taxes. But one thing we should all be able to agree on is that Measure 8 makes no sense for taxpayers, and it makes no sense for Oregon.

Please join me in voting no on Measure 8

John Kitzhaber, M.D.

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

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ARGUMENT IN OPPOSITION

OREGON'S NURSES SAY:

Measure 8 is Hazardous to Oregon's Health!

No one has a better view of Oregon's health than Oregon's nurses. We work in every area of the health care system, in every part of the state. We know first hand the importance of access to quality affordable health care, and what happens when that access disappears.

That is why Oregon's nurses so strongly oppose Measure 8.

Measure 8 will cause a nearly \$5 billion cut in resources for critical services in Oregon. And nowhere will those cuts be felt more than in health care. **It will in all likelihood force the discontinuation of the Oregon Health Plan**, ending coverage for thousands of Oregon's most vulnerable families. But this is not just a problem for them: the resulting increase of uninsured visits to emergency rooms and hospitals by the uninsured will raise all of our insurance premiums.

In other words, Measure 8 would be costly to just about all of us.

And much of the cut in health care will not save us a dime in taxes! Measure 8 will force us to turn back hundreds of millions of dollars in federal funds that pay for things like the Health Plan, Medicaid and even some Medicare programs.

Why would we take away our neighbors health insurance and raise our own rates - all for a measure that doesn't even guarantee real tax savings to most Oregonians?

Please Join the Oregon Nurses Association and Vote NO on Measure 8

(This information furnished by Martin Taylor, Nurses United: affiliated with the Oregon Nurses Association.)

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Measure No. 8 Arguments

ARGUMENT IN OPPOSITION

Seniors Throughout Oregon Say Measure 8 Make No Sense for Oregonians!

As some of Oregon's most active seniors organizations, we urge seniors, and all Oregon voters, to VOTE NO ON MEASURE 8.

Even for those who believe in limited government, Measure 8 makes no sense:

- It offers no guarantee of tax cuts. And if there are tax cuts, very little will go to seniors or the middle class.
- It will force Oregon to turn back hundreds of millions, even billions of dollars in federal funding. This will not lower our federal taxes, but will give back money that is ours!
- The federal money that we will turn back largely goes for things seniors count on, such as health care, the Oregon Health Plan and even some Medicare funding.
- And Measure 8 will force a nearly \$5 billion cut in the state's budget. That is just too big to avoid serious impacts on other things that all Oregonians count on, including schools, roads and public safety.

It's Unfair to Seniors, and Makes No Sense for Oregon

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 8!

(This information furnished by Jim Davis, Oregon State Council of Senior Citizens, United Seniors of Oregon, Portland Gray Panthers, Oregon Advocacy Coalition of Seniors and People with Disabilities, Alzheimer Assoc., Oregon Trail Chapter.)

ARGUMENT IN OPPOSITION

Oregon Educators Ask You To Vote No on 8

It Cuts Deeply Into Education Funding

• Measure 8 Makes Deep Cuts in School Funding

The reality is that Measure 8 cuts approximately \$5 billion in the next biennium. It's no secret that Oregon's schools are in desperate need of adequate and stable funding. Measure 8 will mean drastic cuts in critical education programs.

• Measure 8 Hurts Students.

Oregon's schools are already facing a funding crisis. In many school districts programs have been cut, textbooks are outdated and class sizes are growing. There is nowhere else left to cut in our public schools except deeply into our classrooms. The ones who pay the price are Oregon's students.

• Measure 8 Is Flawed.

It says one thing but does another. It forces Oregon to return hundreds of millions of dollars in federal funds. The net effect: Measure 8 takes our federal tax dollars and sends them to other states. That's not fair to Oregonians or our public schools.

• Measure 8 does not belong in Oregon's Constitution.

Oregon's students deserve more than a measure that continues to slash school funding year after year. It has no place in Oregon's Constitution.

Please Join Us and Vote No on Measure 8

Martin Bronstein, elementary teacher
Corvallis

Carolyn Clontz, elementary teacher
Bend/LaPine

(This information furnished by Martin A. Bronstein, Carolyn Clontz.)

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Measure No. 8 Arguments

ARGUMENT IN OPPOSITION

MEASURE 8 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.)

ARGUMENT IN OPPOSITION

A MESSAGE FROM THE OREGON PTA

Oregon's Children Cannot Afford Measure 8!

Oregon's constitution is supposed to protect the citizens of Oregon. But Measure 8 would change our Constitution to do just the opposite.

Measure 8 says that it limits state spending. What it doesn't tell you is that it limits far more than what your state tax dollars pay for. In fact, it offers no guarantees of tax relief. What it doesn't tell you is that it will force Oregon to give back to the federal government hundreds of millions -- even billions -- of federal funding that is rightfully ours.

And what Measure 8 doesn't tell you is the impact it will have on schools and our children.

If this measure passes it would force the state to cut nearly \$5 billion from the 2001-2003 budget. That is far more than we can cut without seriously impacting things we all count on.

If this measure passed, our state school budget would have to be cut by up to 20%. That would mean cuts to teachers, to textbooks, to computers, to school libraries to school counselors.

It would mean an increase in children per classroom. An increase in crumbling school facilities. An increase in problems with troubled children. An increase in illiteracy and learning difficulties.

And it would mean cuts to other things important to children: health care, services for at risk and abused children and more.

When we invest in our schools and our children, we are investing in our own future. Measure 8 will damage that investment -- and all for little or no real benefit for taxpayers.

What sense would that make?

**Say Yes To Oregon's Children.
Vote NO on Measure 8.**

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. 8 Arguments

ARGUMENT IN OPPOSITION

**The Oregon Consumer League Says:
Measure 8 Is A Bad Product in A Deceptive Package**

The Oregon Consumer League works to make sure that Oregon consumers receive fair and legal treatment in the marketplace. Products should be safe, and honestly presented.

If Measure 8 was a product being sold in a store, we would demand it was pulled from the shelves.

Limiting government may sound like a good idea in the abstract. But on closer look, Measure 8 really limits Oregon's future. **And from a consumer's perspective, it is a terrible deal.**

First we would be giving up millions, even billions in Federal funds—for universities, highway construction, health care and other valued programs. That's a product you won't receive, even though you have already paid for through your federal taxes. And you won't be getting that money back.

Next, we would be slashing our public services with a broadax—instead of a scalpel. If that still doesn't bother you, ask yourself what would happen if you had to slash your household budget more than twenty percent?

Then think of what public services you would cut—schools? Police? Fire? Highways? Higher education? Parks and recreation? Public safety? Air and water quality? Job safety? Food safety?

Oregon has the highest percentage of hungry children in the nation. Shall we offer them less help?

Do we cut the Oregon Health Plan? Taking away the health insurance coverage of thousands of Oregonians will end up raising insurance rates for the rest of us.

And to top it all off, we wouldn't just be putting this faulty, misleadingly advertised product in our cupboard: we would be putting it in our constitution.

**Be a smart consumer:
Vote No on Measure 8!**

Jason Reynolds
Oregon Consumer League

(This information furnished by Jason Reynolds, Oregon Consumer League.)

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

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ARGUMENT IN OPPOSITION

Measure 8 Puts SENIORS at Risk!

Seniors in Oregon would see a dramatic cut in services and funding if Measure 8 passes. Not only will Measure 8 create a huge hole in Oregon's budget, it would force Oregon to return HUNDREDS OF MILLIONS of dollars in federal funds each year. Thousands of frail elderly and disabled Oregonians require state and federal assistance to pay for the nursing home and assisted living care they so desperately need. Protect Oregon's most vulnerable population: seniors, by voting No on Measure 8.

**Cutting nearly \$5 billion is not only IRRESPONSIBLE
it is DANGEROUS**

Measure 8 seriously threatens many services our government provides including funding for health care, police, roads, and education. In a time where these services are already under stress, Measure 8 would cut essential community programs and drive funding away from our kids and seniors.

Losing Federal Tax Dollars That Rightly Belong To Us

Measure 8 would turn back federal taxpayer dollars that rightfully belong to us. Because Oregon receives federal matching funds for many programs, with this spending Oregon would not only see an unnecessary cut in state funding: Oregonians would take a DOUBLE hit by losing needed federal funding.

**Too little benefit. Too great a cost.
Oregon Health Care Association Urges You to
VOTE NO ON MEASURE 8**

(This information furnished by James Carlson, Oregon Health Care Association.)

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

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Measure No. 8 Arguments

ARGUMENT IN OPPOSITION

MEASURE 93 WILL CREATE A TREMENDOUS PROBLEM FOR RURAL OREGON

Measure 93 will force a vast number of individual fees on the statewide ballot. Many of those fees are willingly paid by industries, communities and individuals that rely on the services they pay for.

Without those fees, it could be impossible to sustain business, agricultural or professional activity that thousands of Oregonians count on for their livelihood.

Nowhere is that more of an issue than in rural Oregon. It doesn't make sense for city dwellers to vote on things such as: grazing fees, or fees that support vital agricultural research, or help support developing markets for Oregon products.

But that is just what Measure 93 will do: force people to vote on hundreds of specialized fees that they don't pay for, don't know anything about, and the loss of which will cause others to suffer.

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.)

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

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ARGUMENT IN OPPOSITION

FORMER JUDGES OPPOSE PLACING MEASURE 8 IN THE CONSTITUTION

It's Unclear, Has Unintended Consequences And Is Bad Public Policy

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 8.

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.

That is especially true about Measure 8. Whatever one's opinion of limiting government spending, Measure 8 is broad, vague and filled with unintended consequences. Even the proponents seem unsure of its ultimate effects. With a high likelihood of the meaning of the measure having to be settled in court, voters cannot even be sure what they will be voting for. Locking such a measure in our Constitution makes no sense.

We happen to disagree with Measure 8 as a matter of policy. It will force Oregon to turn back federal funding, while not lowering our federal taxes. It will force cuts that will undermine services such as schools, health care, social services and public safety.

But even if we agreed with Measure 8 as a matter of policy, we would believe placing it in the Constitution is wrong.

We hope you will join us in voting "No."

(This information furnished by The Honorable Jacob Tanzer, The Honorable Betty Roberts.)

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Measure No. 8 Arguments

ARGUMENT IN OPPOSITION

Measure 8 Puts Oregon's Children Last

Children First for Oregon is the statewide voice on behalf of Oregon's over 800,000 children. We believe that who we are as a people, now and in the future, depends upon our commitment to the well being of children.

That is why Children First for Oregon asks all Oregon voters to vote No on Measure 8.

Measure 8 will require a nearly \$5 billion cut in the entire state budget. While this will seriously impact almost every area of our state's life from transportation to state parks, no group will feel that impact more than Oregon's kids.

- Measure 8 will hurt Oregon's K-12 schools, with impacts including increased class sizes, loss of programs and other classroom cuts.
- Measure 8 will cancel the health insurance of thousands of children and families.
- Measure 8 will slash investment in our universities and community colleges – so important for preparing young people for successful careers.

And the truly senseless thing about these cuts is that many of the services critical to making sure that all Oregon's children have the future they deserve are paid for with federal funding. Measure 8 will force us to turn back much of the matching federal dollars Oregon receives for programs like Head Start and Children's Health Insurance, but won't lower our federal taxes.

Measure 8 hurts some of our most vulnerable kids. When we invest in children, we invest in ourselves – our neighborhoods, our economic well being and our future. Don't throw away that future.

Remember to Protect Oregon's children this November!

(This information furnished by Marie A. Hoeven, Children first of Oregon.)

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ARGUMENT IN OPPOSITION

PROTECT OREGON'S FUTURE

VOTE "NO" ON MEASURE 8

Measure 8 would strangle Oregon's public universities. Measure 8 puts a cap on all state spending, regardless of the source of the funds. For our universities, this includes tuition, dorm and food service income, research grants and contracts, and gifts from alumni. How could we operate if these non-state tax sources were cut severely, in order to get total state spending under the cap?

Measure 8 doesn't work for Oregon. Oregon's public universities receive more than \$175 million each year to conduct research vital to Oregon and the nation. Our researchers are studying wheat, metals and advanced materials, tree diseases, software engineering, salmon habitat, and hundreds of other areas of scientific inquiry important to Oregon and our quality of life. They are supported by federal, foundation, or other funds. If all of these research funds don't fit under the state spending cap, what don't we study, and what Oregon industry gets hurt?

Measure 8 hurts Oregonians. Oregon public universities award more than 13,000 degrees each year, in teaching, engineering, agriculture, social work, criminal justice, forestry, and many other subjects. How can we continue preparing Oregon's educated workforce, if tuition, room and board, and all the other non-tax revenues in our budgets are restricted because of the cap on all state spending?

VOTE FOR OREGON----VOTE "NO" ON MEASURE 8

David Frohmayer
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. 8 Arguments

ARGUMENT IN OPPOSITION

A MESSAGE FROM OREGON'S HUMAN SERVICES COALITION

If you've read the fine print of Measure 8, you have probably figured out that there is a lot more to it than meets the eye.

Or maybe, it's a lot less.

Measure 8 talks about "limits," "appropriations" and "percentages." But what it doesn't have is any guarantee that you will get anything out of it in tax reductions.

And because it will cut nearly \$5 billion out of things we all count on and care about, all Oregonians will pay a price for that, in our economy, in our quality of life and our ability to keep Oregon a great place to live, work and grow.

But as a coalition that works for some of Oregon's most vulnerable citizens, we thought it was important to point out a few of the people who will feel a particular impact.

You see the authors of Measure 8 did not include in the text of the measure anything about taking health insurance away from thousands of children, pregnant women, seniors and working poor families.

Or cutting in-home living assistance for seniors.

Or cutting back on reimbursements to the foster parents of abused children.

But that's a pretty good description of what Measure 8 does.

And the irony is that the federal government pays for much of those services. **But while it won't cut a dime of Oregonians' federal tax bill, Measure 8 will force us to give that money back.**

It doesn't make much sense.

But that's what it means.

**Little Benefit. Tremendous Cost.
Please, Vote NO on Measure 8**

(This information furnished by Gina Mattioda, Co-Chair of HSCO.)

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ARGUMENT IN OPPOSITION

Measure 8 does not belong in the Oregon Constitution and it isn't good policy for Oregon. Sure, it sounds good to limit state expenditures, but as Portland State University graduates, we're concerned about what it will really mean to Oregon's higher education system.

Let's consider the facts. This measure would limit all state expenditures, even those that are paid for by the Federal Government, such as financial aid for college tuition. It would also include faculty research funding paid for by industry, and donations given by Oregonians to support scholarships and college athletic programs. No matter how hard colleges and universities work to seek private support for programs, they would be forced under an arbitrary and capricious cap of 15% for all state government expenditures.

That is a ridiculous policy and it will hurt Oregon's economy.

Measure 8 could mean that Oregon would turn back Federal funds for important programs like higher education. That won't save you or us a dime, but could send Oregon tax dollars to other states.

We urge a no vote on Measure 8. It just doesn't make any sense.

(This information furnished by Gary D. Salyers, Chris Groener, Marjorie Terdal, Roger Capps, Joan C. Johnson, Denise Duncan; alumni of Portland State University.)

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Measure No. 8 Arguments

ARGUMENT IN OPPOSITION

**OREGON RECREATION & PARK ASSOCIATION
OREGON PARKS ASSOCIATION
OPPOSES MEASURE 8**

**The damaging cuts to parks will save taxpayers
little or nothing!**

The Oregon Recreation & Park Association and the Oregon Parks Association, organizations representing over 500 professional members that provide park and recreation services throughout the state, strongly urge our fellow Oregonians to VOTE "NO" on Measure 2.

Supporters of Measure 8 say it is a limit on spending. But what they don't tell you is that it will limit far more than just tax dollars. **The limits will extend to federal funds, lottery funds, fees paid by out-of-state tourists and other non-tax revenues – that's unfair to Oregon taxpayers and it is a serious threat to our parks.**

Oregonians are rightly proud of our nationally renowned system of state parks. Our parks are an important part of our quality of life, and a tourism industry that is vital to the economic well being of thousands of Oregon families.

For years, however, Oregon has deferred reinvesting in the infrastructure of our State Park System. For the first time in a long time there is the hope of reversing that trend, largely because of lottery funding, fees paid by park users, gifts and federal grants. Measure 8 will limit our ability to utilize those funding sources and it may prohibit us from pursuing the acquisition of new parks and the refurbishment of older ones.

**The result? Our parks will be seriously damaged
And it will save little or no Oregon tax dollars!**

Measure 8 is not what it seems. Even if you believe in limited government, or want to see tax reductions, Measure 8 doesn't deliver what it promises. And all Oregonians will pay the price.

**Don't be fooled! Save our parks!
Vote "No" on Measure 8.**

(This information furnished by Stephen A. Bosak, Oregon Recreation & Park Association, Oregon Parks Association.)

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

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ARGUMENT IN OPPOSITION

OREGON BUSINESS ASSOCIATION OPPOSES MEASURE 8

The Oregon Business Association joins with Oregonians from all over the state who have united in opposition to Measure 8. Urban and rural Oregon, business and labor, Republicans, Democrats, Independents, seniors and young families with kids in school – folks from all walks of life are saying "Measure 8 is wrong for Oregon!"

MEASURE 8 IS ANTI-OREGON

Measure 8 will force billions of dollars in cuts to Oregon's quality of life, hurting health care, hospitals, K-12 and higher education, public safety, senior and disabled services, transportation, natural resources, and nearly all human services now available to the people of Oregon.

MEASURE 8 IS DISHONEST

Measure 8 is a poorly crafted, shortsighted, shot-in-the-dark initiative that dramatically distorts the truth. *The Oregonian* called it "lying with statistics." (*The Oregonian*, Editorial, 8/27/00)

MEASURE 8 WILL FORCE OREGON TO LOSE FEDERAL FUNDS

Measure 8 will force Oregon to send back billions of dollars in federal funds Oregon is entitled to receive or make even deeper cuts to health care and hospitals, schools, public safety, and other services.

THE OREGON BUSINESS ASSOCIATION is a non-partisan, statewide business leadership organization working to achieve creative and cooperative solutions to Oregon's public policy issues. Without qualification, we oppose Measure 8.

FOR OREGON – VOTE NO ON MEASURE 8!

Tom Kelly
Chair, Oregon Business Association

Lynn Lundquist, Former Oregon Speaker of the House
President, Oregon Business Association

(This information furnished by Tom Kelly, Chairman, Lynn Lundquist, President; Oregon Business Association.)

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Measure No. 8 Arguments

ARGUMENT IN OPPOSITION

**Oregon State Treasurer Jim Hill
Urges you to vote NO on Ballot Measure 8**

Please join me in voting NO on Ballot Measure 8. Measure 8 is not tax relief and it is not tax reform. It is a poorly drafted measure that will cripple the state's ability to provide vital services. Measure 8 will cut more than \$5 billion from the state budget, money that Oregon needs to fund basic services like education, public safety and healthcare.

Measure 8 would not only force devastating cuts in the state's budget, it would also force the state to return hundreds of millions, perhaps even billions of dollars to the federal government. This is money that rightfully belongs to Oregonians, money that we pay in federal taxes that would not be returned to us and instead go to other states.

Measure 8 would devastate our public schools. At a time when Oregon's dropout rate is one of the highest in the nation and our schools are overcrowded and in disrepair, we don't need another constitutional measure that would further harm our children and deny them the quality education that they deserve. Measure 8 will cause massive teacher layoffs, increased class size and a reduction in Oregon's standard of education.

Aside from the devastation to education, Measure 8 would damage the state's credit rating. **Estimates show that a single drop in the state's credit rating would cost Oregonians more than \$400 million in increased interest costs.** That is money that we could be spending on education or healthcare.

This irresponsible measure endangers the financial stability of our state, threatens our healthy economy and restricts our ability to fund education and other essential state services.

Measure 8 is another example of special interests groups trying to impose their dangerous, narrow-minded views on the rest of Oregon. Please keep this measure out of our constitution and join me in voting NO on Measure 8.

**Jim Hill
Oregon State Treasurer**

(This information furnished by Jim Hill, Oregon State Treasurer.)

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ARGUMENT IN OPPOSITION

**OREGON ASSOCIATION OF HOSPITALS AND
HEALTH SYSTEMS URGES YOUR "NO" VOTE
ON MEASURE 8**

Measure 8 is a bad idea, because its passage would hurt Oregon's most vulnerable citizens: Measure 8 will cut **billions** of dollars in essential financial support for programs like the Oregon Health Plan, which provides health coverage to Oregon's children and neediest citizens. Other important health-related programs will be severely harmed as well: health care services to seniors, the disabled, and programs for the blind will all be hurt if Measure 8 passes. These are the programs that are most important to all Oregonians, because they provide care for those who are unable to care for themselves.

Measure 8 is a bad idea, because it goes too far: If adopted, Measure 8 would cut \$5.7 Billion dollars the next state budget. In addition to health care cuts, large cuts to Oregon's education system will be likely, and public safety programs like police, fire and prison would face potential cuts. In fact, it's likely that if Measure 8 passes, nearly every state program will be subject to deep cuts in funding.

Measure 8 is a bad idea, because it changes the Oregon Constitution: Measure 8 proposes a drastic and arbitrary cut to Oregon's essential programs. Worse, it changes our Constitution, leaving our elected officials powerless to fix the problems it will create.

MEASURE 8 IS A BAD IDEA FOR OREGON!

**The Oregon Association of Hospitals and Health Systems
Urges you to Vote NO! on Measure 8**

(This information furnished by Ken Rutledge, Oregon Association of Hospitals and Health Systems.)

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

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Measure No. 9

Proposed by initiative petition to be voted on at the General Election, November 7, 2000.

BALLOT TITLE

9 PROHIBITS PUBLIC SCHOOL INSTRUCTION ENCOURAGING, PROMOTING, SANCTIONING HOMOSEXUAL, BISEXUAL BEHAVIORS

RESULT OF "YES" VOTE: "Yes" vote prohibits public school instruction encouraging, promoting, or sanctioning homosexual/bisexual behaviors; provides penalties.

RESULT OF "NO" VOTE: "No" vote rejects proposal to prohibit public school instruction encouraging, promoting, sanctioning homosexual/bisexual behaviors.

SUMMARY: Amends statutes. Prohibits public schools from instructing on behaviors relating to homosexuality and bisexuality in a manner that encourages, promotes or sanctions such behaviors. Provides sanctions for noncompliance by any public elementary or secondary school or by any community college, including loss of all or part of state funding.

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:

Section 1. ORS 336.067 is amended to read (new section):

(e) Sexual Orientation as it relates to homosexuality and bisexuality, is a divisive subject matter not necessary to the instruction of students in public schools. Notwithstanding any other law or rule, the instruction of behaviors relating to homosexuality and bisexuality shall not be presented in a public school in a manner which encourages, promotes or sanctions such behaviors.

Section 2. ORS 659.155 is amended to read (new section):

(1) Any public elementary or secondary school determined by the Superintendent of Public Instruction or any community college determined by the Commissioner for Community College Services to be in noncompliance with provisions of ORS 336.067 (e) or ORS 659.150 and this section shall be subject to appropriate sanctions, which may include withholding of all or part of state funding, as established by rule of the State Board of Education.

EXPLANATORY STATEMENT

Ballot Measure 9 amends state statutes relating to public school instruction regarding homosexuality and bisexuality.

The measure prohibits public schools from providing instruction on behaviors relating to homosexuality and bisexuality in a manner that encourages, promotes or sanctions such behaviors. For 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 also provides sanctions for noncompliance by any public elementary school, public secondary school or community college. For public elementary and secondary schools, noncompliance, including guidelines for determining noncompliance, will be determined by the Superintendent of Public Instruction. For community colleges, noncompliance, including guidelines for determining noncompliance, will be determined by the Commissioner of Community College Services. Sanctions may include the withholding of all or part of state funding. The sanctions are based on rules to be adopted by the State Board of Education.

Committee Members:

Phillip Z. Ramsdell
 Barry Williams
 Roger Gray
 Maura Roche
 Jack Roberts

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. 9 Arguments

ARGUMENT IN FAVOR

AN EXPLANATION: BALLOT MEASURE 9

- Amends state statutes to make Lon Mabon's **personal moral beliefs** into **public policy**.
- Prohibits public schools from providing any instruction **contrary to Lon's opinions** about homosexuality.
- Establishes precedent for **anyone else** to make the schools teach **their beliefs to your children**.
- Establishes that morality is determined by popular vote.
- **Establishes precedent** for additional censorship amendments attacking freedom of speech, censoring library books, and polarizing the public schools as a divisive electoral battleground over conflicting theologies.
- Dresses in a **new disguise** the OCA's **same old attempt** to legislate Lon's personal moral opinion that's been twice defeated by Oregon voters.
- Increases the **teenage suicide** rate by instilling children with guilt and self-loathing.
- Increases teenage AIDS infections by prohibiting accurate information on prevention.
- Facilitates hatred and violence against your children if they are gay or lesbian or merely **perceived** as such, increasing assaults and killings.
- Allows good teachers to be fired for expressing disagreement with Lon Mabon or if a **paranoid person** imagines them to be gay.
- Forces teachers to lie if students ask about scientific studies that document homosexuality in more than **450 species** of animals (Bruce Bagemihl, *Biological Exuberance*).
- May prohibit schools from teaching about **Michelangelo, Leonardo da Vinci, Tchaikovsky, Leonard Bernstein, Gertrude Stein, Hans Christian Andersen, and numerous other "dangerous and destructive"** gay artists.
- Perpetrates the lie that gays are a "threat," when actually children are over 100 times more likely to be abused by **heterosexual relatives** than by homosexuals (*Pediatrics*, July 1994).
- Scapegoats homosexuals to avoid discussing the **real threat** to children: inadequate and dysfunctional parenting.
- Does **absolutely nothing** to prevent physical, sexual, and psychological abuse of children.
- Plants the seeds of intolerance for other minorities.
- Builds political power for **Lon Mabon**, who's declared himself to be **GOD'S ONLY MESSENGER** (*Sunday Oregonian*, March 10, 1996)!

(This information furnished by M. Dennis Moore, Special Righteousness Committee.)

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

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ARGUMENT IN FAVOR

MEASURE 9 ALSO

- Tells anti-gay **lies** to teach "morality."
- Misrepresents the Christian values of nonjudgment, tolerance, and understanding as the "**promotion**" of homosexuality.
- Violates the Ninth Commandment; insists that relentlessly **bearing false witness** against gays "isn't hatred."
- **Sets a standard** of hypocrisy and self-righteous intolerance.
- Dishonestly pretends to speak for all Christians, when **actually** the largest coalition of churches in the state has consistently opposed OCA hate initiatives.
- **Slanders Jesus** by misleading people into thinking that all Christians are as **obnoxious** as the OCA.
- Violates religious freedom by legislating Lon's moral beliefs as the **only true beliefs**.
- Abuses the Bible as an excuse for **common nonsense** and "**time-tested**" **bigotry** by teaching only 0.2 percent of Leviticus, ignoring the cultural context of the other 99.8 percent of Leviticus, which says that eating oysters and shaving are **just as wrong as homosexuality!** (Coming soon: **The Student Facial Hair Protection Act!**)
- Sets the stage for reintroduction of OCA "No Special Rights" Committee initiatives to limit the freedom of religion. Religious freedom has meant the right to practice your personal beliefs and be protected from discrimination, but Lon Mabon wants to redefine religious freedom and create a **new special "Right of Conscience"** for persons who disagree with your moral beliefs to oppose your "immoral" behavior.
- Lon's other initiatives would (1) **change the freedom of religion clause in the state Constitution for the first time since Oregon statehood in 1859**, (2) declare that **straight single parents** and their children are not "family," (3) **legalize discrimination** against homosexuals and straight single parents, (4) **establish a precedent** for anyone to **fire you and evict you if they don't like your moral beliefs**, and (5) provide a campaign income for **Lon--GOD'S ONLY MESSENGER--Mabon** so he doesn't have to get a real job.

For more information, visit us at www.specialrighteousness.org on the Web.

(This information furnished by M. Dennis Moore, Special Righteousness Committee.)

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Measure No. 9 Arguments

ARGUMENT IN FAVOR

What does the **Bible** say about homosexuality? Biblical scholars note that the Scriptures, taken in historical and cultural context, simply do not address homosexuality as we understand it today.

The **sin of Sodom** is mentioned numerous times in the Bible, and nowhere is it specified as homosexuality, nor did the early Jewish rabbinical commentaries on this text so interpret it; rather, the sins of Sodom included pride and inhospitality to strangers (Ezekiel 16:49). Ironically, **the OCA commits the sin of Sodom** by refusing to welcome the homosexual strangers in their midst.

To "lie with mankind" is "**abomination**"--but so is eating oysters and sixty-some other impure acts. "Abomination" means "ritually unclean." **These laws were concerned with Jewish ritual purity, not morality.** The ancient Jews associated homosexuality with prostitution in the pagan temples, and there just aren't many **idol-worshipping Canaanite temple prostitutes** in Oregon schools today. Furthermore, both Jesus and Saint Paul rejected the purity laws.

Scholars recognize that Paul's comments in Corinthians were mistranslated. Likewise, in Romans 1:67, "against nature" is a mistranslation of "para physin," for in 11:24, Paul applies these same words to God, and God's work is not "against nature." Paul is actually condemning **idolatry and pagan prostitution**, not gay love, as 1:23 makes clear. In 1:28, Paul changes subjects and gives us the laundry list of human failings, including the OCA's "debate, deceit" and "without understanding" before totally exposing their hypocrisy in 2:1: "Therefore thou art inexcusable, O man, whosoever thou art that judgest: for wherein thou judgest another, thou condemnest thyself; for thou that judgest doest the same things."

Visit www.specialrighteousness.org, and also see Victor Paul Furnish, *The Moral Teachings of Paul*; Robin Scroggs, *The New Testament and Homosexuality*; and Father Daniel Helminiak, *What the Bible Really Says About Homosexuality*.

And what did **Jesus** say about homosexuality? See the next argument!

(This information furnished by M. Dennis Moore, Save the Bible from Bigots Committee.)

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

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ARGUMENT IN FAVOR

If we're going to teach personal religious beliefs in the public schools, **let's tell students what Jesus had to say against homosexuality:**

(That's right: **Absolutely nothing!** Jesus never condemned gays and lesbians in Scripture. But what does **Lon--GOD'S ONLY MESSENGER--Mabon** have to say about homosexuality? Well, the next argument is full of it.)

(This information furnished by M. Dennis Moore, Save the Bible from Bigots Committee.)

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Measure No. 9 Arguments

ARGUMENT IN FAVOR

CALIFORNIA LEGISLATORS ASK HELP FROM OREGON VOTERS

We, the following California legislators, are pleading with the voters of Oregon to please protect the children of Oregon. In last four years homosexual activists, led by the Gay, Lesbian, Straight Education Network (GLSEN), have greatly accelerated their activity in California's public schools.

Pro-homosexual curricula, films, and handouts have become commonplace -- such as the infamous Los Angeles Unified handout claiming Abraham Lincoln was a homosexual!

We have school-sponsored homosexual proms and dances in our larger school districts, where students are encouraged to meet adult homosexuals. We have in-services -- sometimes called "diversity training" -- at which teachers are taught how "to introduce gay/lesbian issues in all curriculum areas."

Many of our schools routinely host homosexual speakers who give speeches that often contain graphic descriptions of various homosexual sex acts. We have pro-homosexual counseling programs such as Project 10, which routinely refer troubled students to outside homosexual organizations. Incredibly, Project 10 distributes a handbook that contains stories about the seduction of students by homosexual teachers!

Even worse, last year two homosexual rights bills passed which were portrayed as simply measures to protect gays from discrimination in the schools but have become vehicles to advance their agenda. Legal counsel for our Dept. of Education recently informed us that certain private schools must comply!

GLSEN has targeted your state. What has happened in California WILL happen in Oregon unless Measure 9 passes. The public schools are not the place to promote or advocate this lifestyle. In California we are engaged in an intense battle to protect our children from propaganda that promotes a lifestyle that could take decades off their lives. However, you now have the opportunity to preempt such a conflict by voting YES on Measure 9.

Assemblyman Steve Baldwin
 Assemblyman Rico Oller
 Assemblyman Bruce Thompson
 Assemblyman George House
 Assemblyman Dick Ackerman
 Assemblyman Tony Strickland
 Assemblyman Howard Kaloogian
 Senator Ray Haynes
 Senator Pete Knight
 Senator Bill Morrow

(This information furnished by Assemblyman Steve Baldwin.)

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

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ARGUMENT IN FAVOR

Some say supporters of Measure 9 are homophobes, who fear and despise homosexuals. We believe this is true of some supporters of this Measure, and **wish to distance ourselves from those who are motivated by a personal hatred or fear of men and women who practice homosexuality.**

In Romans 1, homosexuality is put in a list of sins such as fornication, covetousness, envy, backbiting, and disobedience to parents. We **abhor the hypocrisy** of those who choose to condemn homosexuality while engaging unashamedly in these other actions.

Having said that, the Bible is the standard by which all men's actions must be properly evaluated and governed. It tells us that civil government is to restrain certain sins by punishing evil-doers (Rom. 13:4).

Clearly, the Bible asserts that **homosexuality is wrong**; it's a sin, an evil, a violation of God's holy Word (Rom. 1; Matthew 5:17-48; Lev. 18:22; 20:13). As such, it must be strongly discouraged by the civil government. On the face of it, then, Measure 9 should be strongly supported.

Homosexual activity is frequently a **life-dominating sin**, and, according to Romans 1, results from a **failure of thankfulness** and submission to God the Creator. In his self-love, the homosexual refuses to accept the God-given "other," or **complement**, as represented in a member of the opposite sex. Ultimately, the homosexual is refusing to love the ultimate "Other," his Creator.

The good news is that, as with all sins, the sin of homosexuality, in spite of the bondage it brings, can be overcome through the work of God in Jesus Christ. Part of the means God uses to effect conviction for this sin is a civil government that not only does not promote it via its schools, but also actively seeks its suppression from the public arena. We hope you vote Yes on Measure 9.

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.)

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Measure No. 9 Arguments

ARGUMENT IN FAVOR

MEASURE 9 - A COMMON SENSE MEASURE

Measure 9 is a reasonable measure that simply states homosexuality is not to be promoted in public schools.

It's important, however, to answer arguments some have brought against the measure.

Argument: This measure is not needed because homosexuality is not being promoted in the public schools.

Response: A couple examples of homosexual promotion include an incident at Cleveland High School in Portland last year when the Administration, through the Sexual Diversity Committee, brought in numerous books portraying homosexuality in a positive way. Attempts to bring in a countering view were brushed off.

Another example occurred in Cottage Grove when the Head Start program promoted prohomosexual books called "Heather Has Two Mommies" and "Daddy's Roommate." The effort was promptly curtailed when parents complained. Space does not permit to explain other examples but most people recognize the increasing influence to normalize this behavior that is harmful and immoral.

Argument: The state should not dictate curriculum or restrict academic freedom.

Response: One wonders if those who oppose this measure on these grounds also oppose state-mandated restrictions on teaching one's religious viewpoint over another or teaching that discrimination is OK? Voters certainly have a right to determine curriculum of the schools they support through their hard-earned tax dollars.

Argument: This measure fosters hate, divisiveness and bigotry.

Response: These tired cliches are convenient to use to stir up fear when well-reasoned arguments are lacking. Just because one proposes a measure to prevent promotion of a risk-filled and controversial sexual behavior doesn't make them divisive or bigoted.

The bottom line is that this measure doesn't prevent discussion of homosexuality but only the promotion of it. Besides, schools should be teaching about more important matters such as reading, writing, math, science and history. Leave the sex discussion to parents and their children.

VOTE YES ON 9

(This information furnished by Nicholas J. Yonker, Concerned Citizens for Sound Education.)

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ARGUMENT IN FAVOR

Regardless of your feelings about homosexuality, if you care about parental rights, you should vote Yes on 9. Measure 9 upholds the right of parents to guide the sexual education of their children. Frankly, we don't want any kind of sex outside of marriage to be promoted to school children. Kids are very impressionable and easily molded by their teachers. When the schools present homosexuality in a way that states or implies that homosexuals are born that way, they shape young minds to accept the "gay" side of the debate. What about the families who believe the opposite? Why should their children be taught in a way that contradicts their teachings at home? What if they were teaching one religion instead? It is the same issue. No school has the right to violate the fundamental beliefs of parents.

We believe homosexuality is a choice, but we don't hate the homosexuals or people who believe differently than we do. We get upset, however, when our kids are pushed to accept the pro-"gay" side. They are told that to honor "diversity" they must accept the "gay" view that homosexuality is inborn like race. Excuse us, but no one has ever proved that homosexuality is inborn., even though many people believe that. Even the "gay" movement admits that no biological cause has been found. So how can the schools get away with acting as if this had been proved? If you stop and think about it, what if they are wrong? What if homosexuality can be learned and is therefore a choice, as many therapists and former homosexuals say? If so, we are setting these kids up to be drawn into a lifestyle that could kill them. Maybe you disagree, but you don't think our kids should get the benefit of the doubt, rather than the "gay" activists? Please vote Yes on 9 for basic parental rights.

(This information furnished by Patricia J. Beck, Parents and grandparents for basic parental rights.)

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Measure No. 9 Arguments

ARGUMENT IN FAVOR

TEACHING "DIVERSITY" PROMOTES HOMOSEXUALITY

In 1992 high school students, in a moc election, passed the old Measure 9 to stop government promotion of homosexuality. When a reporter from one of the Portland TV stations ask a local school district representative how they were going to correct this situation, she replied that they needed to teach them more diversity.

What is it about the teaching of "diversity" that would change the minds of students regarding the right and wrong of homosexuality? The teaching of "diversity" elevates homosexuality from being an immoral sexual expression to that of being a newly created minority. Just that easy. Cloak it in the colorful wrapping paper of "tolerance" and put on the attractive ribbon and bow of "multiculturalism" and who will know? If anyone does question the actual contents of this package called "diversity," just be so intolerant of him or her that no one will dare continue to question.

But in the real world "is" still means "is." And what's inside the Trojan Horse is more important than the horse. Playing semantics and the parsing of words has trickled down from the Clinton White House into most of the editorial boards of Oregon's newspapers and into the arguments of Oregon's educational elite. However, to thinking people, promotion by any other name is still promotion.

"Diversity" teaches that sexual orientation (homosexuality and bisexuality) is not a sexual sin but a minority on an equal level with one's race, national origin or religion. Since that is what "diversity" teaches, then what are the students suppose to learn? When the students master their "diversity" lessons and embrace homosexuality, it will be because the public schools will have "promoted, encouraged and sanctioned" homosexuality to them. See the proof: www.yeson9.com

Do you want to stop the promotion of homosexuality to our kids and students in Oregon's classrooms? If you answered YES, then vote YES on Measure 9.

Lon T. Mabon
Chairman
Oregon Citizens Alliance

(This information furnished by Lon T. Mabon, Oregon Citizens Alliance.)

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ARGUMENT IN FAVOR

Teachers & Administrators for Measure 9

Measure 9 discriminates against no one. It does not oppose gay or lesbian teachers, or students. Opponents make nonsensical statements about negative repercussions for homosexuals. Read what the measure actually says. It's message is straightforward. We must not engage in social engineering with children to endorse and promote homosexual/bisexual practices.

Measure 9 protects children from adult attempts to indoctrinate them into believing that homosexuality is natural, inherited and good, and that children should act out any homosexual urges. Children are being told to question their obvious sexual identity and to label themselves as homosexual.

But homosexuality is not genetically predetermined and homosexuals can and do change!

Of the many "gay gene" refutations read *Science*,
April 23, 1999.
Also Click on www.narth.com

In their effort to change the minds of children, the Portland Public School District's Sexual Diversity Committee has distributed hundreds of books to all grade levels affirming homosexuality under the guise of "safe schools."

Alarmed teachers asked that the list be disseminated to parents but the district refused. Ask the Portland Public Schools for its complete list of books. The district advocates homosexual practices, guidance counselors encourage them, but the assistant superintendent refuses to inform students of the dangers of anal intercourse which range from "gay bowel syndrome" to cancer.

Teachers seeking to balance the district's views were accused of being "hostile and offensive." Guidance counselors threatened not to place certain students with those teachers because their classes were considered "unsafe." The fact is that speaking out has become "unsafe" for teachers.

Become informed about what is happening in schools.
Email: measure9info@yahoo.com

Children are highly impressionable. Let's not abandon them. We must protect children from indoctrination encouraging aberrant sexual behaviors.

Vote "Yes" for Our Children!

Educators Leadership Committee:

Larry Ayers, Ed.D.	Stanley Bowman, MS
John Ditmore, BS	Bernadette Kelly, Ph.D.
José Solano, MS Ed.	Terry Williams, MS

(This information furnished by José Solano, Committee of Concerned Educators.)

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Measure No. 9 Arguments

ARGUMENT IN FAVOR

The Yes on 9 Pastor's Committee represents pastors and Christian leaders all across Oregon who strongly believe Measure 9 should be passed by the voters of Oregon. It is imperative that children in public schools be protected from influences that would be destructive to their morality, their health, and their future.

To present homosexuality in any of its forms as normal, healthy, or acceptable, is to teach children that universal moral laws proven and tested by all cultures in all periods of history are invalid, and that the standards set forth in the Word of God may be ignored and violated with impunity. It is to repudiate the moral standards upheld in our society and schools for the last two hundred years.

The fruits of such violations are destroying our society. Children are without moral compass, and increasing violence, suicide, and sexually transmitted disease are the result. The schools must not be allowed to contribute to the problem by encouraging behaviors that add to it.

Schools should focus on their mandate: To teach reading, writing and arithmetic. They have plenty to do without taking time out to promote and encourage a behavior that is morally wrong and physically destructive to our children.

Schools should not be a recruitment ground for the homosexual community, nor should schools be an advocate for the normalization of such behavior. The passage of Measure 9 will help put a stop to it.

Pastor Max Doner, Chairman, Yes on 9 Pastor's Committee
 Pastor Kelly Boggs, Valley Baptist church
 Pastor Darrell Arneson, Brooks Assembly of God
 Pastor Gerald Schmidt
 Pastor Larry Dill
 Pastor Richard T Adams, Greater Portland Baptist Church
 Pastor Paul Blikstad, Solid Rock Community Church
 Pastor Ken McCormick

(This information furnished by Max Doner, Yes on 9 Pastor's Committee.)

ARGUMENT IN FAVOR

Oregonians can send a powerful message to the political and educational establishments on November 7: that schools are a place for learning about reading, writing and history — not homosexual activism. The Student Protection Act will protect innocent students by stopping pro-“gay” educators from using the classroom to legitimize homosexual behavior.

All across the nation, teachers and administrators are turning education into an exercise in pro-homosexual propaganda. The following are just two examples of the brand of “gay” school activism that is already finding its way into Oregon's schools:

- In Boston, young teenagers were recently given how-to lessons on lesbian sex and other homosexual acts at a conference sponsored by the Gay, Lesbian and Straight Education Network, a homosexual group. The “Queer Sex” workshop, advertised for “youth only ages 14-21,” was endorsed by the Massachusetts Department of Education and promoted in city schools.
- On May 17, a teacher in the Boston suburb of Newton told his first-grade pupils that “if he had a partner, it would be a man.” Angry parents asked why they were not notified about the sensitive lesson until after it happened.

Homosexual activists justify their one-sided classroom discussions about homosexuality in the name of compassion, tolerance and “safe schools.” But there is no compassion — or “safety” — in glamorizing homosexuality to students while ignoring the well-documented health risks associated with this behavior. In a July 12, 2000 study in the *Journal of the American Medical Association*, based on a survey of 3,492 homosexual and bisexual men ages 15-22, almost 10 percent of the 22-year-olds tested positive for the AIDS virus. Another study in the *International Journal of Epidemiology* (1997, vol. 26, no. 3) found that homosexuality takes 8 to 20 years off a man's life. Lesbians also face added risks. You can ensure that Oregon's schools will not be used to advance dangerous and immoral behavior. Vote Yes on 9.

Peter LaBarbera
 Senior Analyst
 Family Research Council
 Washington, D.C.

(This information furnished by Peter LaBarbera, Family Research Council.)

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Measure No. 9 Arguments

ARGUMENT IN FAVOR

Measure 9 is right for Oregon's schools and right for Oregon's families.

Measure 9 will keep Oregon's schools on the right track. With the quality of our children's education more important than ever, public schools need to stay focused on building a strong academic background. If schools promote divisive social issues and indoctrinate children with the homosexual activists' social and political agenda, they do so at the expense of the things our children are really in school to learn.

The homosexual agenda is built around mainstreaming homosexuality—defining homosexual behavior as something morally the same as traditional family life. It's an agenda being promoted in films, in television programs, and even in the way the news is covered. And it's a growing campaign that is waging its battle all across this nation.

But the fact remains: homosexuality is a moral issue, and the decision to embrace a lifestyle that is at odds with our traditional family values has deep implications. If public schools get involved in promoting, encouraging, or sanctioning homosexual behavior, they are usurping the role of parents and families. Shouldn't parents be the ones to teach their children about moral issues like this?

When children are in school, they should be safe from the social and political agenda of homosexual activists. Schools should not be social laboratories, and they should not overstep their bounds by promoting behavior that may run contrary to the values that parents are trying to teach their own children.

Oregon has the opportunity to take a stand for families and the proper focus of our public schools. I urge you to vote YES on Measure 9.

Paul M. Weyrich, President
The Free Congress Foundation

(This information furnished by Paul M. Weyrich, Free Congress Foundation.)

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ARGUMENT IN FAVOR

TEEN SUICIDE

Defenders of "gay" activism in the schools say that promoting homosexuality to schoolchildren is necessary to prevent suicides. They say that children who struggle with homosexuality must be affirmed as "gays" or lesbians or they may kill themselves. This is illogic with potentially fatal consequences.

First, for schools to base suicide prevention policy on the unproved hypothesis that a child can be "naturally" homosexual is an outrageous breach of their duty to children and parents. What Oregon schools have embraced is not science but a "gay" recruiting strategy. Imagine the pressure "gay questioning" kids (and their parents) must face when they are told that youths risk death if they reject their "gay" identity. How many emotionally vulnerable kids are swept into the "gay" net just because they entertain the thought of trying homosexuality. With increasing pro-"gay" messages in TV, movies and the classroom, how can kids today NOT think about trying homosexuality, even fleetingly?

Second, to suggest that suicide prevention requires affirming a patient's behavior or behavioral tendencies is simply foolish. Criminal behavior, for example, often leads to suicidal thoughts, but no one suggests that we must affirm criminal tendencies to stop suicide.

Third, the common denominator in every suicide is a feeling of hopelessness. The last thing a suicidal young person needs to hear is that there is no hope of recovery from his or her supposed "homosexual orientation." How many teen suicides result from losing one's hope of ever having a normal family life? Yet, schools defiantly cling to "gay" dogma on this point, even in the face of substantial evidence that homosexuals can change.

By adopting a blatantly political and biased suicide prevention policy, Oregon schools have placed pro-"gay" ideology above children's lives and exposed themselves to enormous legal risk of wrongful death lawsuits. Let us hope that Measure 9 goes into effect before a child needlessly dies. Vote Yes on 9.

Scott Douglas Lively, Esq.
The Pro-Family Law Center

(This information furnished by Scott Douglas Lively, Esq., The Pro-Family Law Center of Abiding Truth Ministries.)

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Measure No. 9 Arguments

ARGUMENT IN FAVOR

Oregon voters have a tremendous opportunity to reinforce the special role of families and parents in their children's upbringing. Measure 9, if passed, will prohibit public schools from promoting, encouraging, or sanctioning homosexual and bisexual behaviors. It will prevent our public schools from promoting values contrary to the moral and religious views of many parents. Our public schools should focus on educating our children in the basics and not on promoting an anti-family lifestyle. As a result, Christian Coalition of Oregon strongly supports the passage of this measure.

The premise that homosexuality is normal and that homosexual unions are the equivalent of marriage is degrading to marriage and family. The homosexual movement's effort to teach children that this perversion is to be accepted and celebrated must be stopped.

Homosexual activists like to say that no such teaching is occurring, but if that were really true why would they spend millions opposing Measure 9? It is obvious that homosexual "education" actually is a mainstay of their movement. They want to recruit children – if not directly into homosexuality, then into their corps of supporters. Measure 9 will put a stop to the hijacking of our educational system by the homosexual activists.

For the sake of the family, for the sake of your children, vote YES on Measure 9.

Christian Coalition of Oregon
P.O. Box 30029
Portland, OR 97294
(503)669-0104

Lou Beres
Executive Director

Sandra Sumner
Administrative Director

(This information furnished by Lou Beres, Christian Coalition of Oregon.)

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

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ARGUMENT IN FAVOR

The Official Legislative Intent For The Student Protection Act

The intent of The Student Protection Act is to protect students and children in all public schools in Oregon from any presentation of homosexuality and bisexuality that would promote, encourage or sanction those behaviors.

For the purpose of this statute, "sexual orientation" is defined as any conduct, action or state of being derived from yielding to urges to be sexual or romantic with a member of the same gender. For the purpose of interpreting and enforcing this statute, this is the definition of "behaviors relating to homosexuality and bisexuality:"

The premise of the statute is that the sexual behavior known as "sexual orientation as it relates to homosexuality and bisexuality is...not necessary to public instruction."

The prohibition enforcing the premise of the Student Protection Act is that such behaviors shall not be presented in a public school in a manner which encourages, promotes or sanctions these behaviors.

The term public school means any school within the State of Oregon that receives funding from the public. For the purposes of this statute the term "Notwithstanding any other law or rule" means this statute takes controlling authority over all other relating rules or laws regarding, but not limited to, the terms "public schools" or "sexual orientation."

For the purposes of this law, the definitions for the words "encourages, promotes or sanctions" are among those found in *Black's Law Dictionary* and which are as follows:

1) Encourages. ...to instigate; to incite to action; to give courage to; to inspirit; to embolden; to raise confidence; to make confident; to help; to forward; to advise. See aid and abet.

2) Promote. To contribute to growth, enlargement, or prosperity of; to forward; to further; to encourage; to advance.

3) Sanction, V. To assent, concur, confirm, ...or ratify. U.S. v Tillinghast, D.C.R.I., 55 F.2nd 279, 283. Approval or ratification.

Lon T. Mabon, Chief Petitioner
Phillip Z. Ramsdell, Chief Petitioner

(This information furnished by Lon T. Mabon, OCA Student Protection PAC.)

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Measure No. 9 Arguments

ARGUMENT IN FAVOR

Oregon public school students have experienced over a decade of pro-homosexual speakers, skits, books, and films. Public school educators admit referring sexually troubled youth to outside homosexual organizations that affirm homosexual behavior, and are including them in student handbooks as resources. Some students have been told they need to experiment to discover their true sexual orientation. Some Portland schools considered purging the term marriage as too biased against homosexuals. In the *Oregonian* (11/19/99), six high school teachers accused the public schools of condoning, affirming, and encouraging homosexual behavior. The film, "It's Elementary," promotes acceptance of homosexual behavior, ridicules views of conservative and Christian parents, and is promoted for use in elementary schools, along with books like "Heather Has Two Mommies" and *Daddy's Roommate*."

Public schools teach that homosexual orientation is genetically pre-determined yet a Columbia University review of 135 studies found no evidence of a biological determinant for homosexual behavior. The only adopted-away twin study (ruling out environmental influences) found a concordance rate of zero for homosexual behavior. Dean Hammer, homosexual research scientist whom media claimed located the "Gay Gene" later acknowledged in *Time* magazine (4/27/98) that all genes determine is temperamental traits which can be controlled by exercising character. Hammer has also concluded that being a Lesbian is culturally transmitted, not inherited.

Homosexual behavior is still considered immoral by a substantial majority as demonstrated by national polling and recent election results in Hawaii, Alaska and California. It is also potentially lethal! 30% of 20 year old homosexuals will be HIV positive or dead of AIDS by the time they are age 30! A U.S. Centers for Disease Control and Prevention study indicated 30% of HIV-free individuals, using condoms with HIV-positive individuals, will get HIV/AIDS!

It is an act of love, not hate, to protect children from "politically correct but factually incorrect" liberal dogma capable of destroying their lives physically, morally and spiritually!

Barry D. Williams
Lane Co. OCA

Orin K. Camenish
Klamath Co. OCA

(This information furnished by Barry D. Williams, Lane County OCA.)

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ARGUMENT IN FAVOR

WE MAY BE YOUNG – BUT WE'RE NOT UNINFORMED

We may be young but we know that teaching homosexuality in our schools is a bad idea.

An example of what is being forced on us in our schools is the "Five Oaks" incident. A group of boys from Five Oaks Intermediate School in Beaverton were shown a film called "Stale Roles and Tight Buns." Boys who were in attendance at the seminar said that after the film the teacher told them to try "gay" sex "at least twice" and then advised them on condom use. When confronted, the school hired an investigator who was later revealed to be the chairman of the "No on 13 Committee" which was the pro-homosexual opposition to Ballot Measure 13. (*Oregonian*, 07/24/94, *Statesman Journal*, 09/10/94)

They don't talk about it much with their parents, but teenagers are very familiar with "gay" activism in schools. There is tremendous pressure to accept homosexuality as being like race, even though we all know it is behavior. But those of us who think it is wrong are looked down upon, like racists.

We don't need teachers in schools forcing their pro-homosexual values down our throats. We are intelligent enough to decide for ourselves, within our families, whether homosexuality is wrong or right. We don't need homosexuality promoted to us as an "alternative lifestyle" in our schools. We have many sources we can use to obtain information about homosexuality if we want it.

We need a school system that teaches us to read and write, not a school system that promotes values contrary to those values we have already learned at home.

Please affirm our right to decide for ourselves what is right and wrong by voting YES on measure 9.

OCA Underground is a group of teens who are committed to impacting our culture through activism. Please visit our website at: www.ocaunderground.org for more information about Measure 9.

Jeremy Bowen, 19, president of OCA Underground.

(This information furnished by Jeremy Bowen, OCA Underground.)

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Measure No. 9 Arguments

ARGUMENT IN FAVOR

HOMOSEXUALITY FROM THE PERSPECTIVE OF RIGHT AND WRONG

1) It is self-evident that the act of sodomy is biologically unnatural. Simple anatomy teaches us that the body parts used in this act are not made for the function described in the word "sodomy." In fact, many male homosexuals develop severe rectal problems. What happens sometimes is that the Sphincter muscle simply becomes useless with the end result being, at worst, a colostomy or at best, the constant use of protective garments required for life. Anyone with an honest mind must acknowledge that this is an unnatural act. We should not be condoning it to our students.

2) The facts support the truth that those who engage in homosexuality contract sexually-transmitted diseases (some fatally) at disproportionately higher levels than the norm. In America, homosexuality remains the number one transmitter of AIDS that is 100% deadly. Do we really want our kids and grandkids to be told that this lifestyle is healthy and normal?

3) The God of the Bible clearly states that He created human beings, male and female, and He intended them to be for each other -- Genesis 2:21-25. Under the Old Covenant, homosexuality was called an abomination to God and He prescribed the severest punishment -- Leviticus 18:22. The New Testament teaches that homosexuality is "against nature," that it constitutes "vile passions," "uncleaness," and that it is "shameful" -- Romans 1:24-32. I Corinthians 6:9-10 says that those engaging in such behavior cannot inherit the Kingdom of God. There is no doubt that homosexuality is against the known will of God. Homosexuality is wrong and immoral. But it also says, "such were some of you," Verse 11, meaning individuals were coming out of that lifestyle. Homosexuality is not innate; you don't have to feel hopeless. God says homosexuality is wrong, but in Christ, He can also free you from sexual addiction.

Marsha A. Weber
Bonnie J. Mabon
Lon T. Mabon
Restoration Ministries of Oregon

(This information furnished by Lon T. Mabon, Restoration Ministries of Oregon.)

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

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ARGUMENT IN FAVOR

NO SPECIAL RIGHTS FOR LEFTS!

Stop the **promotion** of left-handedness in the public schools!

My friends, common sense and traditional time-tested dexterity prove that **left-handedness is simply wrong**. Writing with your right hand is **natural law--WRITE MEANS RIGHT!** Righteous people know the difference between right and left!

According to the *Encyclopaedia Britannica* (1944), "The percentage of left-handedness . . . is much higher among inmates of institutions for the **feebleminded** and the **psychopathic**." Yet these "biological errors" are campaigning for special recognition as a legitimate minority to **force** you to accept their immoral behavior. Worse yet, the schools are encouraging **deviant-handed diversity** and facilitating the use of **sinful southpaw scissors!**

The **Bible** says, "A wise man's heart is at his right hand; but a fool's heart at his left" (Ecclesiastes 10:2), and "Then shall he say also unto them on the left hand, Depart from me, ye cursed, into the **EVERLASTING FIRE!**" (Matthew 25:41).

"Theories relative to handedness vary in their treatment of it as an acquired or a native trait," says the *Britannica*. Many experts believe that **left-handedness is learned and can be corrected**. With repentance and reparative therapies, sinners caught in the lecherous leftist lifestyle can be converted and cured. Yes, right righteousness and healthy handedness is possible! Many ex-southpaws have become **normal, happy right-writers**. Some have even held hands, gotten married, and had children!

But the **militant leftist lobby** says they were "born that way." They cite evidence that it's genetic, morally neutral, and normal! **Well, that doesn't mean we have to teach children that it's OK to respect people who are different!** Any nonjudgmental mention of left-handedness is "promotion" of wrong behavior, encouraging **vulnerable young children** to experiment with **alternative handedness!**

Since right-thinking people believe that **wrong-handedness is immoral**, we will **force** the schools to teach only **OUR** beliefs to **YOUR** children!

AGREE WITH US OR BURN IN HELL!

(This information furnished by M. Dennis Moore, Oregon Right-Handed Righteousness Alliance.)

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

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Measure No. 9 Arguments

ARGUMENT IN FAVOR

LON IS TOO LIBERAL!

According to Leviticus in the Bible, oysters are **UNCLEAN** and an **ABOMINATION**--just like homosexuality!

Oyster-eating is a behavior, as is all dietary activity. **Some foods are good, some are wrong.** The government should not be forcing acceptance of oyster-eating on its citizens by sanctioning **deviant dietary behaviors.**

What a person eats, or with whom, is not the kind of activity for which we should create a minority classification, granting oyster-eaters "**special protection**" from discrimination similar to diabetics.

It is **not** discrimination to make a moral judgment about **filthy foods** by firing and evicting oyster-eaters!

My friends, did you know that oysters undergo **SEX CHANGES?** Furthermore, the average oyster-eater ingests **five teaspoons of oyster excrement** per year! **IT'S DISGUSTING!**

Public money must not be used to teach children that a **dangerous and divisive diet** is merely an "alternative" to healthy foods and traditional nutritional values.

The militant oyster agenda to recruit your children into the sinful shellfish lifestyle under the disguise of dietary diversity and balanced menus is **anti-Beef bigotry.** It's a culinary culture war! **SURRENDER, OYSTER-EATERS!**

But banning public school "promotion" of homosexuality, wrong-handedness, and oyster-eating is not enough! **Many other people have sincere and deeply held moral prohibitions as well.** The Amish don't drive cars. Christian Scientists don't believe in medicine. Jehovah's Witnesses don't salute the flag. Mormons don't drink Coca-Cola. Muslims believe that **dogs are unclean.** Baptists believe that **dancing is IMMORAL.**

Let's eliminate driver education! Fire school nurses! Forbid the flag salute! Condemn and cure the sick sinners caught in the **corrupt Coca-Cola lifestyle!** Ban books portraying dogs in a positive or neutral manner! **And stop promoting the perverted prom!**

**PURIFY THE SCHOOLS!
ELIMINATE EVERYTHING THAT OFFENDS ANYONE!**

Visit www.specialrighteousness.org on the Web.
(Box 1851, Portland, 97207)

**HEY, LON!
FILE BALLOT MEASURES UNTO OTHERS
AS YOU WOULD HAVE THEM
FILE MEASURES UNTO YOU!**

(This information furnished by M. Dennis Moore, Special Righteousness Committee.)

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

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ARGUMENT IN OPPOSITION

The Oregon Parent Teacher Association Opposes Measure 9

**PROHIBITS PUBLIC SCHOOL INSTRUCTION
ENCOURAGING, PROMOTING, SANCTIONING
HOMOSEXUAL, BISEXUAL BEHAVIORS**

Don't Let The Ballot Title Fool You!

There is **NO** curriculum in Oregon public schools that "encourages or promotes" homosexuality or bisexuality. By attacking a "problem" that doesn't exist this measure endangers the health of our children and the quality of our schools.

The Oregon PTA opposes all legislative attempts to suppress information about family diversity and sexual orientation. We oppose statewide attempts that dictate to teachers how they may approach teaching subjects. This is about **local control**; these are decisions that need to be made by local school boards, accountable to the parents and students they serve.

If Measure 9 passed it would cut:

- 1) Access to **all** health education related to sexuality including abstinence, birth control, sexually transmitted diseases, and HIV/AIDS. It would deny **all** students information they need to make responsible, healthy choices. Given that our youth are among the fastest growing population of those at risk for HIV/AIDS -- we cannot afford to ignore this danger to our kids.
- 2) Counseling or support programs for **all** adolescent students, making it even more difficult for teenagers to come to terms with their sexuality or for counselors to give teenagers information about support groups.
- 3) State funding could be cut because of what one person might say. We can't let the agenda of one extremist organization endanger the health of our children and the quality of their schools

The most basic objective of the PTA is to promote the welfare of ALL children.

**ALL of our kids deserve the best we have to offer,
regardless of their family background, culture, religion,
color, or sexual orientation.**

Measure 9 attempts to suppress vital information that protects the health of our children, removes local control, and is discriminatory, the Oregon PTA opposes Measure 9.

Kathryn Firestone, President
Lisa Laursen Thirkill, Vice President for Legislation
The Oregon PTA

(This information furnished by Kathryn Firestone, President, Lisa Laursen Thirkill, Vice Pres. for Legislation; Oregon PTA.)

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Measure No. 9 Arguments

ARGUMENT IN OPPOSITION

Measure 9 will hurt every child in Oregon.

We are PFLAG: Parents, Families and Friends of Lesbians and Gays. We are parents who have watched the Oregon Citizens Alliance (OCA) and other well-funded extremist groups torment our children for the last 12 years, and **we have had enough**. This measure will hurt, not only our gay children, but every child in Oregon. Help us protect the health and safety of ALL Oregon's children and vote no on 9.

Because we are parents of both gay and non-gay children, PFLAG is concerned about the health and safety of ALL children. Measure 9 threatens the health and safety of our children because it would:

- eliminate effective, life saving education about sexually transmitted diseases
- allow harassment and discrimination already present in schools to worsen
- give extremists the power of cutting off public funds to our schools

Protection from teen suicide and AIDS demands comprehensive knowledge which our licensed teachers and school counselors can best provide. Measure 9 will limit such knowledge by removing factual information from libraries, gagging teachers, and curtailing the services of counselors. This law silences the Oregonians whom we have entrusted to protect all of our children.

Children who are perceived to be gay suffer unremitting harassment and discrimination in school. Measure 9 would encourage schools to ignore their responsibility to protect EVERY student from such treatment. Measure 9 would continue to teach children to discriminate. Measure 9 would protect bullies.

Measure 9 threatens schools and community colleges with vague, undefined budgetary retribution. Who will define the language of this law? Who is going to decide who is breaking this law? The OCA? And, how much is it going to cost our schools? Protect all of Oregon's children.

VOTE NO ON 9!

PFLAG OREGON STATE COUNCIL with chapters in: Ashland, Bend, Coos Bay, Corvallis, The Dalles, Eugene, Forest Grove, Pendleton, Portland, and Salem.

(This information furnished by Donna Zenobia Saffir, PFLAG Oregon State Council.)

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ARGUMENT IN OPPOSITION

PLANNED PARENTHOOD in Southern Oregon Opposes Measure 9

DANGEROUS FOR OUR CHILDREN
DANGEROUS FOR OUR SCHOOLS

Planned Parenthood has been a name you could trust for more than three decades in Oregon. And, we oppose Measure 9

At a time when our kids need MORE information, Ballot Measure 9 demands we RESTRICT information.

We need to support and encourage schools to provide accurate information to teens. Measure 9 would prevent our schools from giving students the very information they need to keep them safe and healthy. That's why Measure 9 is dangerous.

FACT: Oregon's youth need straightforward information in order to make responsible decisions about the prevention of diseases like HIV/AIDS;

FACT: Currently, Oregon is seeing a decline in the prevalence of sexually transmitted infections among teens...a decline directly attributable to a record high awareness of such diseases among youth (8/9/00 *Oregonian*);

FACT: Oregon's parents, like parents everywhere, support sex education and HIV/AIDS prevention (82%) in the schools—we all want the best for our kids, we want to help them make decisions that will support a healthy future;

FACT: Local parents, teachers and schools already work together to address sex education and HIV/AIDS prevention, this measure is unnecessary and threatens the very programs we need to keep our young people safe and healthy.

Planned Parenthood Urges You to Vote No on Measure 9!

Measure 9 is dangerous for our kids and dangerous for our schools!

Bill Sheppard Executive Director Planned Parenthood Health Services of Southwestern Oregon	Reverend Paul B. Robinson Board Member Planned Parenthood Medford, Oregon
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(This information furnished by Bill Sheppard, Executive Director, Planned Parenthood of Southwestern Oregon.)

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Measure No. 9 Arguments

ARGUMENT IN OPPOSITION

**PLANNED PARENTHOOD OF CENTRAL OREGON
OPPOSES MEASURE 9
Dangerous to Oregon's Kids.
Dangerous to Oregon's Schools.**

We're Planned Parenthood. For years, we have been working with young people who need to make important decisions about their future, and we have led the way in providing responsible information. We oppose Measure 9 because it's just plain dangerous to Oregon's kids.

Measure 9 is also dangerous to Oregon's schools. Planned Parenthood supports responsible sex education and HIV/AIDS prevention in Oregon's public schools. We have been fighting to ensure that kids get the information they need to keep them safe and healthy.

Measure 9 would jeopardize sex education and AIDS prevention classes in our public schools. Please don't let that happen!

The Facts:

Oregon's students need honest information in order to make responsible decisions about the prevention of diseases like HIV/AIDS

Responsible sex education has already had a positive impact on our kids. According to *The Oregonian* (8/9/2000) "HIV/AIDS became mainstream enough in the 1990s to scare teenagers, while awareness of sexually transmitted diseases is at an all-time high"

Information, not ignorance, will help students learn how to avoid sexually transmitted diseases and HIV/AIDS

The Truth Is:

Measure 9 puts our kids at risk by denying them access to information about HIV/AIDS prevention and sex education. And, that's just being unrealistic!

Planned Parenthood Urges You to Vote No on Measure 9

Aylett Wright
Community Education and Training Coordinator
Planned Parenthood
of Central Oregon

Phyllis Pengelly
Registered Nurse
Planned Parenthood
Bend, Oregon

(This information furnished by Aylett Wright, Planned Parenthood of Central OR.)

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

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ARGUMENT IN OPPOSITION

**PLANNED PARENTHOOD OPPOSES MEASURE 9
BECAUSE IT'S...
Dangerous to our kids. Dangerous to our schools.**

Planned Parenthood knows the importance of good family communication. And, we have always encouraged it. At the same time, you count on us to provide honest information and counseling. For more than 30 years, you've depended on us to give you the facts. Planned Parenthood opposes Measure 9 because it's dangerous to our kids.

Planned Parenthood also knows the importance of responsible sex education and HIV/AIDS prevention in Oregon's public schools. Teens need access to critically important information that will ensure their healthy future. Planned Parenthood opposes Measure 9 because it's dangerous to our schools.

HERE'S WHAT MEASURE 9 WOULD DO!

Measure 9 would:

- Reverse years of progress that we have made as a community, and as a state, in promoting policies to give our kids information they need to make responsible decisions about their future
- Threaten the very programs which are critically needed to keep kids on the right track...to help them make good choices...to help them resist the destructive media images they are bombarded with daily
- Restrict information at the very time when students need MORE information, not less

**That's why Planned Parenthood, Nurses, Doctors,
Counselors and Health Professionals
ALL Oppose Measure 9!**

Measure 9 is dangerous for Oregon's kids!
And Oregon's Schools!
Don't be misled...

PLEASE VOTE "NO" ON MEASURE 9!

Lois Backus Executive Director Planned Parenthood of the Columbia/Willamette	Robin Klotz Registered Nurse Planned Parenthood Beaverton Center
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(This information furnished by Robin Klotz, Planned Parenthood.)

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Measure No. 9 Arguments

ARGUMENT IN OPPOSITION

The League of Women Voters of Oregon Urges You To Vote No on 9

The League of Women Voters is a grassroots, nonpartisan organization which encourages informed and active participation in government. Since 1920, the League of Women Voters has worked to educate voters and strengthen the democracy.

The League Opposes Measure 9 because it violates a citizen's individual rights as well as the basic right to privacy. Respect and fairness under the law would be denied.

Our schools should help students learn how to participate the democratic process, not undermine it.

Oregonians have consistently opposed measures, which segregate certain individuals for the purpose of denying them their rights as citizens.

Measure 9 is yet another attempt to bring divisiveness into our society.

Join the League of Women Voters in Voting No On 9

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

ARGUMENT IN OPPOSITION

Oregon Pediatric Society Says: Protect All Oregon Children

Vote No on 9

Measure 9 is Bad for Children

The mission of the Oregon Pediatric Society is to attain optimal physical, mental and social health and well being for all infants, children, adolescents and young adults.

We oppose Measure 9.

- **Measure 9 Puts Needed Information at Risk.** Measure 9 will limit basic sex education, learning about and prevention of diseases such as AIDS and HIV, and about other topics that will keep Oregon children safe and healthy for their entire lives.
- **Measure 9 Will Harm Oregon Children.** Measure 9 would forbid trusted teachers, counselors and school-based health care professionals from referring teens to outside resources when they feel confused about their sexual orientation. With a large percentage of teen suicide attempts by gay and lesbian youth, we can't afford to put students at risk by denying them basic information needed to make responsible choices.
- **Measure 9 Puts Funding for Our Schools at Risk.** Schools that violate this measure could suffer the loss of their state funding. We should be sending the message to our children that they are worth more money, not less.
- **Measure 9 Puts Our Common Values at Risk.** Our schools should be places that promote respect and remain welcome and safe for all students. Measure 9 does the opposite by closing the doors to certain members of our community.

Let's work together to create an Oregon where ALL of our children can thrive and be safe.

Vote No on Measure 9

Oregon Pediatric Society
A Chapter of the American Academy of Pediatrics

(This information furnished by James K. Lacey, M.D., F.A.A.P., Oregon Pediatric Society.)

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Measure No. 9 Arguments

ARGUMENT IN OPPOSITION

The Oregon Education Association Urges You To Vote No on Measure 9

Measure 9 teaches intolerance and disrespect. Oregon teachers and educators are united in their opposition to Measure 9. It stabs at the heart of who we are as educators. In our classrooms we strive to meet the needs of all our students. We do not single out or target differences among them. We teach tolerance and respect. **Vote No on Measure 9.**

Measure 9 puts Oregon's students at risk. As educators, we can not place Oregon's students at risk by avoiding the realities of the world in which they live. This measure threatens sex education programs and could eliminate critical information at a time when education is most needed. Students should not be denied basic information needed to make responsible choices. **Vote No on Measure 9.**

Measure 9 does nothing to solve education's problems. Measure 9 is a distraction from the real challenges facing our schools, like overcrowded classrooms and stable funding. This measure does nothing to solve these problems. **Vote No on Measure 9.**

Measure 9 sets a dangerous precedent for public education. Special interest groups should not dictate what is taught and not taught in Oregon's public schools. The Oregon Education Association is composed of thousands of teachers and other public school employees from across the state. As education experts, we ask that you allow us to do our job, guiding our students and your children into the future, without interference from special interest groups. **Vote No on Measure 9.**

James K. Sager, President
Oregon Education Association

(This information furnished by James K. Sager, President, Oregon Education Assoc.)

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ARGUMENT IN OPPOSITION

LIBRARIANS OPPOSE MEASURE 9 Vote No on 9

The special interests that want to limit access to information are at it again. The purpose of Measure 9, as it pertains to school libraries, is clear. It is to tell local communities what books they can and cannot have in their schools.

Education is at Stake Vote No on 9

All institutions that use public funds for education, even colleges and universities, could be prohibited from purchasing books that could be thought to encourage, promote or sanction homosexuality. That's very vague. And if elementary, secondary or community colleges don't follow this measure, they could have their funding cut.

Oregon Values are at Stake Vote No on 9

Many college and university libraries have subscriptions to newspapers. If one paper contained a letter to the editor expressing an individual's acceptance of homosexuality, would that paper be banned? Would the college or university have its funding cut for having that newspaper on the shelf? In Oregon we appreciate fairness, and Measure 9 is not fair.

Local Control is at Stake Vote No on 9

Measure 9 and the censorship it brings is dangerous for our schools. Outside groups with special interests would be making decisions for our schools, and not local people whose job it is to work with kids.

Please join Oregon librarians in voting No on Measure 9.

Janet Webster, Newport	Terry Rohe, Portland
Richard Sapon-White, Corvallis	Ed House, Albany
Nancy Spaulding, Beaverton	Connie Bennett, Silverton
Nancy Kuhlman, Salem	Lorrie Kovell, Phoenix
Cindy Gibbon, Lake Oswego	Ronnie Lee Budge, Medford
Jim Schepcke, Salem	Margaret Jakubcin, Williams
Anne Van Sickle, McMinnville	Charles Stark, Shady Cove
Sylvia Lee, Medford	Robert Wilson, Talent
Meghan O'Flaherty, Medford	Anne Billeter, Medford
Sara Charlton, Tillamook	Bonnie Allen, Corvallis
Ruth Allen, Portland	Diedre Conkling, Newport
Carolynn Avery, Corvallis	Kathleen Duffy, Bend
Jill Heffner, Lincoln City	Angela Reynolds, Portland
Colleen Bell, Eugene	Mary Norman, Lake Oswego
Jeananne Rockwell-Kincanon, Monmouth	

(This information furnished by Terry Rohe, President, Oregon Library Association.)

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

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Measure No. 9 Arguments

ARGUMENT IN OPPOSITION

Rural Oregon says vote No on 9.

Public schools are important to rural communities. As rural Oregonians we want our communities, not the OCA, to control education.

None of our schools "promote homosexuality" as Lon Mabon charges. And every student deserves to attend school safe from physical and psychological harassment.

Ballot Measure 9 puts students in danger by tying the hands of educators as they work to make schools a safe and productive learning environment for all students.

The OCA measure would:

- * Limit what teachers can say in health, literature and history classes
- * Make the OCA the authority, rather than people in our communities, on the meaning of "promoting homosexuality"
- * Put good teachers and counselors at risk simply for being honest and caring

The groups signed below believe fairness and respect are core values Oregon schools should promote. The OCA would take that away.

Vote No on 9.

Rural Organizing Project members:

Baker County People for Human Dignity
 Chehalem Valley Coalition for Human Diversity
 Clatsop County Human Relations Task Force
 Coalition to End Bigotry
 Columbia County Citizens for Human Dignity
 Community Voices for Human Rights – Hood River
 Concerned Citizens of Lake County
 Coastal AIDS Network – Lincoln County
 Cottage Grove Community Action Network
 Curry County Citizens for Human Rights
 Democracy and Sustainability League of Pendleton
 Douglas County AIDS Council
 Estacada Citizens for Fairness
 East Metro Human Rights Coalition
 Hispanos Unidos of Lake County
 Hipfish Arts and Culture Monthly
 Human Dignity Coalition
 Human Rights Advocates of Coos County
 Illinois Valley Task Force for Social Justice
 Josephine County Human Rights Alliance
 Klamath County Coalition for Human Dignity
 Movimiento de Unidos de Latinos En Accion
 Neighborhood Women of Oregon
 Neighbors Talking to Neighbors
 North Coast Gay Pride Network
 PFLAG Eugene/Springfield
 PFLAG Pendleton
 Peace House
 Progressive Options
 Sexual Minority Youth Task Force
 Siuslaw Peace Force
 Tillamook County Citizens for Human Dignity
 Together Works
 Washington County Coalition for Human Dignity

(This information furnished by Kelley Weigel, Co-Director, Marcy Westerling, Co-Director; Rural Organizing Project.)

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

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ARGUMENT IN OPPOSITION

**School Based Nurses
Vote no on 9!**

As School Based Nurses we oppose Measure 9 -- it endangers the health of students.

**Measure 9
Dangerous to Oregon Schools.**

Measure 9 will put the government in charge of dictating what health care professionals can and cannot discuss with their patients in schools. This is a violation of the relationship between patients and their care providers.

**Measure 9
Dangerous to the Health of all Kids.**

As nurses, we care about the kids, and that is why we are so concerned about Measure 9. Measure 9 does nothing to protect children --- in fact, it puts them in harm's way.

Measure 9 will severely limit information on basic sex education and HIV prevention. That puts every Oregon student at risk. It is wrong to deny our kids the information they need to stay healthy.

**Measure 9
Dangerous to Kids in Need.**

According to the U.S. Department of Health and Human Services, gay and lesbian teens are at far greater risk of suicide, school drop-out, violence and drug use. Measure 9 would prevent school nurses or counselors from even discussing one very important factor in their mental health and behavior.

Measure 9 would place a "gag rule" on school health care professionals that would put their job at risk even if they were only answering the health care questions of their patients.

**Measure 9
Discriminates in Health Care.**

How can we possibly say the physical and mental health care needs of some kids are higher priorities than others?

Some kids experiment. Some kids are discovering they are different than the majority. Some kids are abused. And some kids come from non-traditional families. If Measure 9 passes some kids will be able to talk about these issues with a trained health care professional in their school and some kids will not.

Vote "NO" On 9

Nancy Malone NP, Gold Hill --- Jean DeJarnatt NP, Salem ---
 Bunny Lewis NP, Ashland

(This information furnished by Martin Taylor, Nurses United.)

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Measure No. 9 Arguments

ARGUMENT IN OPPOSITION

**Measure 9 is Dangerous for the Health of Oregon's Children
Measure 9 is Dangerous for the Health of Oregon's Schools**

As social workers, we seek to enhance the effective functioning and well being of individuals, families, and communities.

We oppose Measure 9.

Measure 9 Is a Threat to Every Child in Oregon

- Every student deserves to have factual information presented to them about HIV and AIDS prevention, and Measure 9 places that information at risk because such education programs would be severely limited or eliminated.
- Every student deserves to have adequate support services and counseling, and Measure 9 places those services at risk. With a large percentage of teen suicide attempts by gay and lesbian youth, we can't afford to put students at risk by denying them basic information needed to make responsible decisions. And we can't stand to lose any teen to suicide. Cutting services to students who are troubled and seek counseling simply does not make sense.

Measure 9 Is a Threat to Every Public School in Oregon

- Schools need adequate and stable funding. Measure 9 places that funding at risk because one wrong word by one person could jeopardize the school's public funds. Now is the time to work together to secure stable funding for our schools so our children have the excellent education they deserve.
- Parents, teachers and local officials need to have input into our local schools. Measure 9 hands over more power to bureaucrats who are not in touch with each community's needs.

Measure 9 does nothing but hurt our children and place them and our schools at risk.

**Join us!
Vote No on 9.**

(This information furnished by Mark F. Oldham, Oregon Chapter of the National Association of Social Workers (NASW).)

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ARGUMENT IN OPPOSITION

**Catholic Committee
People of Faith Against Bigotry
Oppose Measure 9**

VOTE NO ON 9

As Catholics, we call for fairness for all Oregonians.

**Measure 9 Puts Our Ability to
Live Our Shared Values at Risk**

Our values call us to be fair and respectful of all people. We Catholics were once hated in Oregon. The Ku Klux Klan attacked us and damaged our churches. People said Catholics would corrupt children, harm schools and destroy families. In 1922, Oregonians voted to take away our right to educate children.

We cannot support a law that takes away the strides we Oregonians have made that promote fairness and respect.

VOTE NO ON 9

Our Bishops call us to accept and love gay and lesbian people. In its 1997 statement "Always Our Children: A Pastoral Message to Parents of Homosexual Children and Suggestions for Pastoral Ministries", our bishops teach us that it is not sufficient only to avoid unjust discrimination. Homosexual persons "must be accepted with respect, compassion and sensitivity". (National Conference of Catholic Bishops' Committee on Marriage and Family)

VOTE NO ON 9

As Catholics we must reject this type of law because it may lead to misunderstanding and intolerance toward gays and lesbians, potential for discrimination and harmful, divisive battles.

**Please join the Catholic Committee of
People of Faith Against Bigotry and**

VOTE NO ON 9

Sister Kathleen Stupfel, SNJM
Sister Carole Strawn, SNJM
Mary Anderson

(This information furnished by Mary K. Anderson, Sister Kathleen Stupfel, SNJM; Catholic Committee, People of Faith Against Bigotry.)

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Measure No. 9 Arguments

ARGUMENT IN OPPOSITION

Argument Opposed: Legal Rights are Fundamental to American Values

We stand firmly against efforts of the Oregon Citizens Alliance to establish laws that would legalize discrimination against citizens of Oregon who are homosexual.

Civil rights for all people is a basic value of our culture and of our country. Many in our history have been inspired by this central value to struggle for and win civil rights for themselves and others. Protecting this value means upholding the rights of many diverse groups. It also means defending against those who would impose on the public their own, narrower standard of who is deserving of civil rights.

Ballot measure 9 attempts to establish legal discrimination against one group of citizens, while at the same time insisting that it would not take away any constitutional rights from them.

Don't be misled: Measure 9 does indeed threaten the civil rights of Oregon citizens.

We believe it is the government's obligation to secure the well being of all citizens, not bow to the pressures of special interest groups which seek to advance their private agendas at the expense of others.

It is extremely important that all of us be aware and resist the influence of special interests like the OCA which threaten to weaken our democracy.

We urge you to vote No on Measure 9.

COALITION TO END BIGOTRY (CEB)

OREGON WOMENS' RIGHTS COALITION

AMERICAN ASSOCIATION of UNIVERSITY WOMEN of OREGON

OREGON WOMEN'S POLITICAL CAUCUS

LARRY R. OBERG

GARY M. KLEIN

ALICE M. BARTELT

TED OLKOSKI

FLORENCE OLKOSKI

OREGON COMMON CAUSE

(This information furnished by Florence Olkoski, Oregon Common Cause.)

(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 9—AGAIN!!**

Twice Oregonians have rejected the OCA's anti-gay ballot measures for good reasons. This year the OCA may have narrowed its focus, but the intent remains the same: **to force the government to promote the OCA's special interest view of sexuality.**

Here are more reasons to vote NO on Measure 9:

- **Measure 9 will require censorship of HIV/AIDS preventative education** to avoid any appearance of "sanctioning" homosexuality.

That's scary. Whether we like it or not, we live in a world with HIV/AIDS and other sexually transmitted diseases. Our young people need to have medically accurate information about HIV prevention and sex education so they can make responsible decisions.

- **Measure 9 puts students at risk** because educators must remain neutral when they hear homophobic remarks or witness harassment of gay students.

That's wrong. Our schools should foster respect and tolerance of all people.

- **Measure 9 is not fair** because it will eliminate existing policies that promote fair treatment of gay and lesbian students in our public universities, community colleges and schools.

That's a step backwards. Promoting fair treatment of students does not mean a school is promoting homosexuality. Most Oregonians believe in fairness for everyone.

- **Measure 9 will have serious legal consequences** for our public schools and students. Local schools will have to deal with legal and administrative challenges whenever the OCA thinks a school is "sanctioning" homosexuality.

That's a legal nightmare and a waste of tax dollars. Don't let the OCA control your local school.

**Your NO vote matters.
Say No to the OCA one more time.**

VOTE NO ON MEASURE 9!!

For more information write the Oregon ACLU at
PO Box 40585, Portland 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. 9 Arguments

ARGUMENT IN OPPOSITION

Commissioner Sorenson Urges a "No" Vote AGAIN on Measure #9

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. I was also a member of the Senate Judiciary Committee which has jurisdiction over discrimination issues.

We must not sacrifice control of our schools to extremist ideological groups trying to undermine Oregon's tradition of fairness.

This measure would open the door to any special interests trying to impose their values through a state mandated curriculum.

Lon Mabon and the OCA's anti-gay, anti-education act manufacture a problem that does not exist. Parents involved in local schools know our real problems – lack of funding, overcrowding, lack of parental involvement, and school violence. We need to concentrate on solving the real problems.

This measure would deprive kids of the information they need about abstinence, birth control and AIDS/HIV prevention.

This measure would take away important support services and counseling, increasing the risk of teen suicide.

It is wrong to deny our kids the information and support they need to make responsible choices.

OREGONIANS SAID NO TO MEASURE 9 BEFORE. WHAT PART OF NO DON'T THEY UNDERSTAND?

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

PHYSICIANS FOR SOCIAL RESPONSIBILITY SAY VOTE NO ON MEASURE 9

Physicians for Social Responsibility (PSR) is a non-profit educational organization committed to the elimination of nuclear and other weapons of mass destruction, the achievement of a sustainable environment, and the reduction of violence and its causes. PSR is the US affiliate of International Physicians for the Prevention of Nuclear War, recipient of the 1985 Nobel Peace Prize.

"Reduction of violence and its causes" is an important mission of PSR. Members of PSR feel that the **Oregon Citizens Alliance and Oregon Christian Coalition are inciting violence** through Measure 9, an obviously anti-Gay ballot measure. We believe that **singling out minority populations for harassment and fear often leads to violence**, as in the case of Matthew Sheppard.

We do not agree with the campaign of hate promoted by the Oregon Citizens Alliance and the Oregon Christian Coalition through Measure 9.

Measure 9 would not only encourage hate and violence against Oregonians but would encourage ignorance through prohibition of teaching a critical curriculum for today's students. This would harm the health of Oregon children by making it more difficult to properly educate about the risks associated with unprotected sex and the need for prevention of sexually transmitted diseases like AIDS.

Voting for Measure 9 promotes:

- Hate
- Violence
- Ignorance, and
- Disease.

We, the undersigned members of **Physicians for Social Responsibility - Oregon**, urge concerned Oregonians to **VOTE NO ON MEASURE 9.**

Richard Bayer, MD
 Susan Baumgardner
 Nancy Crumpacker, MD
 Del Greenfield
 Josiah Hill, III, PA
 Robert A. McFarlane, MD
 William Morton, MD
 Catherine Thomasson, MD

(This information furnished by Richard Bayer, MD, Physicians for Social Responsibility - Oregon.)

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

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Measure No. 9 Arguments

ARGUMENT IN OPPOSITION

Tri County Parent Volunteers Oppose Measure 9 It's Dangerous for Kids and Dangerous for Schools

As parents we know that there is **no** curriculum in Oregon's public schools that "encourages or promotes" homosexuality or bisexuality. The real problems our schools face are a lack of funding and class sizes that are too large.

Measure 9 is dangerous for our kids and dangerous for our schools

- No special interest like the OCA should be able to tell us what we can and cannot teach. If Measure 9 passes state funding could be cut because of what a person might say.
- Measure 9 would severely limit information that is available to our kids, information that they need to make responsible, healthy choices. Given that our kids are among the fastest growing population of those at risk for HIV/AIDS we cannot afford to ignore this danger.
- Measure 9 would cut counseling and support programs for all adolescent students, making it even more difficult for teenagers to come to terms with their sexuality or for counselors to give teenagers information about support groups.

Measure 9 attempts to suppress vital information that protects the health of our children, removes local control of our schools.

VOTE NO ON 9!

Susan M. Harding Cleveland High School PTA President, Portland	Priscilla Turner Beaverton High School
Rose S. Colett Lake Oswego School District	Steven Foster Lincoln High School, Portland
Virginia Markell Clackamas County	Beth Nead Portland PTA Council
Karen Paulino Clackamas County	Linda Brown Lake Oswego School District
Janet Hogue Beaverton School District	William Ward M.D. Clackamas County
Eliot Spindel Lake Oswego School District	Nancy Ward Clackamas County

(This information furnished by D. Rebecca Levison, M.Ed.)

ARGUMENT IN OPPOSITION

Lane and Marion County's Parent Volunteers Oppose Measure 9

VOTE NO ON 9!

Measure 9 would:

- Severely limit basic sex education including abstinence, birth control, sexually transmitted diseases, and HIV/AIDS. With half of new HIV infections occurring in youth 25 years old and younger we cannot afford to ignore this danger to our kids.
- Make it impossible to teach the Oregon value of respect for others in our schools.
- State funding could be cut because of what one person might say. We can't let the agenda of one extremist organization endanger the health of our children and the quality of their schools.

There is **no** curriculum in Oregon public schools that "encourages or promotes" homosexuality or bisexuality.

We know the real problems with our schools: a lack of adequate funding, and class sizes that are too large.

Local school boards, accountable to the parents and students they serve, should make these decisions, not special interest groups.

Lane and Marion County's parent volunteers oppose Measure 9, because it attempts to suppress vital information that protects the health of our children, and removes our local control.

VOTE NO ON 9!

Elizabeth Gerot Eugene J4 School District	Mary Bauer Opra Keizer School District
Liz Degner Springfield School District	Penny McGinnis Springfield School District
Jennifer Heiss Springfield School District	Gloria Griffith Springfield School District
James E. Heiss Springfield School District	

(This information furnished by James E. Heiss, Penny McGinnis, Jennifer Heiss, Gloria Griffith.)

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Measure No. 9 Arguments

ARGUMENT IN OPPOSITION

Jackson and Deschutes County's Parent Volunteers Oppose Measure 9

It's Dangerous for Kids and Dangerous for Schools

- There is **no** curriculum in Oregon public schools that "encourages or promotes" homosexuality or bisexuality.
- Attacking a "problem" that doesn't exist endangers the health of our children and the quality of our schools.
- We know the real problems with our schools: the lack of funding, and class sizes that are too large.

This is about **local control**: these are decisions that need to be made by local school boards, accountable to the parents and students they serve.

If Measure 9 passed it would **CUT**:

Counseling or support programs for **all** adolescent students.

Information on abstinence, birth control, sexually transmitted diseases, and HIV/AIDS. Given that our youth are among the fastest growing population of those at risk for HIV/AIDS - we cannot afford to ignore this danger to our kids.

State funding could be cut because of what one person might say. We can't let the agenda of one special interest organization endanger the funding of our schools.

ALL of our kids deserve the best we have to offer.

Jackson and Deschutes County's parent volunteers oppose Measure 9, because it attempts to suppress vital information that protects the health of our children, and removes our local control.

VOTE NO ON 9!

David G. Young,
Lincoln Elementary, Ashland

Linda Young
Lincoln Elementary, Ashland

Amy Amrhein
Lincoln Elementary, Ashland

Susan Lopez
Lincoln Elementary, Ashland

Peggy Penland
North Medford HS, Medford

Stacy Dycus
Westside Village Elementary, Bend

Cathy Shaw
Ashland High School, and Mayor of Ashland

Rick Shaw
Ashland High School

(This information furnished by Rick Shaw, Cathy M. Shaw.)

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ARGUMENT IN OPPOSITION

OREGON CHURCHES AND FAITH COMMUNITIES SAY VOTE NO ON MEASURE 9

As people of faith, we share the Oregon values of respect and fairness for all people.

Please join us in voting No on Measure 9

Rev. Marvin D. Jones, Director Network Resource Ministries Oregon/Idaho Annual Conference of The United Methodist Church	Rabbi Emanuel Rose Congregation Beth Israel Portland
--	--

The Reverend Robert Corsner The Reverend Stephen Schafroth St. Paul's Episcopal Church	Rev. Dr. Hector Lopez United Church of Christ Portland
--	--

Ecumenical Ministries of Oregon	Rev. Dr. Marilyn Sewell Rev. Thomas Disrud Portland
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LaVelle Lasher
Morningside United
Methodist Church
Salem

Rev. Dr. Eileen Dunn
Ashland

Rev. Martha J. Cook
Christian Church in Oregon
Disciples of Christ

Rev. Dr. Joe E. Smith
Rev. Michelle E. Manicke
St. James Lutheran Church
(ELCA)

Rev. Wesley Taylor
Tigard United Methodist Church

Pastor Karl and Jean Vercouteren
The Dalles

Rabbi Marc Sirinsky
Judith Visser, Director of
Prayer and Education
Temple Emek Shalom
Ashland

Rev. Susan Leo
Bridgeport Community
United Church of Christ
Portland

Judith Schwartz
Florence Area Jewish Havurah

Rev. William R. Ellis, Jr.
Bend

The Rev. John A. Langfeldt
C. Floyd Emeren

(This information furnished by Ellen Lowe.)

Iris Gibson
Past President ex-officio
Church Women United

Robert Morris Smith
Willamette Quarterly Meeting
of the Religious
Society of Friends

Rev. Lynne Smouse Lopez
Ainsworth United
Church of Christ
Portland

Kate Lore,
Social Justice Council
First Unitarian Church
Portland

The Rev. Patt Herdklotz
Rogue Valley Unitarian
Universalist Fellowship

Roger Carlson
Pathways of Faith
Florence

The Reverend Tim Tiffany
Medford

Pastor David Knapp
Portland

The Rev. Stephen V. Schneider
Portland

Pastor Stan Rosengren

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Measure No. 9 Arguments

ARGUMENT IN OPPOSITION

**Religious Society of Friends
A Regional Group of Quakers
Opposes Measure 9**

For many years, Friends have struggled to grow in mutual understanding about issues relating to the lives of gays, lesbians and bisexuals within our Meetings, in our communities, and within our families. In our Meetings, we include sexual minority members, some of whom are in same-sex marriages, and we have shared times with each other's families.

We have found evidence, once again, of the truth to which Friends have witnessed throughout the years, that there is that of God in every person.

North Pacific Yearly Meeting of the Religious Society of Friends believes that all children deserve schools which affirm them and their families regardless of sexual orientation. We believe freedom of speech is essential for education and the search for truth.

Therefore we oppose Oregon Ballot Measure 9.

United on by North Pacific Yearly Meeting of the Religious Society of Friends 7/22/2000.

North Pacific Yearly Meeting is a 28-year old regional group, including Quakers in Idaho, Montana, Oregon and Washington. Two regional groups, North Pacific Yearly Meeting and Northwest Yearly Meeting, exist side by side in the state of Oregon. No organization speaks for Quakerism as a whole. Seeking to follow the leading of the Holy Spirit, North Pacific Yearly Meeting speaks for itself.

(This information furnished by Jay Thatcher, Presiding Clerk, North Pacific Yearly Meeting of the Religious Society of Friends (Quakers).)

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ARGUMENT IN OPPOSITION

**Oregon Educators and School Counselors
OPPOSE Measure 9**

Measure 9 is dangerous to our students and to our schools and school districts.

Measure 9: Limiting critical information for our students' education

Sponsors of Measure 9, the Oregon Citizens Alliance, want to take critical information away from Oregon students. Lon Mabon says that HIV/AIDS prevention education must be eliminated from our classrooms.

Why is HIV/AIDS prevention instruction important for our students?

Over 1/2 of the new HIV/AIDS infections in the country occur in young people under the age of 25. With this high rate of infection among young people, we cannot afford to deny them life-saving information allowing them to make healthy decisions in their lives;

Measure 9: A recipe for intolerance and disrespect

Our schools now welcome all students from every walk of life. Measure 9 will single out gay and lesbian students for harassment and fear. We should instead be teaching our students to respect all people.

Measure 9 is a solution in search of a problem.

Not once have we encountered a single instance of any teacher "promoting or encouraging" homosexuality. What we encounter are real problems such as a lack of stable funding and overcrowded classrooms. These are the problems that need our attention.

We are educators and counselors from across Oregon. Together, we see thousands of students each day. Let us do our job, in our local schools, guiding our students and your children into the future, without statewide special interest groups telling us what to teach and what not to teach.

Vote No on Measure 9

Kristie Duyckinck, Teacher Hillsboro	Peter Thacker, Teacher Portland
June Buck, Teacher Medford	Trisha Parks, Teacher Beaverton
John Howry, Teacher Corvallis	Barry Hinkson, Teacher Sandy
Chris Morrison, School Counselor Bend	V. Gaile Baack, Counselor Portland
Barbara I. Heyerman, Teacher Ashland	R. Michael Caughell, Teacher Hillsboro
Mardella L. Stevens, Teacher Gresham	Henry Harris, Administrator West Linn Wilsonville

(This information furnished by Elizabeth A. Kaufman, No on 9 Campaign.)

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Measure No. 9 Arguments

ARGUMENT IN OPPOSITION

Measure 9 will harm Oregon's Colleges and Universities

We are student body presidents and active students at Oregon colleges and universities around the state.

We urge you to VOTE NO on BALLOT MEASURE 9.

Measure 9 will take important curriculum away from Oregon's college students

- Measure 9 will limit or eliminate critical health information from college studies, including HIV/AIDS prevention instruction. Students need this information to make responsible decisions in their lives!

Measure 9 will insist that we teach intolerance and disrespect at Oregon's colleges and universities

- Measure 9 will mean that gay and lesbian students may be treated with harassment and fear. We believe all students deserve respect at our colleges and universities.

Measure 9 threatens to take away state funding of Oregon's colleges and universities

- Any community college found to be in violation of Measure 9 can lose their state funding. At a time when we need adequate and stable funding for colleges, this measure puts our education at risk!

**It's our future. Vote No on 9.
Don't put Oregon's college students at risk.**

Brian Lord, Student Body President
Eastern Oregon University

Mary Cunningham, State Affairs Director
Associated Students of Portland State University

Scott Young, Associated Students of Southern Oregon University

Susan Whitmore, President
Associated Students of Lane Community College

(schools listed are for identification purposes only.)

(This information furnished by Mary Cunningham.)

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ARGUMENT IN OPPOSITION

"Measure 9 is bad for the health of young Oregonians. Even while half of all new HIV infections in the U.S. occur among people under 25 years of age, Measure 9 threatens the most basic, common sense health education programs in our schools. It puts Oregon's youth at higher risk by denying them potentially life-saving information, and removes needed support and counseling for students who have questions about their health. Measure 9 will create a school environment of government-sanctioned discrimination by targeting many of Oregon's most vulnerable youth, and will result in fewer young Oregonians feeling comfortable asking questions about their health. If students do ask, Measure 9 will make it illegal for trained adult school counselors and teachers to honestly answer their most basic questions. The chilling effect of Measure 9 will make some schools even more hesitant to conduct or request HIV prevention programs for fear of losing desperately needed funding, already in short supply. We strongly urge all Oregonians to vote 'No' on 9. Don't put the health of Oregon's kids at risk."

(This information furnished by Thomas Bruner, Cascade AIDS Project.)

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Measure No. 9 Arguments

ARGUMENT IN OPPOSITION

The American Friends Service Committee, a Quaker organization, seeking to understand and address the root causes of poverty, injustice, and war, says

Preserve Our Community

Vote No on 9

"The fruit of the Spirit is love, joy, peace, patience, kindness, generosity, faithfulness. There is no law against such things." (Gal 5:22-23)

Protect Our Children - Vote No on 9

We are called to speak out against any attack on the civil and human rights of persons because of their sexuality or gender identity. We find that some religious rhetoric has been used to deny civil and human rights and, worse, used as justification by those filled with hate to commit violent and aggressive acts against those who only seek to love. These acts are contrary to our own experience of God.

Protect Our Communities - Vote No on 9

Our testimony against all forms of violence, which includes our testimony against war, also encompasses social and psychological violence. We are ashamed of and condemn hate-filled speech and the rhetoric of violence especially when used in the name of Christ or by Christian groups. We believe that violence in deed or in word against anyone violates "that of God" in every person. We work to create a climate in the United States and the world in which such acts and words of hate will be recognized as violence and will not be tolerated.

Protect Our Children Protect Our Communities

American Friends Service Committee Says Vote No on 9

(This information furnished by Dan Stutesman, American Friends Service Committee.)

ARGUMENT IN OPPOSITION

People of Faith Oppose Measure 9

Vote No on 9

People of Faith say no to discrimination

Our diverse faith and spiritual traditions teach us the wisdom and compassion to know that all of our children matter. We believe it is wrong to discriminate against students, their families or educators because of their sexual orientation. People in each of our religious traditions have been singled out for discrimination leading to persecution. It was wrong then. It is wrong now.

People of Faith say that all people count

We know that words and beliefs matter. Measure 9 forbids teaching that all people are equal. Our moral compass guided by faith teaches that all of God's children count. There is room at the table for all. We must not allow a state law to be enacted that says that some of our citizens are not equal to others. It's not fair to all of us for the OCA to impose its own views on everyone else. We are all free to hold our opinions, but policies for Oregon's schools should not be determined by the religious beliefs of one organization.

People of Faith say protect our values

Public schools must not be allowed to exclude any student from a complete and full education because of religion, race, class, sex, disability, national origin, or sexual orientation. We cannot allow fear, ignorance, intolerance, and bigotry to become part of our schools' curriculum. We believe that only by including all and by strong academic standards based on freedom of conscience, thought, and inquiry, can we build real community.

WE CALL UPON ALL PEOPLE OF FAITH AND ALL PEOPLE OF GOOD WILL TO VOTE NO ON MEASURE 9.

503.230.9430

(This information furnished by Dan Stutesman, People of Faith Against Bigotry.)

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

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Measure No. 9 Arguments

ARGUMENT IN OPPOSITION

**Basic Rights Oregon
urges Oregonians:
vote 'no' on Measure 9.**

**Measure 9 is a danger to Oregon's kids
and a danger to Oregon's schools.**

Measure 9 puts the health and safety of our kids at risk by greatly limiting the teaching of basic sex education. Measure 9 would force schools to stop offering honest sex education classes on HIV prevention, abstinence, birth control and sexually transmitted diseases.

Measure 9 is bad for Oregon schools because it threatens public school funding. Under Measure 9, if a faculty or staff person at any public school made a statement which could be perceived by an unelected bureaucrat in Salem as promoting or sanctioning homosexuality, that school would be at risk of losing all state funding.

Measure 9 would change the way public schools teach and operate in Oregon. It would take control of public schools away from local school boards and give control to a special interest group.

Measure 9 undermines the teaching of tolerance, fairness, and respect in our schools. Public schools in Oregon have a duty to be welcoming, inclusive, and safe for all students. Measure 9 is dangerous because it would stigmatize students, faculty, and staff who are, or who are wrongly perceived to be, gay or lesbian.

Basic Rights Oregon is dedicated to ending discrimination based on sexual orientation in our state. In the spirit of fundamental fairness and equality, Basic Rights Oregon will build and mobilize a broad coalition of citizens to ensure democratic freedoms for all Oregonians.

Basic Rights Oregon urges you to vote "No on 9!"

(This information furnished by Jennifer Webber, Basic Rights Oregon.)

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

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ARGUMENT IN OPPOSITION

Please Vote NO on Measure 9

Lon Mabon's Oregon Citizen's Alliance and the Christian Coalition Measure 9 is dangerous for kids and dangerous for schools. If passed:

- Measure 9 would severely limit schools from teaching HIV prevention which puts Oregon kids at risk.
- Measure 9 will single out gay and lesbian students, teachers, and school staff for harassment and intimidation, instead of allowing schools to teach tolerance and respect for everyone;
- Measure 9 would take away local decision-making for curriculum from parents and teachers, and put it in the hands of a new state bureaucracy that could take away local school funding.

We are Oregonians from across our state who believe that our local schools should be welcoming places for all students and teachers, no matter what their sexual orientation.

We urge you to VOTE NO on Measure 9.

More than 1,000 Oregonians from 14 counties across the state signed petitions to submit this voter's pamphlet statement, including:

Clackamas, Washington, Lane, Jackson, Deschutes, Lake, Umatilla, Clatsop, Marion, Tillamook, Yamhill and Multnomah, Baker, Benton 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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Measure No. 9 Arguments

ARGUMENT IN OPPOSITION

United States Senator Ron Wyden Urges Oregonians to Vote NO on Measure 9

Our schools face enormous challenges.

As the world changes, and jobs of today and tomorrow for our children become more complex, our schools need to keep up.

The last thing we need is a political distraction like Ballot Measure 9. Our schools should focus on safe classrooms. Our schools should emphasize teaching the basics. Our schools should concentrate on accountability.

Our schools should not have to spend time and resources responding to the political agendas of fringe groups that simply don't approve of certain people.

Let's put excellence first in our schools. And keep political agendas far away from our children.

Please Vote No on Measure 9.

(This information furnished by US Senator Ron Wyden.)

ARGUMENT IN OPPOSITION

The Libertarian Party of Oregon and Log Cabin Republicans of Oregon urge your NO vote on Measure 9.

Funny how the pendulum swings.

Just when we think we have enough of the politically correct speech codes from the left, along comes another group of social reformers demanding "religiously correct" speech codes.

This measure has Big Government written all over it.

Does anyone believe that state bureaucrats are able to determine the best way to educate children? Measure 9's hidden agenda is that it shifts control away from local school districts, centralizing control in a state bureaucracy.

This expensive state bureaucracy will be required to determine the new religiously correct speech codes.

This bureaucracy will have to prevent and investigate any instances of "forbidden speech".

Busybodies with no connection to your school will run to this bureaucracy with wild tales, requiring expensive investigation and litigation.

School resources will be diverted to defending accusations, no matter how groundless.

High school counselors will turn away students who have "forbidden problems".

Instruction will suffer because teachers will avoid discussing subjects that might lead students to ask "forbidden questions".

Even college professors will be prohibited from discussing scientific theories that contradict Lon Mabon's theories on sexuality.

Do we really want Oregon to become the battleground for the "Scopes-Monkey Trial" of the 21st Century?

Do we want professors to turn off the light of inquiry upon "forbidden subjects"?

Education will suffer under Measure 9, because it will create far more problems than it could ever possibly solve (like most Big Government solutions).

If you don't like what is being taught at your local school, there are better ways to make a difference. Pay attention to your child's homework. Talk to your child's teacher or principal. Run for school board. Don't delegate local control to an anti-student, anti-parent bureaucracy.

Vote NO on Ballot Measure 9.

Adam Mayer
Chair, Libertarian Party of Oregon

Lee Coleman
President, Log Cabin Republicans of Oregon

(This information furnished by Lee Coleman, Log Cabin Republicans of Oregon; Adam Mayer, Libertarian Party of Oregon.)

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Voter Registration Information

VOTER REGISTRATION

Who May Register To Vote

You may register to vote for the November 7, 2000, General Election if:

1. You are a citizen of the United States;
2. You will be at least 18 years old by November 7, 2000; and
3. You are a resident of Oregon.

How To Register To Vote

To register to vote in the November 7, 2000, election, your completed voter registration card must be either:

- Postmarked by October 17, 2000;
- Delivered to a county elections office by October 17, 2000; or
- Delivered to any voter registration agency (e.g., DMV) by October 17, 2000.

If Your Name, Mailing Address or Political Party Affiliation Has Changed

If you are currently registered to vote in Oregon but your name, mailing address or party affiliation has changed since you last completed a voter registration card, complete a new voter registration card and mail it to your county elections office.

If Your Residence Address Has Changed

If you are currently registered to vote in Oregon but your residence address has changed since you last completed a voter registration card, complete a new voter registration card and mail it to your county elections office.

If you notify your county elections office of your change of residence address after October 17, 2000, you must request that a ballot be mailed to you or go to your county elections office to get your ballot.

Where to Obtain a Voter Registration Card

Voter registration cards can be obtained from the Secretary of State's Office, any county elections office, many state agencies, and most banks and post offices, and are also in some telephone books. It is also available on-line at the Secretary of State's web page at <http://www.sos.state.or.us/elections/other.info/vreg.htm>

Request for Voter Registration Card

(Please Print)

Name: _____

Address: _____

City: _____

Zip Code: _____

Telephone: _____

of forms requested: _____

MAIL TO: Office of the Secretary of State
Elections Division
141 State Capitol
Salem, OR 97310-0722

Voting Information

VOTE BY MAIL

What is Vote by Mail?

Vote by Mail is a method of conducting elections. Instead of using traditional polling places where voters go to cast ballots on election day, a ballot is automatically mailed to each registered voter. The ballot is then voted and returned to the county elections official to be counted.

When are the ballots mailed to the voters?

Ballots are mailed between the 18th and 14th days before the election.

As a voter, what do I have to do?

Your ballot packet will automatically be mailed to you. Inside the packet you will find the ballot, a secrecy envelope and a return envelope. Once you vote the ballot, place it in the secrecy envelope and seal it in the pre-addressed return envelope. Be sure you sign the return envelope on the appropriate line. After that just return the ballot either by mail or at a designated drop site.

What if I am uncomfortable voting my ballot at home?

Privacy booths are available for you to cast your ballot. There are privacy booths at your county elections office and there may be others at drop site locations elsewhere in your county. For further information, call your county elections official.

What if I make a mistake or need a new ballot?

If your ballot is lost, destroyed, damaged or you make a mistake in marking your ballot, you may call your county elections office and request a replacement ballot. One will be mailed to you as long as you request it by November 2. After that, you may pick it up at the elections office. If you have already mailed your original ballot before you realize you made a mistake, you have cast your vote and will not be eligible for a replacement ballot.

What if my ballot doesn't come?

If you are registered to vote and have not received your ballot within a week after they are mailed, call your county elections office. They will check that your voter registration is current. If it is, they will mail you a replacement ballot.

What if I have moved and have not updated my registration?

If you were registered to vote by October 17 but now have a different address, call your county elections office for instructions on how to update your registration and receive a ballot.

Do I have to return my ballot by mail?

You have the choice of mailing your ballot or returning it to any county elections office or any designated drop site in the state. The times and locations of drop sites are listed in the Voters' Pamphlet and are also available at your county elections office.

How much postage is required to mail the ballot back?

Your voted ballot can usually be returned using a single 33¢ stamp. In those instances where additional postage is necessary, it will be clearly indicated on the ballot materials.

When must the voted ballot be returned?

The voted ballot must be received in any county elections office or designated drop site by 8:00 p.m. on election night. Postmarks do not count!

How do I know if my ballot is received?

You can call your county elections office and ask if they received your ballot. A record is kept showing each voter whose ballot has been returned.

Can anyone find out how I've voted once I mail my ballot?

No. All ballots are separated from the return envelope before the ballots are inspected. This process ensures confidentiality.

What if I forget to sign the return envelope?

Generally, your elections office will either return it to you for signing or they will contact you, if possible, to come to the elections office to sign it. If the return envelope does not get signed before 8:00 p.m. on November 7, the ballot will not be counted.

Can the public watch the election process?

All steps of the process are open to observation by the public. Contact your county elections official to make arrangements.

When will election results be known?

Ballot counting cannot begin until election day. Initial results are released at 8:00 p.m. election night and will continue to be updated through election night until all ballots have been counted.

VOTERS WITH DISABILITIES

If you are unable to vote your ballot without assistance, because of a physical disability or because you are unable to read or write, contact your county elections official. They will provide two persons to assist you in voting. In order to assure the county receives your voted ballot by Election Day, contact your county elections office early to arrange for assistance. You may also select someone else of your own choice to assist you.

A cassette edition of the Voters' Pamphlet is available for Oregonians who cannot read standard print due to a visual or physical disability. To order a cassette of the Voters' Pamphlet, please contact Independent Living Resources at 503-232-7411.

County Elections Offices

Baker
Julia Woods
Baker County Clerk
1995 3rd St. Suite 150
Baker City, OR 97814-3398
541-523-8207 TTY 541-523-8208

Benton
James Morales
Elections Division
120 NW 4th St.
Corvallis, OR 97330
541-766-6756 TTY 541-766-6080

Clackamas
John Kauffman
Clackamas County Clerk
Elections Division
825 Portland Ave.
Gladstone, OR 97027-2195
503-655-8510 TTY 503-655-1685

Clatsop
Nicole Williams & Debbie Kraske
Co-Acting Clatsop County Clerks
PO Box 178, 749 Commercial
Astoria, OR 97103-0178
503-325-8511 TTY 503-325-9307

Columbia
Elizabeth (Betty) Huser
Columbia County Clerk
Courthouse
St. Helens, OR 97051-2089
503-397-7214 TTY 503-397-7246

Coos
Terri L. Turi, CMC
Coos County Clerk
Courthouse, 250 N. Baxter St.
Coquille, OR 97423-1899
541-396-3121, Ext 301
TTY 1-800-735-2900

Crook
Deanna (Dee) Berman
Crook County Clerk
300 NE. Third, Room 23
Prineville, OR 97754-1919
541-447-6553 TTY 541-416-4963

Curry
Renee Kolen
Curry County Clerk
PO Box 746
Gold Beach, OR 97444
541-247-7011, Ext. 223
TTY 541-247-6440

Deschutes
Mary Sue (Susie) Penhollow
Deschutes County Clerk
Deschutes Services Bldg.
1340 NW Wall St.
Bend, OR 97701
541-388-6546 TTY 541-385-3203

Douglas
Doyle Shaver, Jr.
Douglas County Clerk
PO Box 10
Roseburg, OR 97470-0004
541-440-4252

Gilliam
Rena Kennedy
Gilliam County Clerk
PO Box 427
Condon, OR 97823-0427
541-384-2311

Grant
Kathy McKinnon
Grant County Clerk
201 S. Humbolt St. #290
Canyon City, OR 97820
541-575-1675 TTY 541-575-1675

Harney
Maria Iturriaga
Harney County Clerk
Courthouse, 450 N. Buena Vista
Burns, OR 97720
541-573-6641

Hood River
Sandra Berry
Dir. Assess/Rec.
Courthouse, 309 State St.
Hood River, OR 97031-2093
541-386-1442

Jackson
Kathy Beckett
Jackson County Clerk
Courthouse, 10 S. Oakdale Ave.
Medford, OR 97501-2902
541-774-6148 TTY 541-774-6719

Jefferson
Kathy Marston
Jefferson County Clerk
Courthouse, 75 SE "C" St.
Madras, OR 97741
541-475-4451 TTY 541-475-4451

Josephine
Georgette Brown
Josephine County Clerk
PO Box 69
Grants Pass, OR 97528-0203
541-474-5243 TTY 1-800-735-2900

Klamath
Linda Smith
Klamath County Clerk
305 Main St.
Klamath Falls, OR 97601
541-883-5134 or 800-377-6094

Lake
Shirley Olsen
Lake County Clerk
513 Center St.
Lakeview, OR 97630-1539
541-947-6006 TTY 541-947-6007

Lane
Annette Newingham
Chief Deputy County Clerk
135 E. 6th Ave.
Eugene, OR 97401-2926
541-682-4234 TTY 541-682-4320

Lincoln
Dana Jenkins
Lincoln County Clerk
225 W. Olive St., Room 201
Newport, OR 97365
541-265-4131 TTY 541-265-4193

Linn
Steven Druckenmiller
Linn County Clerk
300 SW 4th
Albany, OR 97321
541-967-3831 TTY 541-967-3833

Malheur
Deborah R. DeLong
Malheur County Clerk
251 "B" St. W., Suite 4
Vale, OR 97918
541-473-5151 TTY 541-473-5157

Marion
Alan H. Davidson
Marion County Clerk
Elections Division
4263 Commercial St. SE, #300
Salem, OR 97302-3987
503-588-5041 / 1-800-655-5388
TTY 503-588-5610

Morrow
Barbara Bloodsworth
Morrow County Clerk
PO Box 338
Heppner, OR 97836-0338
541-676-9061 TTY 541-676-9061

Multnomah
Director of Elections
1040 SE Morrison
Portland, OR 97214-2495
503-988-3720 Fax 503-988-3719

Polk
Linda Dawson
Polk County Clerk
Courthouse, Room 201
Dallas, OR 97338-3179
503-623-9217 TTY 503-623-7557

Sherman
Linda Cornie
Sherman County Clerk
PO Box 365
Moro, OR 97039-0365
541-565-3606 Fax 541-565-3312

Tillamook
Josephine Veltri
Tillamook County Clerk
201 Laurel Ave.
Tillamook, OR 97141
503-842-3402 Fax 503-842-1599

Umatilla
Patti Chapman
Director of Elections
PO Box 1227
Pendleton, OR 97801
541-278-6254 TTY 541-278-6257

Union
R. Nellie Bogue-Hibbert
Union County Clerk
1001 4th St. Ste "D"
LaGrande, OR 97850
541-963-1006

Wallowa
Charlotte McIver
Wallowa County Clerk
101 S. River St., Rm 100
Enterprise, OR 97828-1335
541-426-4543, Ext. 15

Wasco
Karen LeBreton
Wasco County Clerk
Courthouse, 511 Washington St.
The Dalles, OR 97058
541-296-6159 TTY 541-296-6159

Washington
Ginny Kingsley
Elections Division
150 N. 1st Ave., MS3
Hillsboro, OR 97124
503-846-8670 TTY 503-846-4598

Wheeler
Marilyn Garcia
Wheeler County Clerk
PO Box 327
Fossil, OR 97830-0327
541-763-2400 TTY 541-763-2401

Yamhill
Charles Stern
Yamhill County Clerk
Courthouse, 535 NE 5th St. Rm. 119
McMinnville, OR 97128-4593
503-434-7518 TTY 800-735-2900

SECRETARY OF STATE
Bill Bradbury
State Capitol
Salem, Oregon 97310-0722



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MEASURES

General Election
November 7, 2000



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