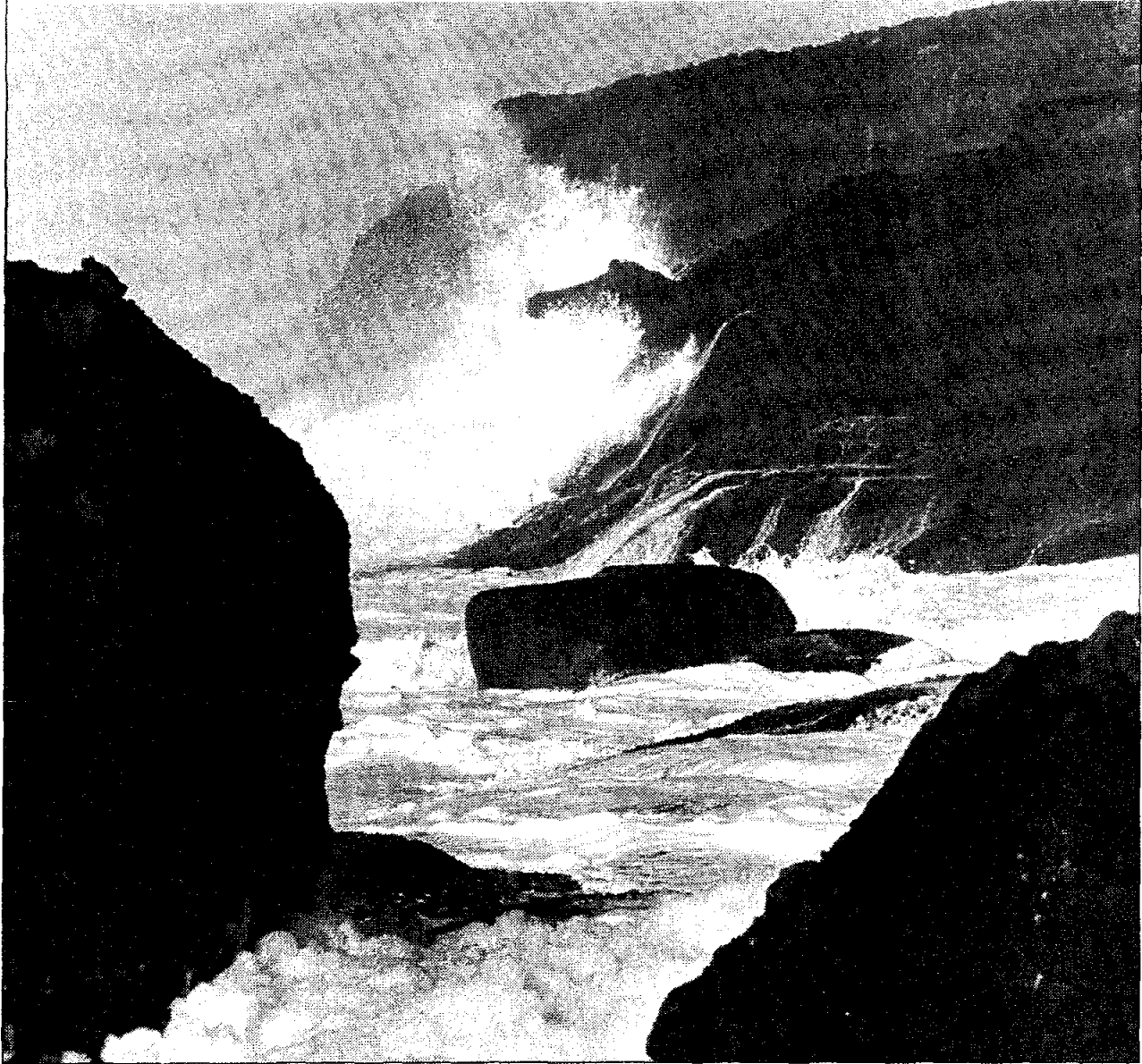


voters' pamphlet



STATE OF OREGON SPECIAL ELECTION MAY 16, 1995

Compiled and Distributed by

Phil Keeney
Secretary of State

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



Dear Voter,

I am pleased to provide you with this Voters' Pamphlet for the May 16, 1995, special election. This pamphlet is provided to help you become a better-informed voter.

In this pamphlet, you will find information about two statewide measures referred by the 1995 Legislative Assembly. It also contains information about registering to vote and updating your registration.

This Special Election Voters' Pamphlet is printed in a newspaper format rather than the familiar bound booklet because of the limited information submitted for the pamphlet. Using this format reduces the cost of publishing the Voters' Pamphlet and saves taxpayer dollars.

This edition of the Voters' Pamphlet has also been transcribed to tape. If you know a person who is sight-impaired or blind, please inform the person a tape copy of this pamphlet can be obtained by calling Vision Resources for Independent Living at 503-284-3339.

The May 16 special election is a vote-by-mail election. Ballots will be mailed to all registered voters between April 26 and April 28. Your voted ballot must be returned to your county elections office by 8:00 p.m. Tuesday, May 16.

I hope you will take the time to read this Voters' Pamphlet and exercise your right to vote in this election.

Best,

Phil Keisling
 Phil Keisling
 Secretary of State

On the Cover:
 The surf crashes into the rocks at Whale Cove near Depoe Bay. Photo courtesy of Tom Ballard, McMinnville.

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INFORMATION

GENERAL

Your official 1995 May Special Election Voters' Pamphlet provides you with information about two statewide measures referred by the Legislature. The information for each measure includes the ballot title, estimate of financial impact, the complete text of the measure, an impartial statement explaining the measure and any arguments filed by proponents and opponents of the measure. The page number for each item can be found in the table of contents above.

Oregon law allows the Legislature to submit one argument in support of each measure it refers to the people. Individuals or organizations may also file arguments in favor of or in opposition to measures by purchasing space for \$500 or by submitting a petition signed by 2,500 voters. The Secretary of State may not accept any argument that is not accompanied by the specified fee or the requisite number of signatures.

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

The May Election is a vote-by-mail election. If you are registered to vote by April 25, you will receive your ballot in the mail. Absentee or replacement ballots are available from your county elections office.

**IMPORTANT: YOUR VOTED BALLOT
MUST BE RECEIVED IN YOUR COUNTY ELECTIONS
OFFICE BY 8:00 P.M. MAY 16 TO BE COUNTED.**

VOTER REGISTRATION

Who May Register To Vote

You may register to vote for the May 16, 1995, election if:

1. You are a citizen of the United States;
2. You will be at least 18 years old by May 16, 1995; and
3. You are a resident of Oregon.

How To Register To Vote

To register to vote in the May 16, 1995, election, your completed voter registration card must be delivered to a county elections office by April 25, 1995. A voter registration card received after April 25, 1995, that contains a postmark of April 25, 1995, or sooner will be accepted. You also may deliver your completed voter registration card to any Driver and Motor Vehicle Services (DMV) office by April 25, 1995.

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 political 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 by May 8, 1995, you will be eligible to vote a ballot containing all offices and measures for which you qualify. If you notify your county elections office between May 9 and May 16, 1995, you will be eligible to vote on only the two statewide ballot measures. To obtain a ballot, you must go to your county elections office and complete a certificate of registration.

Where to Obtain a Voter Registration Card

Voter registration cards can be obtained from any county elections office, most banks and post offices, some state agencies, and are also found in many telephone books.

MEASURE NO. 21

State of Oregon

HOUSE JOINT RESOLUTION 15—Referred to the Electorate of Oregon by the 1995 Legislature, to be voted on at the Special Election, May 16, 1995.

BALLOT TITLE

21 DEDICATION OF LOTTERY FUNDS TO EDUCATION

QUESTION: Shall state lottery dollars be used for financing education, in addition to creating jobs and furthering economic development?

SUMMARY: Constitutional amendment allows profits from state lottery to be used for financing public education as well as for creating jobs and furthering economic development. Requires creation of Education Endowment Fund that receives 15 percent of lottery profits after July 1, 1997, and any other moneys appropriated by the Legislative Assembly. Investment earnings of endowment fund will be used to support public education. Investments may be in common stocks as provided by law. Requires Legislative Assembly to allocate lottery moneys for bond payments before allocations for other purposes.

ESTIMATE OF FINANCIAL IMPACT: This measure will allow State Lottery proceeds to be used to finance public education. Currently, these proceeds may be used only for creating jobs and furthering economic development. The moneys available in 1995-1996 are estimated to be \$290 million.

In addition, this measure establishes an education endowment fund. Fifteen percent of net lottery proceeds, or approximately \$50 million, will be invested in the fund annually beginning in 1997-1998. The interest earnings generated by the moneys are estimated to be \$2.5 million in 1997-1998 and will grow as more lottery proceeds are deposited each year. Earnings may be retained in the fund or expended for public education.

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

PARAGRAPH 1. Section 4, Article XV of the Oregon Constitution, is amended to read:

Sec. 4. (1) Except as provided in subsections (2), (3), (4)[,] and (5)[, and (6)] of this section, lotteries and the sale of lottery tickets, for any purpose whatever, are prohibited, and the Legislative Assembly shall prevent the same by penal laws.

(2) The Legislative Assembly may provide for the establishment, operation, and regulation of raffles and the lottery commonly known as bingo or lotto by charitable, fraternal, or religious organizations. As used in this section, charitable, fraternal or religious organizations means such organizations or foundations as defined by law because of their charitable, fraternal, or religious purposes. The regulations shall define eligible organizations or foundations, and may prescribe the frequency of raffles, bingo or lotto, set a maximum monetary limit for prizes and require a statement of the odds on winning a prize. The Legislative Assembly shall vest the regulatory authority in any appropriate state agency.

(3) There is hereby created the State Lottery Commission which shall establish and operate a State Lottery. All proceeds from the State Lottery, including interest, but excluding costs of administration and payment of prizes, shall be used for **any of the [purpose of] following purposes:** creating jobs, [and] furthering economic development or **financing public education** in Oregon.

(4)(a) The State Lottery Commission shall be comprised of five members appointed by the Governor and confirmed by the Senate who shall serve at the pleasure of the Governor. At least one of the Commissioners shall have a minimum of five years experience in law enforcement and at least one of the Commissioners shall be a certified public accountant. The Commission is empowered to promulgate rules related to the procedures of the Commission and the operation of the State Lottery. Such rules and any statutes enacted to further implement this article shall insure the integrity, security, honesty, and fairness of the Lottery. The Commission shall have such additional powers and duties as may be provided by law.

(b) The Governor shall appoint a Director subject to confirmation by the Senate who shall serve at the pleasure of the Governor. The Director shall be qualified by training and experience to direct the operations of a state-operated lottery. The Director shall be responsible for managing the affairs of the Commission. The Director may appoint and prescribe the duties of no more than four Assistant Directors as the Director deems necessary. One of the Assistant Directors shall be responsible for a security division to assure security, integrity, honesty, and fairness in the operation and administration of the State Lottery. To fulfill these responsibilities, the Assistant Director for security shall be qualified by training and experience, including at least five years of law enforcement experience, and knowledge and experience in computer security.

[(c) The Governor shall appoint the Lottery Commissioners and the Director within thirty days of the effective date of this subsection.]

[(d)] (e) The Director shall implement and operate a State Lottery pursuant to the rules, and under the guidance, of the Commission. [Within 105 days after the confirmation by the Senate of the Director and at least three Commissioners, the Director shall begin public sales of tickets or shares.] The State Lottery may operate any game procedure authorized by the Commission, except parimutuel racing, Social games, and the games commonly known in Oregon as bingo or lotto, whereby prizes are distributed using any existing or future methods among adult persons who have paid for tickets or shares in that game; provided that, in lottery games utilizing computer terminals or other devices, no coins or currency shall ever be dispensed directly to players from such computer terminals or devices.

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[[e]] (d) There is hereby created within the General Fund the Oregon State Lottery Fund which is continuously appropriated for the purpose of administering and operating the Commission and the State Lottery. *[Except for such monies as are necessary to temporarily fund the start-up of the State Lottery,]* The State Lottery shall operate as a self-supporting revenue-raising agency of state government and no appropriations, loans, or other transfers of state funds shall be made to it. The State Lottery shall pay all prizes and all of its expenses out of the revenues it receives from the sale of tickets or shares to the public and turn over the net proceeds therefrom to a fund to be established by the Legislative Assembly from which the Legislative Assembly shall make appropriations for the benefit of any of the *[public purpose of]* following public purposes: creating jobs, *[and]* furthering economic development or financing public education in Oregon. Effective July 1, 1997, 15 percent of the net proceeds from the State Lottery shall be deposited, from the fund created by the Legislative Assembly under this paragraph, in an education endowment fund. Earnings on moneys in the education endowment fund shall be retained in the fund or expended for the public purpose of financing public education in Oregon as provided by law. Moneys in the education endowment fund shall be invested as provided by law and shall not be subject to the limitations of section 6, Article XI of this Constitution. The Legislative Assembly may appropriate other moneys or revenue to the education endowment fund. The Legislative Assembly shall appropriate amounts sufficient to pay lottery bonds before appropriating the net proceeds from the State Lottery for any other purpose. At least 84% of the total annual revenues from the sale of all lottery tickets or shares shall be returned to the public in the form of prizes and net revenues benefiting the public *[purpose]* purposes.

[[5] The Legislative Assembly or the Emergency Board shall loan the Commission the sum of One Million Eight Hundred Thousand Dollars (\$1,800,000) to temporarily fund the start-up of the Commission and the State Lottery. These funds shall be repaid as an expense of the Commission within one year of the transfer of the funds. Interest shall be paid at an annual interest rate of ten percent commencing the day funds are advanced and until the funds are repaid.]

[[6] (5) Only one state lottery operation shall be permitted in the State. *[In the event more than one amendment of section 4, Article XV, which creates or authorizes a lottery is presented to, and passed by the people at the November 6, 1984 General Election, only the amendment receiving the greatest number of votes shall go into effect, and the other amendments shall not have the effect of creating or authorizing a lottery.]*

[[7] (6) The Legislative Assembly has no power to authorize, and shall prohibit, casinos from operation in the State of Oregon.

PARAGRAPH 2. The amendment proposed by this resolution shall be submitted to the people for their approval or rejection at a special election held throughout this state on May 16, 1995.

EXPLANATORY STATEMENT

This measure allows the profits of the Oregon State Lottery to be used for financing public education in Oregon. This use of lottery moneys for public education is in addition to the current uses of lottery moneys for creating jobs and furthering economic development. Except for the education endowment fund created by this measure, the Legislative Assembly will continue to determine the amount of lottery money that is spent for each of the purposes of creating jobs, furthering economic development and supporting the public schools.

In addition to authorizing the use of lottery moneys to generally support public education, this measure requires the creation of an education endowment fund. Starting on July 1, 1997, the education endowment fund will receive 15 percent of the net proceeds of the state lottery. The Legislative Assembly, before and after that date, may appropriate other moneys to the education endowment fund.

Under the measure, only the earnings received from investment of moneys in the education endowment fund may be used for financing public education. The principal amount of the fund may not be used to directly support public schools, but will be used only as a source of money for investments to benefit public education.

The financing of public schools with the earnings from education endowment fund investments is in addition to any other allocation of lottery moneys for support of public education in the state that may be provided by the Legislative Assembly.

The measure allows the Legislative Assembly to provide that investment of education endowment fund moneys shall be directed and managed by the State Treasurer and the Oregon Investment Council. The investments may be made in mutual funds, common stocks and other equity instruments just as moneys in the Common School Fund are currently allowed to be invested in mutual funds and common stocks.

If lottery moneys are pledged for payment of state bonds, this measure requires that the Legislative Assembly allocate lottery moneys for payment of the bonds before allocating lottery moneys for any other purpose.

(This impartial statement explaining the ballot measure was provided by the 1995 Legislature.)

The State of Oregon has attempted to correct spelling errors, but is not responsible for grammar, syntax or inaccuracies of measure arguments.

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

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ARGUMENT IN FAVOR

A Message From Oregon Senate President Gordon Smith
(District 29 -- Pendleton)

Save Some for the Students

Today, Oregon's Constitution allows for 16% of state lottery funds to be used for the administration and management of lottery programs. If you believe that we should save almost as much of state lottery funds (15%) for local schools and Oregon college students, you should support Ballot Measure 21.

The Oregon Education Endowment

Ballot Measure 21 does something very unique and powerful. It establishes the principle of saving and investing for education in the Oregon Constitution. The concept of the Oregon Education Endowment is simple. It says that Oregon will save and invest no less than 15% of lottery funds into a protected endowment fund and allow local schools and Oregon college students to compete directly for grants and scholarships that reward and encourage education excellence.

Better Schools Not Bigger Government

The goal of the Oregon Education Endowment is well educated students -- not a well fed government bureaucracy. Neither the grants for local schools nor scholarships for Oregon college students may be used for program administration, but instead will focus on locally-designed special academic programs, innovative uses of technology, and capital improvements. Ballot Measure 21 guarantees a long term funding source for local schools and Oregon college students without raising new taxes and without creating a new government bureaucracy.

Yes on 21: Save Some for the Schools

(This information furnished by Gordon Smith.)

(This space purchased for \$500 in accordance with 1993 Or. Laws 811 §11.)

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

Governor Kitzhaber Supports
Allowing Lottery to be Spent on Education

Measure 21 will do important things for education and for Oregon.

First, it allows lottery funds to be spent on public education without a legal challenge. Currently, lottery funds can only be spent on economic development. Measure 21 makes it legal to spend lottery dollars on education, too.

Second, Measure 21 reflects what Oregonians have said all along -- **make education a top priority**. Measure 21 constitutionally establishes that education will be a primary beneficiary from the lottery, the state's fastest growing revenue source.

Finally, **it continues to allow the state to fund important economic development programs** -- programs that have benefited all regions of Oregon, supported key industries and small businesses, and built roads, bridges and sewers.

While this measure will not solve all our funding problems, it is a positive step in the right direction.

I urge all Oregonians to join me in voting Yes on Measure 21.

Sincerely,

John Kitzhaber
Governor

(This information furnished by Richard G. Reiten, Chair, Lottery for Education Committee.)

(This space purchased for \$500 in accordance with 1993 Or. Laws 811 §11.)

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ARGUMENT IN FAVOR

A Message from Oregon Students

We support using lottery funds for education because education is the best investment Oregonians can make.

Our Education is Everything

Getting a good education will give us a chance to build our careers, to raise our own families, and make a difference for Oregon.

Our future depends on it.

Access to Funds Without Raising Taxes

Measure 21 provides another source of funds for education -- without raising or creating new taxes. It will allow the Legislature to use lottery funds for education, in addition to creating jobs or furthering economic development.

Measure 21 will also put 15% of the lottery profits into an education endowment that can be used for local school projects or college scholarships.

With all the budget pressures on state funds, it's good to know that we will be able to use lottery funds for education.

Thank you for voting for education -- **Vote Yes on Measure 21.**

Sincerely,

Dusty McGhehy, Burns High School Student Body President

Larisa Pennington, Lincoln High School Student Body President

Dan Fenton, North Medford High School Senior Class President

Sean Bevington, Grant High School Student Body President

(This information furnished by Richard G. Reiten, Chair, Lottery for Education Committee.)

(This space purchased for \$500 in accordance with 1993 Or. Laws 811 §11.)

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ARGUMENT IN FAVOR

Oregon Seniors Support Lottery for Education

Seniors in Oregon support allowing lottery funds to be used for education, in addition to creating jobs.

Each year, it seems as if it gets harder and harder to make the state budget stretch to cover the things Oregonians care about: K-12 and higher education, public safety and health care.

Measure 21, will increase access to education funding by allowing lottery dollars to be spent on public education, from kindergarten to college.

At the same time, it will increase budget flexibility, giving a little breathing room to the other services we need, such as jail beds for criminals and nursing home beds for the elderly. And it will do it without raising or creating taxes.

We benefited from a fine education when we were children, and so did our children. Now, it's our grandchildren's turn to get the education that will shape their whole future. Measure 21 will give more funding options and make it easier to give our children the best education possible.

Let's do what we can today to give our young people a better future tomorrow.

Vote Yes on Measure 21.

Alice Pickard
United Seniors of Oregon

Nate Davis
Gray Panthers

Doug Ellis
Oregon State Council of Senior Citizens

(This information furnished by Richard G. Reiten, Chair, Lottery for Education Committee.)

(This space purchased for \$500 in accordance with 1993 Or. Laws 811 §11.)

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ARGUMENT IN FAVOR

**A Message from University of Oregon President
Dave Frohnmayer**

What do Oregon parents want for their children?

Recent surveys indicate they want to give their children the chance for a good job in a prosperous economy, a clean environment and a society with low crime and high opportunities.

Education is the Key

All these goals are possible if we give our children a good education, from kindergarten to higher education. With a strong public education, all of our children will have the skills they need to be tomorrow's corporate executives, environmental engineers and law enforcement officers.

Education is a Good Investment for the Lottery

Measure 21 would help make it easier to fund the education we want to provide Oregon children. It would allow lottery funds to be spend on education, in addition to creating jobs and furthering economic development. Frankly, our children's education is the most important economic development tool we have. Let's make sure we can spend the money on education, too.

An Endowment for our Future

But Measure 21 would do more. It would set aside 15% of lottery profits for an Oregon Education Endowment Fund. The earnings from this fund will be used to fund special local education projects and scholarships for higher education. Each year, as more money is invested in the fund, more dollars will be available for our children's education.

Let's help give Oregon children the education they deserve.

**Vote Yes on Measure 21.
For education. For our children**

(This information furnished by Richard G. Reiten, Chair, Lottery for Education Committee.)

(This space purchased for \$500 in accordance with 1993 Or. Laws 811 §11.)

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ARGUMENT IN FAVOR

Oregon Farm Bureau Supports Lottery for Education

As with all Oregonians, education funding is a top priority for farmers and ranchers.

Because of Ballot Measure 5, schools across the state were hit with budget cuts. Measure 21 will guarantee a long term funding source for local schools and students without creating more administration.

The measure will allow lottery dollars to be spent on public education. But the most important piece is that it will constitutionally save 15% of future lottery profits for an Oregon Education Endowment Fund. Each biennium, lottery dollars will be added to a principle that is invested. Earnings from this endowment will be used for scholarships and to support local school projects.

Too many times we look for quick solutions to long term problems. The Oregon Farm Bureau feels that by constitutionally locking in a stable endowment fund of lottery dollars for education, Oregon children will benefit for years to come -- without risk that budget-strapped legislatures will raid the fund.

Please join the Oregon Farm Bureau in supporting long term, constitutionally locked-in support for education.

Vote Yes on Measure 21.

Sincerely,

Doug Breese
President, Oregon Farm Bureau

(This information furnished by Richard G. Reiten, Chair, Lottery for Education Committee.)

(This space purchased for \$500 in accordance with 1993 Or. Laws 811 §11.)

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.

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ARGUMENT IN FAVOR

A Message From Dick Reiten, Chair Lottery for Education Committee

Why vote for Measure 21? The answer is simple:

IT'S AN INVESTMENT IN OUR CHILDREN, IN THE HEALTH OF OUR ECONOMY, AND IN THE FUTURE OF OUR STATE.

Oregonians have long believed in the power of education to create opportunity and independence. It is why we have worked so hard to build one of the nation's best education systems. But today that system is in jeopardy.

A LACK OF FUNDING HERE IN OREGON AND INCREASING COMMITMENTS TO
EDUCATION THROUGHOUT THE WORLD THREATEN OUR CHILDREN'S
FUTURE AND OUR STATE'S COMPETITIVENESS.

It's time to allow lottery funds to be used for education.

No one anticipated that lottery revenues would reach the level they have. The current forecast for 1995-97 stands at more than **\$720 million**.

That's \$300 million more than last biennium.

Lottery revenues will fluctuate over time. But Measure 21 creates an Endowment Fund to stabilize lottery investments in education. Each year 15 percent of the lottery's profits will go into the Fund. As the principal grows, so will the interest that can be devoted to education.

Measure 21 is not a choice between creating jobs and strengthening our education system. The two are increasingly inseparable. The best way to create new jobs is to invest in education. This is how we will compete in the growing knowledge-based economy.

Measure 21 may not be the whole answer for our education system --- **but it is a big a step in the right direction.**

- It's a strong statement that education is our first priority.
- It's a recognition that our future depends on producing the world's best workforce.
- It is a commitment to helping our children achieve their fullest potential.

For our children, for our economy, for our future --
Vote Yes on Measure 21.

(This information furnished by Richard G. Reiten, Chair, Lottery for Education Committee.)

(This space purchased for \$500 in accordance with 1993 Or. Laws 811 §11.)

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.

**NO ARGUMENTS IN OPPOSITION TO THIS BALLOT MEASURE
WERE FILED WITH THE SECRETARY OF STATE.**

MEASURE NO. 22

State of Oregon

SENATE JOINT RESOLUTION 14—Referred to the Electorate of Oregon by the 1995 Legislature, to be voted on at the Special Election, May 16, 1995.

BALLOT TITLE

22 INHABITANCY IN STATE LEGISLATIVE DISTRICTS

QUESTION: Shall appointees to legislature be inhabitants of district one year before appointment and shall district inhabitancy be required for legislators?

SUMMARY: Constitutional amendment requires person appointed to fill vacancy in office of state Senator or state Representative to be an inhabitant of the legislative district the person is appointed to represent at least one year before the date of the appointment. Constitutional amendment also requires that state Senators and state Representatives continue to be inhabitants of their legislative districts during their terms of office. The amendment also provides exceptions in each case following reapportionment of the state legislature every 10 years.

ESTIMATE OF FINANCIAL IMPACT: No financial effect on state or local government expenditures or revenues.

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

PARAGRAPH 1. Sections 3 and 8, Article IV of the Constitution of the State of Oregon, are amended, and the Constitution of the State of Oregon is amended by creating new sections 1b and 8a to be added to and made a part of Article IV, such sections to read:

Sec. 3. (1) The senators and representatives shall be chosen by the electors of the respective counties or districts or subdistricts within a county or district into which the state may from time to time be divided by law.

(2) If a vacancy in the office of senator or representative from any county or district or subdistrict shall occur, such vacancy shall be filled as may be provided by law. **A person who is appointed to fill a vacancy in the office of senator or representative shall have been an inhabitant of the district the person is appointed to represent for at least one year next preceding the date of the appointment. However, for purposes of an appointment occurring during the period beginning on January 1 of the year next following the operative date of an apportionment under section 6 of this Article, the person must have been an inhabitant of the district for one year next preceding the date of the appointment or from January 1 of the year following the reapportionment to the date of the appointment, whichever is less.**

SECTION 1b. (1) The amendment to section 3 of this Article by Senate Joint Resolution 14 (1995) applies to any person appointed to the office of state Senator or state Representative on or after the effective date of the amendment to section 8 of this Article by Senate Joint Resolution 14 (1995).

(2) This section is repealed December 31, 1999.

Sec. 8. (1) No person shall be a Senator or Representative who at the time of election is not a citizen of the United States; nor anyone who has not been for one year next preceding the election an inhabitant of the district from which the Senator or Representative may be chosen. However, for purposes of the general election next following the operative date of an apportionment under section 6 of this Article, the person must have been an inhabitant of the district from January 1 of the year following the reapportionment to the date of the election.

(2) Senators and Representatives shall be at least twenty one years of age.

(3) No person shall be a Senator or Representative who has been convicted of a felony during:

(a) The term of office of the person as a Senator or Representative; or

(b) The period beginning on the date of the election at which the person was elected to the office of Senator or Representative and ending on the first day of the term of office to which the person was elected.

(4) No person is eligible to be elected as a Senator or Representative if that person has been convicted of a felony and has not completed the sentence received for the conviction prior to the date that person would take office if elected. As used in this subsection, "sentence received for the conviction" includes a term of imprisonment, any period of probation or post-prison supervision and payment of a monetary obligation imposed as all or part of a sentence.

(5) Notwithstanding sections 11 and 15, Article IV of this Constitution:

(a) The office of a Senator or Representative convicted of a felony during the term to which the Senator or Representative was elected or appointed shall become vacant on the date the Senator or Representative is convicted.

(b) A person elected to the office of Senator or Representative and convicted of a felony during the period beginning on the date of the election and ending on the first day of the term of office to

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which the person was elected shall be ineligible to take office and the office shall become vacant on the first day of the next term of office.

(6) Subject to subsection (4) of this section, a person who is ineligible to be a Senator or Representative under subsection (3) of this section may:

(a) Be a Senator or Representative after the expiration of the term of office during which the person is ineligible; and

(b) Be a candidate for the office of Senator or Representative prior to the expiration of the term of office during which the person is ineligible.

(7) **No person shall be a Senator or Representative who at all times during the term of office of the person as a Senator or Representative is not an inhabitant of the district from which the Senator or Representative may be chosen or has been appointed to represent. A person shall not lose status as an inhabitant of a district if the person is absent from the district for purposes of business of the Legislative Assembly. Following the operative date of an apportionment under section 6 of this Article, until the expiration of the term of office of the person, a person may be an inhabitant of any district.**

SECTION 8a. (1) The amendment to section 8 of this Article by Senate Joint Resolution 14 (1995) applies to any person holding the office of state Senator or state Representative on or after the effective date of the amendment to section 8 of this Article by Senate Joint Resolution 14 (1995).

(2) This section is repealed December 31, 1999.

PARAGRAPH 2. The amendment proposed by this resolution shall be submitted to the people for their approval or rejection at a special election held throughout this state on May 16, 1995.

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

EXPLANATORY STATEMENT

This measure requires persons appointed to fill vacancies in the Legislative Assembly to be inhabitants of the legislative districts they are appointed to represent for one year prior to the date of the appointment. The measure also requires all members of the Legislative Assembly to be inhabitants of the districts they represent at all times during their terms of office.

The Oregon Constitution does not require persons appointed to fill vacancies in the offices of state Senator or state Representative to be inhabitants of the district they are appointed to represent. The Oregon Constitution also does not require members of the Legislative Assembly to live in the districts they represent during their terms of office. The Oregon Constitution does require persons elected to the Legislative Assembly to be inhabitants of their districts for one year before the date of the election.

This measure creates a new eligibility requirement of persons appointed to fill vacancies in the offices of state Senator or state Representative. Under the measure, a person is not eligible to be appointed to fill a vacancy in state legislative office unless the person has been an inhabitant of the district the person is appointed to represent for one year prior to the date of the appointment. The measure creates an exception following the reapportionment of the Legislative Assembly. A reapportionment occurs every 10 years to account for changes in the population of the state.

This measure also requires persons holding the office of state Senator or state Representative to be inhabitants of the districts they represent. A person does not lose status as an inhabitant of a district if the person is absent from the district to attend to business of the Legislative Assembly. Following a reapportionment of the Legislative Assembly every 10 years, a person may be an inhabitant of any district until the person's term of office expires.

This measure applies to persons who are appointed to the Legislative Assembly on or after the effective date of this measure and to persons who hold the office of state Senator or state Representative on or after the effective date of this measure.

(This impartial statement explaining the ballot measure was provided by the 1995 Legislature.)

MEASURE NO. 22

State of
Oregon

LEGISLATIVE ARGUMENT IN SUPPORT

The Oregon Constitution requires candidates for the state legislature to have inhabited the district they seek to represent for one year before the election. However, the Constitution has no such requirement for those seeking appointment to the legislature, nor does it require a legislator to continue to live in the district after election or appointment.

The absence of these requirements has resulted in legislators representing districts they do not even live in and people quickly moving into a district when a vacancy occurs, with the hope of receiving appointment.

Ballot Measure 22 changes this.

It requires state Senators and Representatives to live in the district they represent during their terms of office. If they fail to maintain inhabitancy, they will be subject to expulsion from the legislature.

Ballot Measure 22 treats those seeking appointment to the legislature in the same manner as the Constitution currently treats those seeking election. The measure requires any person appointed to the office of state Senator or state Representative to have inhabited the district being represented for one year prior to the appointment.

We are referring this measure to you to resolve the issue of inhabitancy before the next election cycle.

We believe that if the legislature wants to reform government and restore credibility, it must clean up its own house first. Referral and passage of this measure is a good first step in that direction.

Committee Members:
Senator Greg Walden
Representative Ray Baum
Representative Lee Beyer

Appointed by:
President of the Senate
Speaker of the House
Speaker of the House

(This Joint Legislative Committee was appointed to provide a legislative argument in support of the ballot measure pursuant to 1993 Or. Laws 811 §10.)

**NO ARGUMENTS IN FAVOR OF OR IN OPPOSITION TO
THIS BALLOT MEASURE WERE FILED WITH
THE SECRETARY OF STATE.**



Sea lions congregate on Shell Island, a mile south of Shore Acres State Park near Coos Bay. Photo courtesy of Tom Ballard, McMinnville.

COUNTY ELECTIONS OFFICES

Baker

Julia Woods
Baker County Clerk
1995 3rd St.
Baker City, OR 97814-3398
523-8207 / ☎ 523-8208

Benton

Dan Burk
Dir. Rec/Elections
Courthouse
Corvallis, OR 97330
757-6756 / ☎ 757-5646

Clackamas

John Kauffman
Clackamas County Clerk
Elections Division
825 Portland Ave.
Gladstone, OR 97027-2195
655-8510 / ☎ 655-1685

Clatsop

Lori Davidson
Clatsop County Clerk
Courthouse, 749 Commercial
Astoria, OR 97103-0178
325-8511 / ☎ 325-8511

Columbia

Elizabeth (Betty) Huser
Columbia County Clerk
Courthouse
St. Helens, OR 97051-2089
397-3796, Ext. 8444 /
☎ 397-3796, Ext. 8445

Coos

Mary Ann Wilson
Coos County Clerk
Courthouse
Coquille, OR 97423-1899
396-3121, Ext. 301 / ☎ 396-2106

Crook

Deanna (Dee) Berman
Crook County Clerk
300 E. Third, Room 23
Prineville, OR 97754-1919
447-6553 / ☎ 447-6553

Curry

Reneé Kolen
Curry County Clerk
PO Box 746
Gold Beach, OR 97444
247-7011, Ext. 223 / ☎ 247-6440

Deschutes

Mary Sue (Susie) Penhollow
Deschutes County Clerk
Administration Bldg.
1130 NW Harriman St.
Bend, OR 97701
388-6546 / ☎ 388-6547

Douglas

Gay Fields
Douglas County Clerk
PO Box 10
Roseburg, OR 97470-0004
440-4252 / ☎ 440-6092

Gilliam

Rena Kennedy
Gilliam County Clerk
Courthouse
Condon, OR 97823-0427
384-2311

Grant

Kathy McKinnon
Grant County Clerk
PO Box 39
Canyon City, OR 97820-0039
575-1675 / ☎ 575-1675

Harney

Dolores Swisher
Harney County Clerk
Courthouse, 450 N. Buena Vista
Burns, OR 97720
573-6641

Hood River

Sandra Berry
Dir. Assess/Rec
Courthouse, 309 State St.
Hood River, OR 97031-2093
386-1442

Jackson

Kathy Beckett
Jackson County Clerk
Courthouse, 10 S. Oakdale
Medford, OR 97501-2952
776-7181 / ☎ 776-7183

Jefferson

Elaine L. Henderson
Jefferson County Clerk
Courthouse, 75 SE "C" St.
Madras, OR 97741
475-4451 / ☎ 475-4451

Josephine

Georgette Brown
Josephine County Clerk
PO Box 69
Grants Pass, OR 97526-0203
474-5243 / ☎ 474-5243

Klamath

Bernetha G. Letsch
Klamath County Clerk
830 Klamath Ave.
Klamath Falls, OR 97601
883-5135 / ☎ 883-4135

Lake

Karen O'Connor
Lake County Clerk
Lake County Clerk
513 Center St.
Lakeview, OR 97630-1579
947-6006 / ☎ 947-6007

Lane

Annette Newingham
Elections Division
135 E. 6th Ave.
Eugene, OR 97401-2671
687-4234 / ☎ 687-4320

Lincoln

Dana Jenkins
Lincoln County Clerk
225 W. Olive St., Room 201
Newport, OR 97365
265-4131 / ☎ 265-4193

Linn

Steven Druckenmiller
Linn County Clerk
4th & Broadalbin
Albany, OR 97321
967-3831 / ☎ 967-3833

Malheur

Deborah R. DeLong
Malheur County Clerk
251 "B" St. W., Courthouse Box 4
Vale, OR 97918
473-5151 / ☎ 473-5157

Marion

Alan H. Davidson
Marion County Clerk
Elections Division
4263 Commercial St. SE, #300
Salem, OR 97302-3987
588-5041 / ☎ 588-5610

Morrow

Barbara Bloodsworth
Morrow County Clerk
PO Box 338
Heppner, OR 97836-0338
676-9061 / ☎ 676-9061

Multnomah

Vicki Ervin
Dir./Elections
1040 S.E. Morrison
Portland, OR 97214-2495
248-3720 / ☎ 248-3729

Polk

Linda Dawson
Polk County Clerk
Courthouse, Room 201
Dallas, OR 97338-3179
623-9217 / ☎ 623-9217

Sherman

Linda Cornie
Sherman County Clerk
PO Box 365
Moro, OR 97039-0365
565-3606

Tillamook

Josephine Veltri
Tillamook County Clerk
201 Laurel Ave.
Tillamook, OR 97141
842-3402

Umatilla

Tom Groat
Umatilla County Clerk
PO Box 1227
Pendleton, OR 97801
278-6254 / ☎ 278-6257

Union

R. Nellie Bogue-Hibbert
Union County Clerk
1100 "L" Avenue
LaGrande, OR 97850
963-1006

Wallowa

Charlotte McIver
Wallowa County Clerk
101 S. River St., Rm 100, Door 16
Enterprise, OR 97828-1335
426-4543, Ext. 17

Wasco

Karen LeBreton
Wasco County Clerk
Courthouse, 511 Washington St.
The Dalles, OR 97058
296-6159 / ☎ 296-6159

Washington

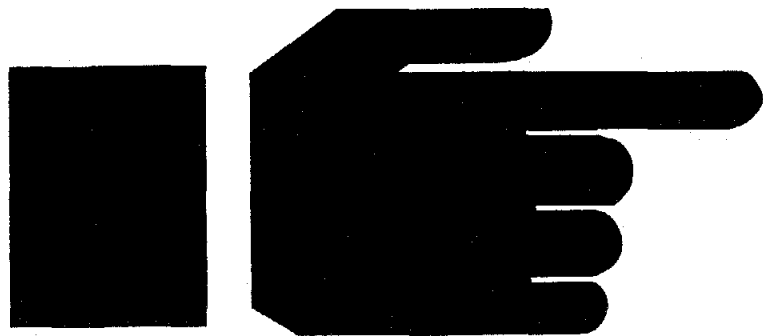
Ginny Kingsley
Elections Division
155 N. 1st Ave., Suite B 10
Hillsboro, OR 97124
648-8670 / ☎ 693-4598

Wheeler

Judy Potter
Wheeler County Clerk
PO Box 327
Fossil, OR 97830-0327
763-2400

Yamhill

Charles Stern
Yamhill County Clerk
Courthouse, 535 East 5th St.
McMinnville, OR 97128-4593
434-7518 / ☎ 434-7519



**IMPORTANT — YOUR VOTED
BALLOT MUST BE RECEIVED
IN YOUR COUNTY ELECTIONS
OFFICE BY 8:00 P. M. MAY 16
TO BE COUNTED.**

SECRETARY OF STATE
Phil Keisling
State Capitol Building
Salem, Oregon 97310-0722

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