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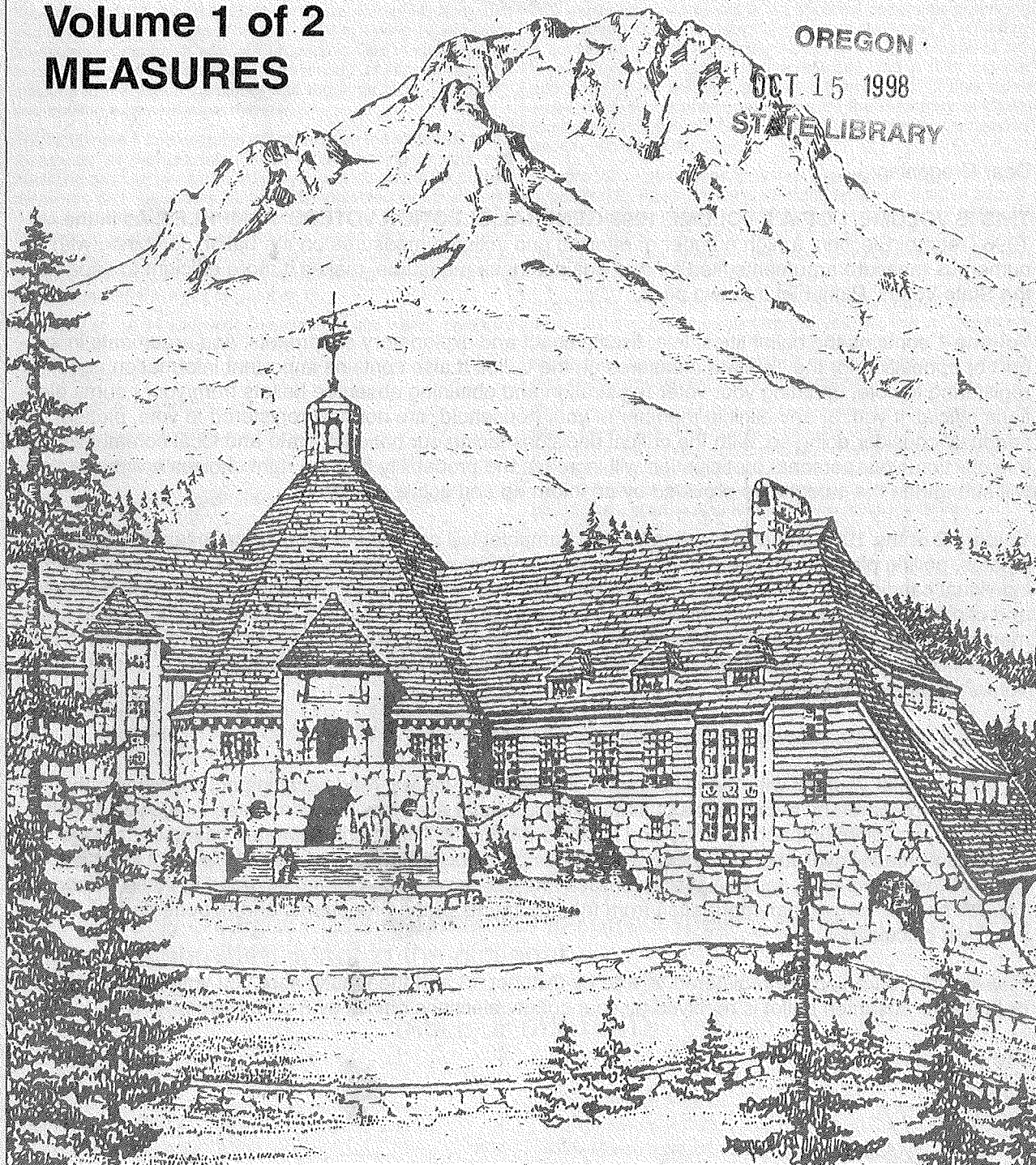
ers' pamphlet

Volume 1 of 2 MEASURES

OREGON

OCT 15 1998

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STATE OF OREGON GENERAL ELECTION NOVEMBER 3, 1998

Compiled and Distributed by

Phil Keisling
Secretary of State



This Voters' Pamphlet is the personal property of the recipient elector for assistance at the polls.

PHIL KEISLING

SECRETARY OF STATE

MICHAEL GREENFIELD

DEPUTY SECRETARY OF STATE



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

Dear Oregonian:

THIS IS VOLUME 1 OF A 2 VOLUME 1998 GENERAL ELECTION VOTERS' PAMPHLET. As in the 1996 General Election, a high number of referred and initiated measures on the ballot, combined with numerous measure arguments filed for and against those measures, makes it more efficient to separate the State Voters' Pamphlet into two parts.

Volume 1 contains the ballot titles, text, fiscal impact and explanatory statements, and arguments in support or opposition for the 14 state measures on the ballot. It also contains important information about registering to vote, updating your voter registration and obtaining absentee ballots from your county elections official. If you, or any eligible member of your household, are not now registered to vote, please seriously consider doing so. With the critical decisions facing our national, state and local communities this election, your personal participation will increase the probability that the right choices are made and will strengthen the safeguards provided by an informed and active electorate.

Volume 2 of the 1998 General Election Voters' Pamphlet will contain the list of state measures and candidates, polling place locations, voting instructions, political party statements and the statements filed by individual candidates. Your version of Volume 2 might also contain ballot measures, measure arguments and candidate statements for counties and the Metropolitan Service District (Metro), and candidate statements for cities with a population greater than 50,000. In addition, your county might have chosen to publish its County Voters' Pamphlet in combination with Volume 2. Some counties might mail a County Voters' Pamphlet separately.

Volume 2 will be mailed to every Oregon household next week.

As you acquaint yourself with the measures in this volume, you will read fiscal impact statements that have been prepared by a committee of state officials. Under state law, the committee is allowed to estimate only the "direct impact" on state and local governments. These are estimates based on the best information readily available; indirect consequences or costs that are too conjectural are not included. Other potential impacts—to businesses, families, the economy, etc.—are not included in these estimates. You will need to derive that information from the arguments of the proponents and opponents and from your own calculations.

Please make sure you are registered to vote by October 13 and then make sure you vote on November 3 or that your absentee ballot is received by your county elections official by 8 p.m. November 3.

Best,

Phil Keisling
Secretary of State

On the Cover: Timberline Lodge, constructed on Mount Hood in 1937 as a Works Progress Administration (WPA) project, is the crown jewel of lodge architecture in Oregon. The cover of this voters' pamphlet is a WPA drawing from the Friends of Timberline Archives, courtesy of Friends of Timberline, PO Box 40580, Portland OR 97240-0580.

Information

GENERAL

Your official 1998 General Election Voters' Pamphlet is divided into two separate volumes. This is a result of having 14 statewide measures on the ballot and 248 arguments filed in support of or in opposition to these measures. The amount of information to be included in the voters' pamphlet was too large to be bound into one book in a cost-effective manner.

This is Volume 1 and contains information on the statewide ballot measures, as well as information on registering to vote and obtaining an absentee ballot. Volume 2 will include the list of state measures and candidates, statements submitted by state candidates, political party statements, polling place locations, voting instructions and other miscellaneous voting aids. It may also include your county voters' pamphlet if your county chooses to produce a voters' pamphlet in combination with the state. Volume 2 will be mailed the week of October 16.

For each of the 14 statewide measures in this voters' pamphlet you will find the following information:

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

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

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

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

Citizens or organizations may file arguments in favor of, or in opposition to, measures by purchasing space for \$300 or by submitting a petition signed by 1,000 voters. Arguments in favor of a measure appear first, followed by arguments in opposition to the measure, and are printed in the order in which they are filed with the Secretary of State's office.

Additionally, measures 54 through 56 were referred to Oregon voters by the 1997 Legislature and you will find a "Legislative Argument in Support" for each of these measures. Oregon law allows the Legislature to submit, at no cost, an argument in support of each measure it refers to the people.

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

ATTENTION:

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

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ELECTION DAY IS TUESDAY, NOVEMBER 3, 1998

Polls are open from 7 a.m. to 8 p.m.

Measure No. 54

House Joint Resolution 71—Referred to the Electorate of Oregon by the 1997 Legislature to be voted on at the General Election, November 3, 1998.

BALLOT TITLE

54 AMENDS CONSTITUTION: AUTHORIZES STATE TO GUARANTEE BONDED INDEBTEDNESS OF CERTAIN EDUCATION DISTRICTS

RESULT OF "YES" VOTE: "Yes" vote authorizes state to guarantee general obligation bonds issued by certain education districts.

RESULT OF "NO" VOTE: "No" vote retains prohibition against state guarantee of general obligation bonds issued by education districts.

SUMMARY: Constitution now generally prohibits state from creating debt over \$50,000 or lending its credit. Measure amends constitution permitting state to guarantee general obligation bonded indebtedness of school districts, education service districts, community college districts. Limits amount state can guarantee to 1/2 of one percent of true cash value of taxable property in state. State may issue bonds, borrow from Common School Fund to satisfy obligation. Legislature must enact statutes authorizing state to recover from district payments made to satisfy state's guarantee of district debt.

ESTIMATE OF FINANCIAL IMPACT: Reduced interest and issuance costs on indebtedness by participating school districts, education service districts and community college districts are estimated to be \$70 million over the next 20 years under this measure. This estimate is based on current levels of bond issuance. There is no financial effect on state government revenues or expenditures.

TEXT OF MEASURE

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

PARAGRAPH 1. The Constitution of the State of Oregon is amended by creating a new Article to be known as Article XI-K and to read:

ARTICLE XI-K

SECTION 1. To secure lower interest costs on the general obligation bonds of school districts, education service districts and community college districts, the State of Oregon may guarantee the general obligation bonded indebtedness of those districts as provided in sections 2 to 6 of this Article and laws enacted pursuant to this Article.

SECTION 2. In the manner provided by law and notwithstanding the limitations contained in sections 7 and 8, Article XI of this Constitution, the credit of the State of Oregon may be loaned and indebtedness incurred, in an amount not to exceed, at any one time, one-half of one percent of the true cash value of all taxable property in the state, to provide funds as necessary to satisfy the state guaranty of the bonded general obligation indebtedness of school districts, education service districts and community college districts that qualify, under procedures that shall be established by law, to issue general obligation bonds that are guaranteed by the full faith and credit of this state. The state may guarantee the general obligation debt of qualified school districts, education service districts and community college districts and may guarantee general obligation bonded indebtedness

incurred to refund the school district, education service district or community college district general obligation bonded indebtedness.

SECTION 3. The Legislative Assembly may provide that reimbursement to the state shall be obtained from, but shall not be limited to, moneys that otherwise would be used for the support of the educational programs of the school district, the education service district or the community college district that incurred the bonded indebtedness with respect to which any payment under the state's guaranty is made.

SECTION 4. The State of Oregon may issue bonds if and as necessary to provide funding to satisfy the state's guaranty obligations undertaken pursuant to this Article. In addition, notwithstanding anything to the contrary in Article VIII of this Constitution, the state may borrow available moneys from the Common School Fund if such borrowing is reasonably necessary to satisfy the state's guaranty obligations undertaken pursuant to this Article. The State of Oregon also may issue bonds if and as necessary to provide funding to repay the borrowed moneys, and any interest thereon, to the Common School Fund. The bonds shall be payable from any moneys reimbursed to the state under section 3 of this Article, from any moneys recoverable from the school district, the education service district or the community college district that incurred the bonded indebtedness with respect to which any payment under the state's guaranty is made, any other funds available for these purposes and, if necessary, from state ad valorem taxes.

SECTION 5. Bonds of the state issued pursuant to this Article shall be the direct obligations of the state and shall be in such form, run for such periods of time and bear such rates of interest as shall be provided by law. The bonds may be refunded with bonds of like obligation.

SECTION 6. The Legislative Assembly shall enact legislation to carry out the provisions of this Article, including provisions that authorize the state's recovery, from any school district, education service district or community college district that incurred the bonded indebtedness with respect to which any payment under the state's guaranty is made, any amounts necessary to make the state whole. This Article shall supersede all conflicting constitutional provisions and shall supersede any conflicting provision of any law, ordinance or charter pertaining to any school district, education service district or community college district.

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

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

Measure No. 54

EXPLANATORY STATEMENT

Measure 54 amends the Oregon Constitution by creating Article XI-K related to the state's guarantee of general obligation bonds issued by local education districts for the purpose of securing lower interest costs on the bonds.

Measure 54 allows the state to guarantee the payment of general obligation bonds issued by qualified school districts, community college districts and education service districts. The state's guarantee would not alter a district's responsibility to repay its own bonds. The measure would not change voter approval or other requirements districts currently have to meet to issue general obligation bonds.

The Oregon Constitution generally prohibits the state from lending its credit or creating debt or liabilities that exceed \$50,000. The measure creates an exception to these prohibitions.

Measure 54 allows the state to pay the guaranteed indebtedness by using available state funds, borrowing from the Common School Fund or issuing state bonds. The measure further allows the state to issue bonds to reimburse moneys borrowed from the Common School Fund. The measure limits the amount of the state bonds that may be issued to one-half of one percent of state taxable property value.

Measure 54 allows for reimbursement to the state for any state or district bond payments from:

1. State funds allocated to the district education programs;
2. Recoverable district funds;
3. Any other funds available for these purposes; and
4. If necessary, a state property tax.

Measure 54 directs the Legislative Assembly to enact legislation to carry out the provisions of the Article.

Committee Members:

Senator Verne Duncan
Representative Randall Edwards
Bridget Barton
Senator Lenn Hannon
Kathleen Beaufait

Appointed By:

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

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

LEGISLATIVE ARGUMENT IN SUPPORT

VOTE YES TO BENEFIT SCHOOLS AND TAXPAYERS

Measure 54 gives qualified districts the same bond rate as the state to:

- Lower bond costs for many school districts; and
- Save taxpayers money on bond-interest costs.

Measure 54 applies to new voter approved bonds issued by

- School Districts.
- Education Service Districts.
- Community College Districts.

Measure 54

- Allows the state to guarantee payment of bonds.
- Limits total bonds guaranteed by the state.
- Requires districts to qualify for the state guarantee.

MEASURE 54 LOWERS SCHOOL BOND INTEREST RATES

VOTE YES ON MEASURE 54

Committee Members:

Senator Verne Duncan
Representative Randall Edwards
Representative Ken Strobeck

Appointed By:

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

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

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

Measure No. 54

ARGUMENT IN FAVOR

Ballot Measure 54 Saves Schools and Community Colleges Money

As Oregon school districts and community colleges attempt to deliver cost-effective services in an increasingly difficult revenue-raising environment, they are eagerly seeking savings and efficiencies. One example of increased efficiency is the Oregon School Bond Guaranty Act, which I introduced and was passed during the 1997 Legislative session.

In my capacity as State Treasurer I have the opportunity to interact with other states and glean the best of the best in ideas from other states. Measure 54 is one of those ideas. If Measure 54 is approved, Treasury estimates Oregon school districts and community colleges could save over \$69 million in the next 20 years by allowing the state to pledge its full faith and credit to guarantee, voter approved, qualified general obligation bonds of participating school districts, education service districts and community colleges.

The Legislative Revenue office says: The Oregon School Bond Guaranty Act "Reduces property taxes due to savings on bond interest."

This Measure is before voters because the State Constitution must be amended to obtain the legal authority to allow the state to guarantee school districts', voter approved, general obligation bonds with the state's AA credit rating. The state's guarantee would not alter a district's responsibility to pay it's own bonds or would it change voter approval or other requirements districts currently need to issue general obligation bonds. Treasury has no record of any school district or community college in Oregon ever defaulting on a general obligation bond.

This program is purely optional on the part of the district. It is a sound and responsible program to use voter approved tax dollars more efficiently. I urge your support.

(This information furnished by Jim Hill, Oregon State Treasurer.)

(This space purchased for \$300 in accordance with ORS 251.255.)

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

Measure No. 55

House Joint Resolution 72—Referred to the Electorate of Oregon by the 1997 Legislature to be voted on at the General Election, November 3, 1998.

BALLOT TITLE

55 AMENDS CONSTITUTION; PERMITS STATE TO GUARANTEE EARNINGS ON PREPAID TUITION TRUST FUND

RESULT OF "YES" VOTE: Vote "Yes" to authorize state to guarantee earnings under tuition trust fund program.

RESULT OF "NO" VOTE: Vote "No" to refuse authorization to guarantee earnings under tuition trust fund program.

SUMMARY: Amends Constitution. Measure approval makes effective the Post-secondary Education Expense Program adopted by 1997 Legislature. Program allows payment of undergraduate tuition before enrollment at lower than highest prevailing rate at time of enrollment; establishes trust fund. Measure permits state to exceed constitutional debt limit to authorize indebtedness at 1/2 of one percent of true cash value of all property in state to guarantee minimum benefits on contributions to prepaid tuition trust fund. State may issue bonds; may borrow from Common School Fund, if necessary.

ESTIMATE OF FINANCIAL IMPACT: It is estimated that this measure will require approximately \$1,200,000 in total start up costs, in state funds, over the first four years of its operation.

TEXT OF MEASURE

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

PARAGRAPH 1. The Constitution of the State of Oregon is amended by creating a new Article to be known as Article XI-K and to read:

ARTICLE XI-K

SECTION 1. In the manner provided by law and notwithstanding the limitations contained in sections 7 and 8, Article XI of this Constitution, the credit of the State of Oregon may be loaned and indebtedness incurred in an amount not to exceed, at any one time, one-half of one percent of the true cash value of all taxable property in this state to provide funds as necessary to satisfy state guarantees of minimum benefits or earnings derived from the contributions made to a prepaid tuition trust fund, which shall be created by law. The interests, as defined by law, regulation or contract, of contributors to, or beneficiaries designated by contributors to, the prepaid tuition trust fund shall be guaranteed by the full faith and credit of this state.

SECTION 2. The State of Oregon may issue bonds as necessary to provide funding to satisfy this state's guaranty obligations undertaken pursuant to this Article. In addition, notwithstanding anything to the contrary in Article VIII of this Constitution, this state may borrow available moneys of the Common School Fund if such borrowing is reasonably necessary to satisfy this state's guaranty obligations undertaken pursuant to this Article. The State of Oregon also may issue bonds as necessary to provide funding to repay the borrowed moneys, and any interest thereon, to the Common School Fund. The bonds shall be payable from any funds available for these purposes and, if necessary, from state ad valorem taxes.

SECTION 3. Bonds of this state issued pursuant to this Article shall be the direct obligations of this state and shall be in such form, run for such periods of time and bear such rates of interest as shall be provided by law. The bonds may be refunded with bonds of like obligation.

SECTION 4. The Legislative Assembly shall enact legislation to carry out the provisions of this Article. This Article shall supersede all conflicting constitutional provisions.

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

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

EXPLANATORY STATEMENT

This measure amends the Oregon Constitution by creating Article XI-K related to higher education prepaid tuition plans. A higher education prepaid tuition plan allows a contributor to pay for a beneficiary the cost of enrollment in a community college or higher education institution in advance at a rate that is lower than the projected highest prevailing cost at an Oregon public community college or university at the time of enrollment. If the contributor pays the contracted amount, the state guarantees payment of the tuition of the beneficiary at the time of enrollment.

The contract between the contributor and the state creates liabilities and debt for the state. The Oregon Constitution generally prohibits the state from creating debt or liabilities that exceed \$50,000. The measure creates an exception to this prohibition. The measure allows the state to lend credit and incur debt to satisfy guarantees made in connection with higher education prepaid tuition trust funds.

The measure allows the state to satisfy the state's obligations to contributors and beneficiaries under prepaid tuition plans by issuing bonds and borrowing from the Common School Fund. The measure allows the state to issue bonds to repay borrowed moneys and interest to the Common School Fund. The measure limits the state bonds to one-half of one percent of the true cash value of all taxable property in the state.

The measure allows the Legislative Assembly to provide for repayment of any state bonds issued from any funds available and, if necessary, from a potential state property tax. The state, in its history, has never defaulted on a general obligation bond nor exercised its authority to collect a statewide property tax to pay off bonds.

The measure directs the Legislative Assembly to enact legislation to carry out provisions of the Article.

Committee Members:

Senator Tom Hartung
Representative Peter Courtney
Tom Dennehy*
Senator Lenn Hannon
Craig Gabriel

Appointed By:

President of the Senate
Speaker of the House
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. 55

LEGISLATIVE ARGUMENT IN SUPPORT

A "Yes" vote on Ballot Measure 55 will:

Provide Oregonians and their children with a safe, simple savings plan for education guaranteed by the State of Oregon to protect against the rising cost of tuition

Tuition at Oregon's public universities has risen more than 80% since 1990 while personal incomes have risen only 49% and grant and scholarship spending has decreased. The Legislative Assembly has created a prepaid tuition plan program that is effective upon approval of BM 55. No matter how fast tuition costs rise, the State of Oregon guarantees that the plan, which you purchase based on today's tuition rates, will pay the full tuition costs of any Oregon public community college or university when your student enrolls.

The program works because the prepaid tuition plans are guaranteed by the full faith and credit of the State of Oregon and because the plan's earnings receive favorable tax treatment. All earnings of the plan are state tax exempt and federal tax deferred, with federal taxes assessed at the student's tax rate.

The program is safe. If a purchaser cancels the plan or the student uses only a portion of the benefits, the original investment for any remaining unused benefits can be reclaimed. In some circumstances, the original investment with interest may be reclaimed.

Create a prepaid tuition plan purchased with monthly or lump sum contributions for use at any public or private community college or university in Oregon or out-of-state

The program offers flexible contribution options that work for a purchaser who wants to invest a lump sum or make small payments each month, even through payroll deduction.

The program is designed to cover the full tuition costs of an Oregon public community college or university. The tuition benefits can be applied to enrollment at any accredited public or private educational institution in Oregon or out-of-state.

Committee Members:

Senator Tom Hartung
Representative Peter Courtney
Representative Mark Simmons

Appointed By:

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

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

ARGUMENT IN FAVOR

Oregon Needs More than Hope, Dreams and Good Intentions

As an instrumental partner in crafting the prepaid college tuition program for Oregon, I urge your support of Measure 55. Sending a child to college takes more than hopes, dreams and good intentions. **It takes planning.**

Measure 55 will allow Oregon residents — parents, students, relatives and other individuals — to pay in advance for tuition at any accredited community college or not-for-profit institution of higher learning. **Under the program, individuals can purchase a future college education at today's prices.**

Tuition at Oregon's public universities has increased by 80% since 1990. Income has risen only 49%. In the last six years, students have borrowed as much money as they did in the past three decades combined. The average Oregon student graduates \$24,000 in debt. The actual cost of \$24,000 borrowed at 8% is \$36,000. The actual cost of \$24,000 saved at 7% is \$16,000. This example demonstrates the power of saving versus borrowing, which is the premise of a prepaid tuition plan. Under the prepaid plan, payment options will vary. You can purchase tuition in one lump sum, based on today's tuition rates, or purchase it over a specified period of time, possibly as a monthly payroll deduction.

Measure 55 was crafted so the full-faith-and-credit backing of the state will provide parents the peace of mind that escalating tuition costs or a bad investment will not jeopardize their child's education. This is similar to the guarantee provided to the state's general obligation bonds, which finance critical state projects such as schools and road construction. The state has never defaulted on a general obligation bond nor has it had to collect statewide property taxes to pay off bonds. The state's guarantee is solid.

The earnings from the prepaid tuition plans are state tax-exempt and federally tax deferred and payable at the students' rate.

As we move closer to the 21st century, there is no greater asset to Oregon than that of our children. That's why I am supporting Measure 55. It will give our children a head start on achieving their dreams.

(This information furnished by Jim Hill, Oregon State Treasurer.)

(This space purchased for \$300 in accordance with ORS 251.255.)

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

Measure No. 55

ARGUMENT IN FAVOR

VOTE YES ON BALLOT MEASURE 55

Measure 55 Helps Make College More Affordable

Skyrocketing tuition costs are making it more and more difficult for Oregonians to send their children to college. Since 1990, tuition at Oregon's public universities has nearly doubled. Oregon families must find new ways to save for college costs.

Ballot Measure 55 will help make college more affordable by allowing families to safely invest in a new college savings plan.

Under the pre-paid tuition plan set up by Measure 55, Oregonians will be able to buy college tuition at today's prices. The plan allows families to invest their money in a college fund that guarantees future tuition payments to any state university or community college. The money saved can also be used to pay private college tuition.

Ballot Measure 55 ensures Oregonians can lock-in college tuition at today's rates and avoid staggering increases in tuition costs.

Measure 55 Reduces Your Taxes

Under the new college savings program established by Measure 55, Oregonians will be able to defer state and federal taxes owed on income earned in the program. And, when the tuition is paid, the income is taxed at the student's rate.

Measure 55 Guarantees a Safe Investment

Ballot Measure 55 protects any individual's investment in the pre-paid tuition program by guaranteeing it fully by the State. Families will not have to worry about losing their money when investing to save for college.

Dear Voter:

Ballot Measure 55 is a chance to help many Oregon parents fulfill their dream of having their children go to college. Passing Measure 55 is a critical part of a new college savings program that passed overwhelmingly during the 1997 legislative session.

As a father of three young children, I know how important it is to start saving early for a college education. Please join me in supporting Measure 55.

Sincerely,

**Randall Edwards
State Representative**

(This information furnished by Randall Edwards.)

ARGUMENT IN FAVOR

PARENTS SAY YES TO TUITION SAVINGS PLAN

All parents want a better life for their children—a good job, a nice home, a safe community. These are the things at the heart of the American Dream, and a college education is what makes that dream come true for most people today.

But as parents, we are worried about what will happen when our children are ready to go to college. The average student loan debt for Oregon public university students is more than \$17,000 at graduation. What will it be tomorrow?

That is why we urge every parent and every person to vote "Yes" on Measure 55. The children and grandchildren of this state deserve their chance at success, and this measure provides a way for Oregon families to see that they do.

Measure 55, the Pre-Paid Tuition Plan, lets Oregon families put small amounts of money in an account for their children for use when they go to a community college, public university, or independent college. The money grows on a tax-deferred basis, and is there when the students are ready for college.

The most important feature of the Pre-Paid Tuition Plan is that Oregon families can pay for tuition at the rates changed today, for use years later. Small amounts of money that grows over the years, with today's tuition rates "locked in"—that's a graduation gift every Oregon family can start saving for right away, if we just vote "Yes" on Measure 55.

Connie Rush

Liz Becker

(This information furnished by Grattan Kerans, Committee to Make College Affordable.)

(This space purchased for \$300 in accordance with ORS 251.255.)

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Measure No. 55

ARGUMENT IN FAVOR

Ballot Measure 55 creates Oregon's Pre-Paid Tuition Program

Measure 55 will create a safe, simple college savings plan for Oregon's families. Oregon's pre-paid tuition program allows Oregon residents to pay in advance for college tuition at any accredited community college or not-for-profit institution of higher learning. Oregon families will be able to purchase a future college education at today's prices.

In 1997 the Oregon Legislative Assembly created Oregon's Pre-Paid tuition program. Ballot measure 55 will guarantee the plan with the "full faith and credit" of the state of Oregon. By offering the full faith and credit of the State, Oregon's Pre-Paid Tuition Program will be able to unequivocally guarantee that anyone who participates in the program will receive the benefit they paid for.

A College Savings Plan for ALL Oregonians!!!

Oregon's Pre-Paid Tuition Program provides students and their parents protection against the rising cost of tuition by locking in today's tuition rates. Oregon's plan will let families buy up to four years' worth of tuition at today's prices, either in monthly installments or as a lump sum. Oregon's plan guarantees that your investment will cover tuition, no matter how much it has risen!

Oregon's Pre-Paid Tuition Program is State Tax Exempt!

All earnings on Oregon's Pre-Paid Tuition Program are tax exempt from the State of Oregon. Federal taxes on the earnings are deferred until the year of use and the tax rate is at the student's level of income.

To keep Oregon's economy growing and to prepare all our children for the next century, there is nothing more important than education. Ballot Measure 55 will make college more affordable for Oregon's working families!

VOTE YES on Ballot Measure 55

State Representative
Peter Courtney

(This information furnished by State Representative Peter Courtney.)

(This space purchased for \$300 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

MAKE COLLEGE AFFORDABLE AGAIN FOR THE NEXT GENERATION OF OREGON STUDENTS

When college students went off to campus 20 years ago, they could work all summer at the minimum wage and have enough to pay for tuition with some left over. Today, Oregon students have to work seven or eight months full time at the minimum wage to save enough to pay tuition, with none left over.

So most students work part-time---and borrow the difference. Students like us are caught in this trap--take years longer to get your degree and delay your career, or graduate on time with big student loans to repay. Neither choice is a good one.

There's a better way to have the next generation of Oregon students graduate from one of Oregon's community colleges, public universities, or private colleges, and Measure 55 makes it possible. If it had been available when we were growing up, we could have pre-paid tuition at a much lower rate, and it would have been there when we arrived as freshman.

By voting yes on Measure 55, we will give Oregonians that opportunity in the future: buy tuition at today's price, for use years later when their children are ready to go to college. It's a simple process: Buy all or part of one year's tuition in a calendar year at the price charged today, and it pre-pays all or part of the tuition 15 or 18 years from now.

Today's children can avoid delayed graduation or big student loan payments. Your vote can make a difference--vote yes on measure 55!

MAKE COLLEGE AFFORDABLE AGAIN--VOTE YES ON MEASURE 55

Kelly Koski, OSU* Eric Van Haggen, Student Body President
Willamette University*

Mike Caudle Ed Dennis

*Titles used for identification purposes only, and do not constitute an endorsement of the measure by the institutions

(This information furnished by Grattan Kerans, Committee to Make College Affordable.)

(This space purchased for \$300 in accordance with ORS 251.255.)

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

Measure No. 55

ARGUMENT IN FAVOR

OREGON HIGHER EDUCATION LEADERS URGE A "YES" VOTE ON MEASURE 55

Dear Fellow Oregonians:

The future of Oregon depends upon a well-educated society, with workers able to succeed in the knowledge-based industries that will dominate our economy in the next century, or applying the latest research in our natural resource businesses.

But Oregonians have to prepare financially for the cost of acquiring higher education for their children and grandchildren. That is why we are urging your yes vote for Measure 55, the Pre-Paid Tuition Program. This simple but valuable tuition pre-payment plan will allow Oregonians to set aside some or all of the cost of tuition at the rate charged now, a substantial savings over what the price may be 15 years or more in the future.

Every Oregon student can gain from this tuition pre-payment plan:

- Community college students
- Public university students
- Independent college and university students

Oregon will gain by approving this forward-looking plan. The future is coming at us at an accelerated rate, and we're banking on our children to be prepared to succeed in that complex world. So let's help Oregon families bank the funds needed to pay tuition when their children are ready to go to college, by voting yes on Measure 55.

David Frohnmayer
President, University of Oregon*

Paul Risser
President, Oregon State University*

Joseph Cox, Chancellor
Oregon University System*

*Titles used for identification purposes only, and do not constitute an endorsement of the measure by the institutions.

(This information furnished by Grattan Kerans, Committee to Make College Affordable.)

(This space purchased for \$300 in accordance with ORS 251.255.)

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ARGUMENT IN OPPOSITION

If you're in the habit of co-signing notes for strangers, guaranteeing payment on the notes by putting up your property as collateral, then you'd probably have no problem voting for Ballot Measure 55.

On the other hand, if you think only suckers would guarantee the payments for a product someone else purchases, no matter what the product costs, then you'll certainly vote against Ballot Measure 55.

Don't be a sucker. Measure 55 creates more than a billion dollars in new potential property tax liability.

Read Measure 55 carefully, then you'll vote No.

(This information furnished by Don McIntire.)

(This space purchased for \$300 in accordance with ORS 251.255.)

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

Measure No. 56

House Bill 2515—Referred to the Electorate of Oregon by the 1997 Legislature to be voted on at the General Election, November 3, 1998.

BALLOT TITLE

56 EXPANDS NOTICE TO LANDOWNERS REGARDING CHANGES TO LAND USE LAWS

RESULT OF "YES" VOTE: "Yes" vote requires governments to mail notice to landowners regarding changes to land use laws.

RESULT OF "NO" VOTE: "No" vote retains current notice requirements, which do not require mailed notice to landowners.

SUMMARY: Requires counties and cities to mail notices to landowners regarding changes to state, local, or metropolitan service district land use laws and regulations that limit or prohibit uses currently allowed on the landowners' property. Requires state government to reimburse counties and cities for costs of mailing notice resulting from changes to state statutes or administrative rules. Requires metropolitan service districts to reimburse counties and cities for costs of mailing notice resulting from changes in district land use regulations. Prescribes form of each notice.

ESTIMATE OF FINANCIAL IMPACT: State government expenditures are estimated to be \$2,040,000 annually in notice costs. Local government expenditures, including those of the Metropolitan Service District, are estimated to be \$1,547,000 a year.

This estimate is based on 7,000 land use actions per year, of which 3,900 would require some notice under this measure. Actual expenditures may vary based on such variables as the total number of land use actions, the number of actions included in each notice and the costs per notice.

TEXT OF MEASURE

AN ACT

Relating to notice of proposed land use action by local government; creating new provisions; amending ORS 215.503; repealing ORS 215.508; and providing that this Act shall be referred to the people for their approval or rejection.

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

SECTION 1. ORS 215.503 is amended to read:

215.503. (1) As used in this section, "owner" means the owner of the title to real property or the contract purchaser of real property, of record as shown on the last available complete tax assessment roll.

(2) *[Except as otherwise provided by county charter:]*

[(a)] All legislative acts relating to comprehensive plans, land use planning or zoning adopted by the governing body of a county shall be by ordinance.

[(b)] (3) **Except as provided in subsection (6) of this section** and in addition to the notice required by ORS 215.060, at least 20 days but not more than 40 days before the date of the first hearing on an ordinance that proposes to amend an existing comprehensive plan or any element thereof or to adopt a new comprehensive plan, the governing body of a county shall cause a written individual notice of land use change to be mailed to each owner whose property would have to be rezoned in order to comply with the amended or new comprehensive plan if the ordinance becomes effective.

[(c)] (4) In addition to the notice required by ORS 215.223 (1),

at least 20 days but not more than 40 days before the date of the first hearing on an ordinance that proposes to rezone property, the governing body of a county shall cause a written individual notice of land use change to be mailed to the owner of each lot or parcel of property that the ordinance proposes to rezone.

[(3)] (5) An additional individual notice of land use change required by subsection [(2)(b) or (c)] (3) or (4) of this section shall be approved by the governing body of the county and shall describe in detail how the proposed ordinance would affect the use of the property. *[The notice shall be mailed by first class mail to the affected owner at the address shown on the last available complete tax assessment roll.]* The notice shall:

(a) Contain substantially the following language in bold-faced type extending from the left-hand margin to the right-hand margin across the top of the face page of the notice:

This is to notify you that (governing body of the county) has proposed a land use regulation that will affect the permissible uses of your land.

(b) Contain substantially the following language in the body of the notice:

On (date of public hearing), (governing body) will hold a public hearing regarding the adoption of Ordinance Number _____. The (governing body) has determined that adoption of this ordinance will affect the permissible uses of your property and may reduce the value of your property.

Ordinance Number _____ is available for inspection at the _____ County Courthouse located at _____. A copy of Ordinance Number _____ also is available for purchase at a cost of _____.

For additional information concerning Ordinance Number _____, you may call the (governing body) Planning Department at _____.

(6) At least 30 days prior to the adoption or amendment of a comprehensive plan or land use regulation by the governing body of a county pursuant to a requirement of periodic review of the comprehensive plan under ORS 197.628 to 197.636, the governing body of the county shall cause a written individual notice of the land use change to be mailed to the owner of each lot or parcel that will be rezoned as a result of the adoption or enactment. The notice shall describe in detail how the ordinance or plan amendment will affect the use of the property. The notice also shall:

(a) Contain substantially the following language in bold-faced type extending from the left-hand margin to the right-hand margin across the top of the face page of the notice:

This is to notify you that (governing body of the county) has proposed a land use that will affect the permissible uses of your land.

(b) Contain substantially the following language in the body of the notice:

As a result of an order of the Land Conservation and Development Commission, (governing body) has proposed Ordinance Number _____. (Governing Body) has determined that the adoption of this ordinance will affect the permissible uses of your property and may reduce the value of your property.

Ordinance Number _____ will become effective on (date). Ordinance Number _____ is available for inspection at the _____ County Courthouse located at _____. A copy of Ordinance Number _____ also is available for purchase at a cost of _____.

For additional information concerning Ordinance Number _____, you may call the (governing body) Planning Department at _____.

Measure No. 56

(7) Notice provided under this section may be included with the tax statement required under ORS 311.250.

(8) Notwithstanding subsection (7) of this section, the governing body of a county may provide notice of a hearing at any time provided notice is mailed by first class mail or bulk mail to all persons for whom notice is required under subsections (3) and (4) of this section.

(9) For purposes of this section, property is rezoned when the governing body of the county:

(a) Changes the base zoning classification of the property; or

(b) Adopts or amends an ordinance in a manner that limits or prohibits land uses previously allowed in the affected zone.

(10) The provisions of this section do not apply to legislative acts of the governing body of the county resulting from action of the Legislative Assembly or the Land Conservation and Development Commission for which notice is provided under section 5 of this 1997 Act, or resulting from a decision of a court of competent jurisdiction.

(11) The governing body of the county is not required to provide more than one notice under this section to a person who owns more than one lot or parcel affected by a change to the local comprehensive plan or land use regulation.

(12) The Department of Land Conservation and Development shall reimburse the governing body of a county for all usual and reasonable costs incurred to provide notice required under subsection (6) of this section.

SECTION 2. Section 3 of this Act is added to and made a part of ORS 227.160 to 227.185.

SECTION 3. (1) As used in this section, "owner" means the owner of the title to real property or the contract purchaser of real property, of record as shown on the last available complete tax assessment roll.

(2) All legislative acts relating to comprehensive plans, land use planning or zoning adopted by a city shall be by ordinance.

(3) Except as provided in subsection (6) of this section, at least 20 days but not more than 40 days before the date of the first hearing on an ordinance that proposes to amend an existing comprehensive plan or any element thereof, or to adopt a new comprehensive plan, a city shall cause a written individual notice of a land use change to be mailed to each owner whose property would have to be rezoned in order to comply with the amended or new comprehensive plan if the ordinance becomes effective.

(4) At least 20 days but not more than 40 days before the date of the first hearing on an ordinance that proposes to rezone property, a city shall cause a written individual notice of a land use change to be mailed to the owner of each lot or parcel of property that the ordinance proposes to rezone.

(5) An additional individual notice of land use change required by subsection (3) or (4) of this section shall be approved by the city and shall describe in detail how the proposed ordinance would affect the use of the property. The notice shall:

(a) Contain substantially the following language in bold-faced type extending from the left-hand margin to the right-hand margin across the top of the face page of the notice:

This is to notify you that (city) has proposed a land use regulation that will affect the permissible uses of your land.

(b) Contain substantially the following language in the body of the notice:

On (date of public hearing), (city) will hold a public hearing regarding the adoption of Ordinance Number _____. The (city) has determined that adoption of this ordinance will affect the permissible uses of your property and may reduce the value of your property.

Ordinance Number _____ is available for inspection at the _____ City Hall located at _____. A copy of Ordinance Number _____ also is available for purchase at a cost of _____.

For additional information concerning Ordinance Number _____, you may call the (city) Planning Department at _____.

(6) At least 30 days prior to the adoption or amendment of a comprehensive plan or land use regulation by a city pursuant to a requirement of periodic review of the comprehensive plan under ORS 197.628 to 197.636, the city shall cause a written individual notice of the land use change to be mailed to the owner of each lot or parcel that will be rezoned as a result of the adoption or enactment. The notice shall describe in detail how the ordinance or plan amendment will affect the use of the property. The notice also shall:

(a) Contain substantially the following language in bold-faced type extending from the left-hand margin to the right-hand margin across the top of the face page of the notice:

This is to notify you that (city) has proposed a land use that will affect the permissible uses of your land.

(b) Contain substantially the following language in the body of the notice:

As a result of an order of the Land Conservation and Development Commission, (city) has proposed Ordinance Number _____. (City) has determined that the adoption of this ordinance will affect the permissible uses of your property and may reduce the value of your property.

Ordinance Number _____ will become effective on (date). Ordinance Number _____ is available for inspection at the _____ City Hall located at _____. A copy of Ordinance Number _____ also is available for purchase at a cost of _____.

For additional information concerning Ordinance Number _____, you may call the (city) Planning Department at _____.

(7) Notice provided under this section may be included with the tax statement required under ORS 311.250.

(8) Notwithstanding subsection (7) of this section, a city may provide notice of a hearing at any time provided notice is mailed by first class mail or bulk mail to all persons for whom notice is required under subsections (3) and (4) of this section.

(9) For purposes of this section, property is rezoned when the city:

(a) Changes the base zoning classification of the property; or

(b) Adopts or amends an ordinance in a manner that limits or prohibits land uses previously allowed in the affected zone.

(10) The provisions of this section do not apply to legislative acts of the governing body of the city resulting from action of the Legislative Assembly or the Land Conservation and Development Commission for which notice is provided under section 5 of this 1997 Act, or resulting from a court of competent jurisdiction.

(11) The governing body of the city is not required to provide more than one notice under this section to a person who owns more than one lot or parcel affected by a change to the local comprehensive plan or land use regulation.

(12) The Department of Land Conservation and Development shall reimburse a city for all usual and reasonable costs incurred to provide notice required under subsection (6) of this section.

SECTION 4. Section 5 of this Act is added to and made a part of ORS chapter 197.

Measure No. 56

SECTION 5. (1) At least 50 days prior to the effective date of a new or amended administrative rule of the Land Conservation and Development Commission or a new or amended land use planning statute enacted by the Legislative Assembly, as described in subsection (3) of this section, the Department of Land Conservation and Development shall cause a written notice of land use change, in substantially the form described in subsection (2) of this section, to be mailed to every local government that exercises land use planning authority under ORS 197.175.

(2) The notice shall contain substantially the following language in the body of the notice:

(a) On (date of rule adoption), the Land Conservation and Development Commission adopted administrative rule (number). The commission has determined that this rule will affect the permissible uses of property in your jurisdiction and may reduce the value of subject property.

Rule (number) is available for inspection at the Department of Land Conservation and Development located at (address). A copy of the rule (number) also is available for purchase at a cost of _____.

For additional information, contact the Department of Land Conservation and Development at (telephone number); or

(b) On (date of enactment) the Legislative Assembly adopted (House/Senate bill number). The Department of Land Conservation and Development has determined that enactment of (House/Senate bill number) will affect the permissible uses of property in your jurisdiction and may reduce the value of subject property.

A copy of (House/Senate bill number) is available for inspection at the Department of Land Conservation and Development located at (address). A copy of (House/Senate bill number) also is available for purchase at a cost of _____.

For additional information, contact the Department of Land Conservation and Development at (telephone number).

(3) The provisions of this section apply to all statutes and administrative rules of the Land Conservation and Development Commission that limit or prohibit otherwise permissible land uses.

(4) A local government that receives notice under this section shall cause a copy of the notice to be mailed to every owner of real property that will be rezoned as a result of the adoption or enactment of the rule or statute. Notice to a landowner under this subsection shall be mailed at least 30 days prior to the effective date of the subject rule or statute.

(5) The department shall reimburse the local government for all usual and reasonable costs of providing notice required under subsection (4) of this section.

SECTION 6. Section 7 of this Act is added to and made a part of ORS chapter 268.

SECTION 7. (1) At least 50 days prior to the effective date of a new or amended land use planning ordinance of a metropolitan service district, the district shall cause written notice of the new or amended ordinance to be mailed to every government located within the district that exercises land use planning authority under ORS 197.175.

(2) The notice described in this section shall contain substantially the following language in the body of the notice:

On (date of ordinance adoption), the Metropolitan Service District adopted ordinance (number). The district has determined that this ordinance will affect the permissible uses of property in your jurisdiction and may reduce the value of subject property.

Ordinance (number) is available for inspection at the Metropolitan Service District offices located at (address). A copy of the ordinance (number) also is available for purchase at a cost of _____.

For additional information, contact the Metropolitan Service District at (telephone number).

(3) A local government that receives notice under this section shall cause a copy of the notice to be mailed to every owner of real property that will be rezoned as a result of the adoption of the ordinance. Notice to a landowner under this subsection shall be mailed at least 30 days prior to the effective date of the subject ordinance.

(4) The district shall reimburse the local government for all usual and reasonable costs of providing notice required under subsection (3) of this section.

SECTION 8. ORS 215.508 is repealed.

SECTION 9. This Act shall be submitted to the people for their approval or rejection at the next regular general election held throughout this state.

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

EXPLANATORY STATEMENT

This measure requires cities and counties to provide individual written notice to every landowner when the city or county proposes a new or amended zoning ordinance if the proposed ordinance will limit or prohibit the uses of the landowner's property. This notice must be mailed to the landowner between 20 and 40 days prior to a local hearing on the proposed zoning ordinance. The measure requires individual notice for proposed changes to a city or county comprehensive land use plan that will require changes to existing zoning designations.

The measure also requires the Department of Land Conservation and Development to notify cities and counties when the legislature enacts a new law or the department adopts a new administrative rule that limits or prohibits permissible land uses. Cities and counties that receive notice from the department are required to forward a copy of the notice to each landowner affected by the new rule or statute.

The measure also requires that individual written notice be provided to every landowner affected by a new or amended land use planning ordinance adopted by a metropolitan service district (Metro) if the new or amended ordinance will require changes to local zoning designations in a manner that limits or restricts land uses in the affected area.

The Department of Land Conservation and Development is required to reimburse cities and counties for all costs of providing notice of changes in state land use statutes or state agency rules regulating land use.

Committee Members:

Senator Veral Tarno
Representative Leslie Lewis
Representative Chris Beck
Arthur J. Schlack
Roy Burns

Appointed By:

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

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

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

Measure No. 56

LEGISLATIVE ARGUMENT IN SUPPORT

A "Yes" vote on Ballot Measure 56 will:

Ensure that property owners have a "right to know" and receive notice when adverse zoning changes the allowable use of your property

For many Oregonians, home and land are the most valuable property owned. Currently, local governments are not required to provide notice to individual landowners when comprehensive plan or land use and zoning changes affect allowable uses of their land. Restrictions on allowable uses often have tremendous financial effects on landowners. BM 56 requires written notice to affected landowners prior to the effective date of state, local or metropolitan service district changes in land use and zoning regulations.

Save taxpayer money and needless lawsuits

Each year, lawsuits are filed by taxpayers against state and local governments as a result of comprehensive plan or land use and zoning changes. These lawsuits cost individual citizens and local governments thousands of dollars. BM 56 will reduce these lawsuits by providing people with information about proposed land use changes and an opportunity to react to those changes before they take effect.

Increase citizen involvement in and governmental accountability for land use planning

Currently, counties are required to publish notice of planned changes in a local newspaper, and affected landowners may learn of land use changes only after the decision has been made. Individual notice prior to the proposed change means landowners can participate in the decision-making process. Government benefits from greater citizen involvement.

Provide funding to local governments for the costs of mandated notice

When proposed changes in the comprehensive plan or land use and zoning ordinances are mandated by the state or a metropolitan service district, the state or district must reimburse affected cities and counties for the costs of notice incurred.

Provide cost effective options for individual notice

BM 56 authorizes local governments to reduce costs associated with individual written notice to landowners by using bulk mail or including notice in property tax statements.

Committee Members:

Senator Veral Tarno
Representative Mike Fahey
Representative Leslie Lewis

Appointed By:

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

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

ARGUMENT IN FAVOR

VOTE YES ON MEASURE 56

Ask yourself this question:

If your state or local government was considering changing the zoning laws on your land...

Changes that would affect the value of your land...

Changes that would restrict what you could do on your own property...

Wouldn't you want to know about it?

That's all Measure 56 requires...

A postcard to inform you in writing that the rules on your land are changing.

Nothing more, nothing less.

It's fair...It's good government...It's long overdue

Please Vote Yes on Measure 56.

If you would like more information on Ballot Measure 56, please call Citizens For an Informed Public at (503) 620-0258.

(This information furnished by David Hunnicutt, Citizens for An Informed Public.)

(This space purchased for \$300 in accordance with ORS 251.255.)

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Measure No. 56

ARGUMENT IN FAVOR

SUPPORT LOCAL PLANNING AND CITIZEN INVOLVEMENT

The Oregon Association of Realtors® asks you to Vote Yes on Ballot Measure 56.

We believe that local citizens should be allowed to participate in designing their own communities. Too often, important zoning changes are made in communities and neighborhoods, without citizen involvement.

But how can citizens be involved if they don't know that changes are being proposed? Ballot Measure 56 will help fix this problem.

Ballot Measure 56 will ensure that you receive a notice of proposed changes to the zoning laws before the uses on your property are restricted or eliminated.

In most instances, notices could be included in the yearly tax statement, eliminating the cost of a separate mailing.

Too often Oregonians purchase property unaware of zoning changes made by local government. Proper notification will help reduce expensive litigation.

That's why we support Ballot Measure 56, and urge you to Vote Yes on this important measure.

(This information furnished by John F. Scott, President, Oregon Association of Realtors.)

(This space purchased for \$300 in accordance with ORS 251.255.)

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ARGUMENT IN FAVOR

I lost my land and life savings.

And I didn't even know it was happening.

It started in 1986, when I bought 40 acres of land in Central Oregon

Filled with stone, sage and juniper, the land was divided into three buildable lots.

I planned to build my retirement home there one day.

But my life changed on a dime one day when I was injured on the job and was unable to work as a heavy equipment operator.

A year later, I put one of the parcels up for sale, hoping to use the proceeds to pay for job re-training and living expenses while I continued to look for work.

Within days, I had an offer of \$150,000 for just one of the parcels. But I soon learned that the year before, the rules governing my land had changed, and I could no longer build on my property. My land is now worthless.

I was never notified the rules governing my property had changed.

I was never notified that I could no longer build on my land.

I never had the chance to register my concerns or complaints.

I never had the chance to be involved in the process that stripped my land of all its value.

That's why I support Measure 56.

All Measure 56 does is make sure state and local governments notify landowners in writing that changes to their land are being considered, that the use of their property may be restricted. It's that simple.

All I wanted was a chance to state my case.

If Measure 56 had been law back then, I would have had the chance to speak my piece.

Please ... Vote Yes on Measure 56

Protect Your Land.

Protect Your Future.

Jim Watts

(This information furnished by Jim Watts.)

(This space purchased for \$300 in accordance with ORS 251.255.)

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Measure No. 56

ARGUMENT IN FAVOR

The Oregon State Grange Asks You to Vote Yes on Measure 56

The Oregon State Grange is the largest grassroots, rural-based fraternal organization in Oregon.

Grange members throughout Oregon support Ballot Measure 56. Ballot Measure 56 will increase citizen involvement and participation with state and local government, and will cut down on needless litigation and taxpayer spending.

An Ounce Of Prevention Is Worth A Pound Of Cure!

Every year, average Oregon landowners spend thousands of dollars in legal fees to fix zoning mistakes made by state and local governments. At this same time, state and local governments spend thousands of tax dollars in these cases.

In many instances, these mistakes could have been avoided for the cost of a postcard. A postcard which informed the landowner that the zoning laws on his property were being changed, and giving the landowner a telephone number to call for additional information.

The cost to mail these postcards is less than twenty-five cents, but the savings to the landowner and to state and local governments can be tremendous.

Is a simple postcard too much to ask for?

We don't think so, and neither should you.

Do we as taxpayers have a right to know when government is changing the zoning of our property?

Yes, of course we do, and by voting yes we can reclaim that right!

Ballot Measure 56 is about fairness and good government. Vote "Yes" on Measure 56.

(This information furnished by Edward L. Luttrell, Oregon State Grange.)

ARGUMENT IN FAVOR

The Oregon AFL-CIO urges you to vote yes on Ballot Measure 56.

IT'S ALL ABOUT FAIRNESS

We support Measure 56 because it's fair and simple.

Like all other Oregonians, our members deserve to know that laws are being changed that will affect their homes and property. They deserve the opportunity to participate with their elected officials in creating the new rules and regulations. They deserve the right to be involved in the decision making process.

Ballot Measure 56 will help guarantee these rights. Written notification of pending changes to your property gives everyone the right to be a part of the process.

We appreciate the hard work and efforts of our state and local governments. But our system won't work unless all Oregonians are entitled to be heard.

That is why Ballot Measure 56 is important.

Please Vote Yes on Ballot Measure 56.

Sincerely,

Irv Fletcher
President, Oregon AFL-CIO

(This information furnished by Irv Fletcher, President, Oregon AFL-CIO.)

(This space purchased for \$300 in accordance with ORS 251.255.)

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Measure No. 56

ARGUMENT IN FAVOR

From the Desk of State Senator Veral Tarno

Dear Voter:

I ask you to join me in voting "Yes" on Ballot Measure 56.

Ballot Measure 56 is a simple measure. It requires state and local governments to notify landowners in writing that changes to zoning laws affecting their land are being considered.

I believe very strongly in Ballot Measure 56. As a member of the Oregon legislature, I believe that we have an obligation to every Oregonian to keep you informed of changes we make that will affect your home and property. The same goes for state agencies and local governments.

As the Chairman of the Senate Water and Land Use Committee, I heard all of the arguments concerning Ballot Measure 56. During this time, not one person argued that it was a bad idea to notify landowners of changes that affect their property. Not one.

If we are going to change the law, the least we can do is let you know about it.

Please join me in voting "Yes" on Measure 56.

Very Truly Yours,

Veral Tarno
State Senator, District 24

(This information furnished by Senator Veral E. Tarno.)

(This space purchased for \$300 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

Oregonians In Action is an organization representing individual home and landowners. Oregonians In Action asks that you Vote Yes on Ballot Measure 56, a measure designed to encourage citizen participation and opens lines of communication between landowners and state and local government.

PROTECT YOUR HOME AND LAND

If you are like most Oregonians, your home and your land are the most valuable asset you own. Ballot Measure 56 will protect the value of your home and land by requiring that you receive a postcard before the state or local government restricts the uses that you can make on your property.

DOESN'T GOVERNMENT ALREADY DO THAT?

Under our current laws, state and local governments are not required to notify you before they make changes to their zoning laws that affect your property. This is unfair. All of us have the right to know that changes are being proposed that will affect what we can do with our property.

BALLOT MEASURE 56 REQUIRES MAILED NOTICE

Ballot Measure 56 does not change any zoning laws.

It doesn't make it easier or more difficult to use your property.

What it does, however, is tremendously important. Ballot Measure 56 ensures that you are informed of changes to zoning laws that affect your property, before the changes take effect. If you are notified, you can participate in any meetings on the proposed zoning changes, and you can join together with friends and neighbors who share your concerns.

Ballot Measure 56 is about fairness.

It's about citizen involvement.

It's about good government.

If you would like more information about Ballot Measure 56, please contact Oregonians In Action at (503) 620-0258.

Vote Yes on Ballot Measure 56.

(This information furnished by Larry George, Oregonians In Action.)

(This space purchased for \$300 in accordance with ORS 251.255.)

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Measure No. 56

ARGUMENT IN FAVOR

Goal #1 of Oregon's Land Use Planning System is Citizen Involvement.

The founders of our land use planning system believed in the preservation of our resource lands. In order to achieve success, they granted the government power to influence the way in which people use their land. Their intention was to have those who owned the land work in partnership with the government for the benefit of all.

Oftentimes it is argued that involving the public is too cumbersome and takes too much time. **Measure 56 will help put an end to the rush decisions made by government officials behind closed doors.** Measure 56 was designed precisely to involve those citizens in our land use process who will be most affected by the decisions of our government.

Measure 56 merely states that if our government wishes to alter the way in which we currently are able to use our property, they must inform us. Period. **Simple, logical, reasonable.** That is what Measure 56 really is. A plain and simple, common sense adjustment to help citizens become involved and knowledgeable partners in our land use planning system.

Please join me in helping pass Measure 56, the cornerstone necessary to make Goal #1 of our planning system something more than mere words on a piece of paper. Citizen involvement is something for which we should strive in all areas of government. Make it part of our land use system.

Vote Yes on Measure 56

Senator Thomas Wilde
Portland

(This information furnished by Senator Thomas Wilde.)

ARGUMENT IN FAVOR

Twenty years ago, I spent \$60,000 on a 2 acre parcel of land in Multnomah County. Today, that land is worthless.

That is the reason I support Measure 56 - the landowner notification measure.

Back then, \$60,000 was a lot of money for anyone to spend, especially for a recently retired Army Major.

I did everything I could to be careful before I bought the property. I checked with the county and made sure that they would let me build a home there. I was assured that I could.

Three years ago, I decided to sell my land.

It was then I discovered that the county had changed the zoning on my property without my knowledge. It was then that I learned for the first time I could no longer build a home on the land I had owned for almost two decades.

Worst of all, I was never notified the rules on my land had changed.

It would have been a simple matter to send me a postcard telling me the county was considering changing the rules.

- **I deserved the right to know the county was changing the zoning on my property.**
- **I deserved the right to participate in the hearings when the county rezoned my property.**
- **But I didn't get that right...and now my land is worthless.**

Vote YES on 56

Measure 56 will guarantee that every landowner receives written notice if the rules governing their land are about to change. It will guarantee your right to be involved when government is making decisions about your property.

I'm not a politician...and I don't represent any special interest groups. I'm just an average Oregon who fell victim to an unfair practice.

Ballot Measure 56 is about fairness.

That's why I support it.

I hope you will too.

Sincerely,

Bill Hackett

(This information furnished by Bill Hackett.)

(This space purchased for \$300 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.

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Measure No. 57

Proposed by referendum petition to be voted on at the General Election, November 3, 1998.

BALLOT TITLE

57 MAKES POSSESSION OF LIMITED AMOUNT OF MARIJUANA CLASS C MISDEMEANOR

RESULT OF "YES" VOTE: "Yes" vote makes possession of less than one ounce of marijuana a Class C misdemeanor.

RESULT OF "NO" VOTE: "No" vote retains statute making possession of less than one ounce of marijuana a violation.

SUMMARY: Under current Oregon law, possession of less than one ounce of marijuana is a violation, punishable by 500 to 1000 dollar fine; charges against first-time offenders may be dismissed upon completion of marijuana diversion agreement. Measure makes possession of less than one ounce of marijuana a Class C misdemeanor, punishable by up to 30 days imprisonment, plus 500 to 1000 dollar fine. Measure also makes failure to complete diversion agreement ground for six-month suspension of offender's driving privileges. Allocates \$600,000 for enforcement.

ESTIMATE OF FINANCIAL IMPACT: Direct state expenditures for law enforcement, indigent defense, court operation, and jury payments are estimated at \$586,000 annually. A one-time cost of \$50,000 would be required for Driver and Motor Vehicle Services computer programming. State expenditures could increase or decrease depending on the number of cases prosecuted, the number of individuals entering diversion agreements, and the number of defendants eligible for court-appointed counsel.

Direct county expenditures for local jail beds are estimated at \$229,000 annually. Local expenditures could increase or decrease depending on the length of sentences imposed by the courts, population management decisions of jail commanders, and management of offenders on probation or post-release supervision.

State fine revenues are estimated to be reduced by \$638,000 annually.

Major assumptions for these estimates include:

- 6,000 arrests per year.
- 50 percent of arrests will be prosecuted as misdemeanors, 40 percent will be prosecuted as violations, and 10 percent will result in a diversion agreement.
- 50 percent of all arrests will result in an average of one day of county jail time.
- 54 percent of arrests prosecuted as violations and 40 percent of arrests prosecuted as misdemeanors will result in convictions.
- The minimum fine of \$500 will be assessed for all misdemeanor convictions and maximum fine of \$250 will be assessed for all violations convictions.
- 40 percent of fines assessed for misdemeanor convictions and 78 percent of fines assessed for violation convictions will be collected.

TEXT OF MEASURE

AN ACT

Relating to controlled substances; amending ORS 135.907, 135.919, 419C.443, 475.992 and 809.410; and appropriating money.

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

SECTION 1. ORS 475.992 is amended to read:

475.992. (1) Except as authorized by ORS 475.005 to 475.285 and 475.940 to 475.995, it is unlawful for any person to manufacture or deliver a controlled substance. Any person who violates this subsection with respect to:

(a) A controlled substance in Schedule I, is guilty of a Class A felony.

(b) A controlled substance in Schedule II, is guilty of a Class B felony.

(c) A controlled substance in Schedule III, is guilty of a Class C felony.

(d) A controlled substance in Schedule IV, is guilty of a Class B misdemeanor.

(e) A controlled substance in Schedule V, is guilty of a Class C misdemeanor.

(2) Notwithstanding the placement of marijuana in a schedule of controlled substances under ORS 475.005 to 475.285 and 475.940 to 475.995:

(a) Any person who delivers marijuana for consideration is guilty of a Class B felony.

(b) Any person who delivers, for no consideration, less than one avoirdupois ounce of the dried leaves, stems and flowers of the plant Cannabis family Moraceae is guilty of a Class A misdemeanor, except that any person who delivers, for no consideration, less than five grams of the dried leaves, stems and flowers of the plant Cannabis family Moraceae is guilty of a violation, punishable by a fine of not less than \$500 and not more than \$1,000. Fines collected under this paragraph shall be forwarded to the Department of Revenue for deposit in the Criminal Fine and Assessment Account established in ORS 137.300.

(3) Except as authorized in ORS 475.005 to 475.285 and 475.940 to 475.995, it is unlawful for any person to create or deliver a counterfeit substance. Any person who violates this subsection with respect to:

(a) A counterfeit substance in Schedule I, is guilty of a Class A felony.

(b) A counterfeit substance in Schedule II, is guilty of a Class B felony.

(c) A counterfeit substance in Schedule III, is guilty of a Class C felony.

(d) A counterfeit substance in Schedule IV, is guilty of a Class B misdemeanor.

(e) A counterfeit substance in Schedule V, is guilty of a Class C misdemeanor.

(4) It is unlawful for any person knowingly or intentionally to possess a controlled substance unless the substance was obtained directly from, or pursuant to, a valid prescription or order of a practitioner while acting in the course of professional practice, or except as otherwise authorized by ORS 475.005 to 475.285 and 475.940 to 475.995. Any person who violates this subsection with respect to:

(a) A controlled substance in Schedule I, is guilty of a Class B felony.

(b) A controlled substance in Schedule II, is guilty of a Class C felony.

(c) A controlled substance in Schedule III, is guilty of a Class A misdemeanor.

(d) A controlled substance in Schedule IV, is guilty of a Class C misdemeanor.

(e) A controlled substance in Schedule V, is guilty of a violation.

(f) Notwithstanding the placement of marijuana in a schedule of controlled substances under ORS 475.005 to 475.285 and 475.940 to 475.995, any person who knowingly or intentionally is in unlawful possession of less than one avoirdupois ounce of the

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dried leaves, stems and flowers of the plant Cannabis family Moraceae is guilty of a [violation, punishable by a] **Class C misdemeanor. In addition to any other sentence it may impose for a conviction under this paragraph, the court shall include in the sentence an order to pay a fine of not less than \$500 and not more than \$1,000.** Fines collected under this paragraph shall be forwarded to the Department of Revenue for deposit in the Criminal Fine and Assessment Account established under ORS 137.300.

(5) In any prosecution under this section for manufacture, possession or delivery of that plant of the genus Lophophora commonly known as peyote, it is an affirmative defense that the peyote is being used or is intended for use:

(a) In connection with the good faith practice of a religious belief;

(b) As directly associated with a religious practice; and

(c) In a manner that is not dangerous to the health of the user or others who are in the proximity of the user.

(6) The affirmative defense created in subsection (5) of this section is not available to any person who has possessed or delivered the peyote while incarcerated in a correctional facility in this state.

SECTION 2. ORS 135.919 is amended to read:

135.919. (1) At any time before the court dismisses with prejudice the charge of possession of less than one ounce of marijuana, the court on its own motion or on the motion of the district attorney may issue an order requiring the defendant to appear and show cause why the court should not terminate the diversion agreement. The order to show cause shall state the reasons for the proposed termination and shall set an appearance date.

(2) The order to show cause shall be served on the defendant and on the defendant's attorney, if any. Service may be made by first class mail, postage paid, addressed to the defendant at the mailing address shown on the diversion petition and agreement or at any other address that the defendant provides in writing to the court.

(3) The court shall terminate the diversion agreement and continue the offense proceeding if:

(a) At the hearing on the order to show cause, the court finds by a preponderance of the evidence that any of the reasons for termination described in this section exist; or

(b) The defendant fails to appear at the hearing on the order to show cause.

(4) If the court terminates the diversion agreement and continues the offense proceeding, the court:

(a) On the defendant's motion and for good cause shown, may reinstate the diversion agreement at any time before conviction, acquittal or dismissal with prejudice.

(b) If the defendant is convicted, may take into account at time of sentencing any partial fulfillment by the defendant of the terms of the diversion agreement.

(c) Shall send a notice of the failure to complete diversion to the Department of Transportation.

(5) The court shall terminate a diversion agreement under this subsection for any of the following reasons:

(a) If the defendant has failed to fulfill the terms of the diversion agreement.

(b) If the defendant did not qualify for the diversion agreement.

SECTION 3. ORS 419C.443 is amended to read:

419C.443. (1) Except when otherwise provided in subsection (3) of this section, when a youth is found to be within the jurisdiction of the court under ORS 419C.005 for a first violation of the provisions under ORS 475.992 prohibiting delivery for no consideration of less than five grams of marijuana or prohibiting possession of less than one ounce of marijuana, the court shall order an evaluation and designate agencies or organizations to perform diagnostic assessment and provide programs of information and treatment. The designated agencies or organizations must meet the standards set by the Assistant Director for Alcohol and Drug Abuse Programs. Whenever possible, the court shall designate agencies or organizations to perform the diagnostic assessment that are separate from those that may be designated to carry out a program of information or treatment. The parent of

the youth shall pay the cost of the youth's participation in the program based upon the ability of the parent to pay. The petition shall be dismissed by the court upon written certification of the youth's successful completion of the program from the designated agency or organization providing the information and treatment.

(2) Monitoring the youth's progress in the program shall be the responsibility of the diagnostic assessment agency or organization. It shall make a report to the court stating the youth's successful completion or failure to complete all or any part of the program specified by the diagnostic assessment. The form of the report shall be determined by agreement between the court and the diagnostic assessment agency or organization. The court shall make the report a part of the record of the case.

(3) The court is not required to make the disposition required by subsection (1) of this section if the court determines that the disposition is inappropriate in the case or if the court finds that the youth has previously entered into a formal accountability agreement under ORS 419C.239 (1)(i).

(4) If the youth fails to complete the program specified by the diagnostic assessment, the court shall send notice to the Department of Transportation of the youth's failure to complete the program.

SECTION 4. ORS 809.410 is amended to read:

809.410. This section, ORS 813.400 and 813.403 establish grounds for the suspension and revocation of driving privileges and commercial driver licenses by the Department of Transportation, whether the suspension or revocation is mandatory or permissive, the length of time the suspensions will be effective and special provisions relating to certain suspensions and revocations. Hearing and administrative review procedures for this section, ORS 813.400 and 813.403 are established under ORS 809.440. The following apply as described:

(1) Any degree of murder, manslaughter, criminally negligent homicide or assault resulting from the operation of a motor vehicle constitutes grounds for revocation of driving privileges. The following apply to this subsection:

(a) Upon receipt of a record of conviction for an offense described in this subsection, the department shall revoke the driving privileges or right to apply for driving privileges.

(b) The revocation shall be for a period described in this paragraph except that the department shall not reinstate any driving privileges to the person until the person complies with future responsibility filings. The period of revocation shall be:

(A) Except as provided in subparagraph (B) of this paragraph, eight years from the date the person is released from incarceration, if the sentence includes incarceration. If the sentence does not include incarceration, the period of revocation shall begin on the date the department receives the record of conviction.

(B) One year if the revocation is for an assault that is not punishable as a felony. The period of revocation shall begin on the date the person is released from incarceration, if the sentence includes incarceration. If the sentence does not include incarceration, the period of revocation shall begin on the date the department receives the record of conviction.

(c) A person is entitled to administrative review of a revocation under this subsection.

(d) The provisions of this subsection do not apply to a person whose driving privileges are ordered revoked under ORS 809.235.

(2) Any degree of recklessly endangering another person, menacing or criminal mischief resulting from the operation of a motor vehicle constitutes grounds for suspension of driving privileges. The following apply to this subsection:

(a) Upon receipt of a record of conviction for an offense described in this subsection, the department shall suspend the driving privileges or right to apply for driving privileges.

(b) A person is entitled to administrative review of a suspension under this subsection.

(c) A suspension under this subsection shall be for a period described under Schedule I of ORS 809.420, except that the department shall not reinstate any driving privileges to the person until the person has complied with future responsibility filings.

(3) Perjury or the making of a false affidavit to the department

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under any law of this state requiring the registration of vehicles or regulating their operation on the highways constitutes grounds for revocation of driving privileges. The following apply to this subsection:

(a) Upon receipt of a record of conviction for an offense described in this subsection, the department shall revoke the driving privileges or right to apply for driving privileges.

(b) The revocation shall be for a period of one year from the date of revocation except that the department shall not reinstate any driving privileges to the person until the person complies with future responsibility filings.

(c) A person is entitled to administrative review of a revocation under this subsection.

(4) Any felony conviction with proof of a material element involving the operation of a motor vehicle constitutes grounds for revocation of driving privileges. The following apply to this subsection:

(a) Upon receipt of a record of conviction for an offense described in this subsection, the department shall revoke the driving privileges or right to apply for driving privileges.

(b) The revocation shall be for a period of one year from the date of revocation except that the department shall not reinstate any driving privileges to the person until the person complies with future responsibility filings.

(c) A person is entitled to administrative review of a revocation under this subsection.

(5) Failure to perform the duties of a driver to injured persons under ORS 811.705 constitutes grounds for revocation of driving privileges. The following apply to this subsection:

(a) Upon receipt of a record of conviction for an offense described in this subsection, the department shall revoke the driving privileges or right to apply for driving privileges.

(b) Except as provided in paragraph (c) of this subsection, the revocation shall be for a period of one year from the date of revocation except that the department shall not reinstate any driving privileges to the person until the person complies with future responsibility filings.

(c) If the court indicates on the record of conviction that a person was killed as a result of the accident, the revocation shall be for a period of five years. The period of revocation shall begin on the date the person is released from incarceration, if the sentence includes incarceration. If the sentence does not include incarceration, the period of revocation shall begin on the date the department receives the record of conviction.

(d) A person is entitled to administrative review of a revocation under this subsection.

(6) Reckless driving constitutes grounds for suspension of driving privileges. The following apply to this subsection:

(a) Upon receipt of a record of conviction for an offense described in this subsection, the department shall suspend the driving privileges or right to apply for driving privileges.

(b) The suspension shall be for the periods of time described under Schedule I of ORS 809.420 except that the department shall not reinstate any driving privileges to the person until the person complies with future responsibility filings.

(c) A person is entitled to administrative review of a suspension under this subsection.

(7) Failure to perform duties of a driver when property is damaged under ORS 811.700 constitutes grounds for suspension of driving privileges. The following apply to this subsection:

(a) Upon receipt of a record of conviction of an offense described in this subsection, the department shall suspend the driving privileges or right to apply for driving privileges.

(b) The suspension shall be for the periods of time described under Schedule I of ORS 809.420 except the department shall not reinstate any driving privileges to the person until the person complies with future responsibility filings.

(c) A person is entitled to administrative review of a suspension under this subsection.

(8) Fleeing or attempting to elude a police officer under ORS 811.540 constitutes grounds for suspension of driving privileges. The following apply to this subsection:

(a) Upon receipt of a conviction for an offense described in this subsection, the department shall suspend the driving privileges or

right to apply for driving privileges.

(b) The suspension shall be for a period described under Schedule I of ORS 809.420 except the department shall not reinstate any driving privileges to the person until the person complies with future responsibility filings.

(c) A person is entitled to administrative review of a suspension under this subsection.

(9) Failure to file accident reports required under ORS 811.725 or 811.730 constitutes grounds for suspension of driving privileges. The following apply to this subsection:

(a) The department shall suspend the driving privileges or right to apply for driving privileges if the person fails to make the required accident reports.

(b) The suspension shall continue until the person makes the required reports and complies with future responsibility filings or for five years from the date of suspension, whichever is sooner.

(10) Failure to make future responsibility filing described in this subsection constitutes grounds for suspension of driving privileges. The following apply to this subsection:

(a) The department shall suspend the driving privileges or right to apply for driving privileges of a person who fails to comply with future responsibility filings whenever required under the vehicle code or to provide new proof for future responsibility filings when requested by the department.

(b) The suspension shall continue until the person complies with future responsibility filings.

(c) A person whose initial obligation to make future responsibility filings is not based upon a conviction or other action by a court is entitled to a contested case hearing prior to a suspension under this subsection. A person whose obligation to make future responsibility filings is based upon a conviction or other action by a court is entitled to administrative review of a suspension under this subsection. A person whose suspension under this subsection is based on lapses in filing after the initial filing has been made is entitled to administrative review.

(11) Failure to settle judgments as described in this subsection constitutes grounds for suspension of driving privileges. The following apply to this subsection:

(a) The department shall suspend the driving privileges or right to apply for driving privileges if a person has a judgment of the type described under ORS 806.040 rendered against the person and the person does not settle the judgment in the manner described under ORS 809.470 within 60 days after its entry.

(b) A suspension under this subsection shall continue until the person complies with future responsibility filings and does one of the following:

(A) Settles the judgment in the manner described in ORS 809.470.

(B) Has an insurer which has been found by the department to be obligated to pay the judgment provided that there has been no final adjudication by a court that such insurer has no such obligation.

(C) Gives evidence to the department that a period of seven years has elapsed since the entry of the judgment.

(D) Receives from the court that rendered the judgment an order permitting the payment thereof in installments.

(c) A person is entitled to administrative review of a suspension under this subsection.

(12) False certification of financial responsibility requirements constitutes grounds for suspension of driving privileges. The following apply to this subsection:

(a) The department shall suspend the driving privileges or right to apply for driving privileges if a person falsely certifies the existence of a motor vehicle liability insurance policy or the existence of some other means of satisfying financial responsibility requirements or if a person, after certifying the existence of a motor vehicle liability insurance policy or other means of satisfying the requirements, allows the policy to lapse or be canceled or otherwise fails to remain in compliance with financial responsibility requirements.

(b) The department shall only suspend under this subsection if proof of compliance with financial responsibility requirements as of the date of the letter of verification from the department under

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ORS 806.150 is not submitted within 30 days after the date of the mailing of the department's demand therefor under ORS 806.160.

(c) The suspension shall continue until the person complies with future responsibility filings.

(13) Failure to take examination upon request of the department under ORS 807.340 constitutes grounds for suspension of driving privileges. The following apply to this subsection:

(a) The department shall suspend the driving privileges or right to apply for driving privileges of a person if the department requests the person to submit to examination under ORS 807.340 and the person fails to appear within a reasonable length of time after being notified to do so or fails to satisfactorily complete the required examination.

(b) The suspension shall continue until the examination required by the department is successfully completed.

(c) Upon suspension under this subsection, the department may issue an identification card to the person for identification purposes as described under ORS 807.400.

(14) Failure to obtain required medical clearance under ORS 807.070 or 807.090 upon request by the department constitutes grounds for suspension of driving privileges. The following apply to this subsection:

(a) The department shall suspend the driving privileges of the person if the department requests the person to obtain medical clearance described by this subsection and the person fails to do so.

(b) The suspension under this subsection shall continue until the required medical clearance is received by the department.

(15) Causing or contributing to an accident resulting in death or injury to any other person or serious property damage through incompetence, recklessness, criminal negligence or unlawful operation of a motor vehicle constitutes grounds for suspension of driving privileges. The following apply to this subsection:

(a) The department immediately may suspend the driving privileges of any person without hearing and without receiving a record of the conviction of such person of crime if the department has reason to believe that the person may endanger people or property if not immediately suspended. Any suspension under this paragraph shall be subject to a post-imposition hearing under ORS 809.440.

(b) A suspension under this subsection shall continue for a period determined by the department and be subject to any conditions the department determines necessary.

(16) Incompetence to drive a motor vehicle because of a mental or physical condition rendering it unsafe for a person to drive a motor vehicle upon the highways constitutes grounds for suspension of driving privileges. The following apply to this subsection:

(a) The department immediately may suspend the driving privileges of any person without hearing and without receiving a record of the conviction of such person of crime if the department has reason to believe that the person may endanger people or property if not immediately suspended. A suspension under this paragraph shall be subject to a post-imposition hearing under ORS 809.440 except that a person who has submitted a certificate of eligibility under ORS 807.090 is entitled only to administrative review of a suspension.

(b) A suspension under this subsection shall continue for a period determined by the department and be subject to any conditions the department determines necessary.

(17) Habitual incompetence, recklessness or criminal negligence of a driver of a motor vehicle or committing a serious violation of the motor vehicle laws of this state constitutes grounds for suspension of driving privileges. The following apply to this subsection:

(a) The department immediately may suspend the driving privileges of any person without hearing and without receiving a record of the conviction of such person of crime if the department has reason to believe that the person may endanger people or property if not immediately suspended. Any suspension under this paragraph shall be subject to a post-imposition hearing under ORS 809.440.

(b) A suspension under this subsection shall continue for a period determined by the department and be subject to any

conditions the department determines necessary.

(18) A conviction under ORS 811.700 or 811.705 for failure to perform the duties of a driver while operating a commercial motor vehicle or any conviction of a crime punishable as a felony involving the operation of a commercial motor vehicle constitutes grounds for commercial driver license suspension. The following apply to this subsection:

(a) Upon receipt of a record of conviction for an offense described in this subsection, the department shall suspend the commercial driver license or right to apply for a commercial driver license of the person convicted.

(b) The suspension shall be for a period of time according to the following:

(A) If the person's commercial driver license has not previously been suspended under this subsection, ORS 813.403 or 813.410 (2) and the person was not driving a commercial motor vehicle containing a hazardous material at the time the offense was committed, the suspension shall be for a period of one year.

(B) If the person's commercial driver license has not previously been suspended under this subsection, ORS 813.403 or 813.410 (2) and the person was driving a commercial motor vehicle containing a hazardous material at the time the offense was committed, the suspension shall be for a period of three years.

(C) If the person's commercial driver license has previously been suspended under this subsection, ORS 813.403 or 813.410 (2), the suspension shall be for the lifetime of the person.

(c) A person is entitled to administrative review of a suspension under this subsection.

(19) Use of a commercial motor vehicle in the commission of a crime punishable as a felony involving the manufacturing, distributing or dispensing of a controlled substance constitutes grounds for commercial driver license suspension. The following apply to this subsection:

(a) Upon receipt of a record of conviction for an offense described in this subsection, the department shall suspend the commercial driver license or right to apply for a commercial driver license of the person convicted.

(b) The suspension shall be for the lifetime of the person.

(c) A person is entitled to administrative review of a suspension under this subsection.

(d) "Controlled substance" has the meaning given that term in ORS 475.005 (6).

(20) Incompetence to operate a motorcycle constitutes grounds for revocation of a motorcycle indorsement. The following apply to this subsection:

(a) Whenever the department has reason to believe an individual with a motorcycle indorsement under ORS 807.170 comes within the grounds described in this subsection, the department may revoke the indorsement.

(b) Upon revocation under this subsection, the license shall be surrendered to the department.

(c) Upon surrender of the indorsed license, the department may issue a license without indorsement for the unexpired period of the license.

(21) The department forthwith shall suspend the driving privileges of any person for a period of time required by this subsection if the person is involved in a motor vehicle accident at any time when the department determines the person has been operating a vehicle in violation of ORS 806.010. A suspension under this subsection shall be for a period of one year except that the department shall not reinstate any driving privileges to the person until the person complies with future responsibility filing requirements.

(22) Upon notification by the superintendent of a hospital under ORS 807.700 that a person should not drive, the department shall immediately suspend the driving privileges of the released person. A suspension under this subsection is subject to administrative review and shall continue until such time as the person produces a judicial decree of competency or a certificate from the superintendent of the hospital that the person is competent or establishes eligibility under ORS 807.090.

(23) Upon notification by a court under ORS 153.625 that a person charged with a traffic offense has been found guilty except

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for insanity and committed to the jurisdiction of the Psychiatric Security Review Board, the department shall immediately suspend the driving privileges of the person. A suspension under this subsection is subject to administrative review and shall continue until such time as the person establishes eligibility under ORS 807.090.

(24) The department shall suspend driving privileges when provided under ORS 809.290. The suspension shall continue until the earlier of the following:

(a) The person establishes to the satisfaction of the department that the person has performed all acts necessary under ORS 809.290 to make the person not subject to suspension.

(b) Five years from the date the suspension is imposed.

(c) A person is entitled to administrative review of a suspension under this subsection.

(25) Criminal trespass under ORS 164.245 that involves the operation of a motor vehicle constitutes grounds for suspension of driving privileges. The following apply to suspension on grounds described in this subsection:

(a) Upon receipt of a conviction for an offense described in this subsection, the department shall suspend the driving privileges or right to apply for driving privileges of the person convicted for a period of six months from the date of suspension.

(b) A person is entitled to administrative review of a suspension under this subsection.

(26) Agreements entered under ORS 802.530 may establish grounds and procedures for the suspension of driving privileges.

(27) Violation of restrictions placed on driving privileges under ORS 807.120 or 809.310 constitutes grounds for suspension of driving privileges. The following apply to this subsection:

(a) The department immediately may suspend the driving privileges of any person without hearing and without receiving a record of the conviction of such person of crime if the department receives satisfactory evidence that the person has violated restrictions placed on the person's driving privileges. Any suspension under this paragraph shall be subject to a post-imposition hearing under ORS 809.440.

(b) A suspension under this subsection shall continue for a period determined by the department, but in no event for longer than one year, and shall be subject to any conditions the department determines necessary.

(28)(a) The department shall suspend driving privileges as provided under ORS 809.405.

(b) The suspension shall continue until the person reaches 18 years of age or until the suspension is terminated as provided in ORS 809.405.

(c) A person is entitled to administrative review of a suspension under this subsection.

(29) Upon receipt of a record of a person's second conviction of a serious traffic violation within a three-year period, the department shall suspend the person's commercial driver license or right to apply for a commercial driver license if the convictions arose out of separate incidents. A suspension under this subsection shall be for a period of 60 days. A person is entitled to administrative review of a suspension under this subsection.

(30) Upon receipt of a record of a person's third or subsequent conviction of a serious traffic violation within a three-year period, the department shall suspend the person's commercial driver license or right to apply for a commercial driver license if the convictions arose out of separate incidents. A suspension under this subsection shall be for a period of 120 days. A person is entitled to administrative review of a suspension under this subsection.

(31)(a) Upon receipt of a record of conviction of an offense described in ORS 809.310, the department shall, or upon determination by the department that the person has committed an act that constitutes such an offense, the department may suspend any driving privileges, any right to apply for privileges or any identification card of the person convicted or determined to have committed the act.

(b) A suspension under this subsection shall continue for a period of one year.

(c) A person is entitled to administrative review of a suspension

under this subsection if the suspension is based upon a conviction. If the suspension is based upon a determination by the department, the person is entitled to a hearing as described in ORS 809.440.

(32) Upon receipt of a first notice indicating that a person has violated an out-of-service order issued under ORS 813.050 or has knowingly violated any other out-of-service order or notice, the department shall suspend the person's commercial driver license or right to apply for a commercial driver license for a period of 90 days. For purposes of this subsection, "notice" includes, but is not necessarily limited to, a record of conviction and a record of a determination by a state or federal agency with jurisdiction to make such determinations that the person has violated an out-of-service order or notice. A person is entitled to administrative review of a suspension under this subsection.

(33) Upon receipt of a second or subsequent notice indicating that a person has violated an out-of-service order issued under ORS 813.050 or has knowingly violated any other out-of-service order or notice, the department shall suspend the person's commercial driver license or right to apply for a commercial driver license for a period of not more than five years. The department by rule may establish a suspension period of less than five years if the department determines that it would be in the public interest to do so and relevant laws or rules of the United States authorize such a lesser suspension period. For purposes of this subsection, "notice" includes, but is not necessarily limited to, a record of conviction and a record of a determination by a state or federal agency with jurisdiction to make such determinations that the person has violated an out-of-service order or notice. A person is entitled to administrative review of a suspension under this subsection.

(34) Upon receipt of a record of a person's conviction of reckless endangerment of highway workers under ORS 811.231 (1), the department shall suspend the person's driving privileges or right to apply for driving privileges. The suspension shall be for periods of time described under Schedule I of ORS 809.420 except the department shall not reinstate any driving privileges to the person until the person complies with future responsibility filings. A person is entitled to administrative review of a suspension under this subsection.

(35) Upon notification by a school superintendent or a school district board under ORS 339.254, the department shall suspend the driving privileges of a person or the right to apply for driving privileges. The suspension shall be for the amount of time stated in the notice. A person is entitled to administrative review of a suspension under this subsection.

(36) Failure to satisfactorily complete a possession of marijuana diversion agreement under ORS 135.907 and failure to complete a program under ORS 419C.443 constitute grounds for suspension of driving privileges. The following apply to this subsection:

(a) Upon receipt from a court of a notice that a person has failed to complete a diversion agreement or a program described in this subsection, the department shall suspend the person's driving privileges or right to apply for driving privileges.

(b) The suspension shall be for six months.

(c) A person is entitled to administrative review of a suspension under this subsection. Notwithstanding ORS 809.440 (2)(b), it is not a defense in an administrative review under this paragraph that the offense on which the suspension was based did not involve a motor vehicle.

SECTION 5. ORS 135.907 is amended to read:

135.907. (1) The court shall inform at arraignment a defendant charged with the offense of possession of less than one ounce of marijuana, that a diversion agreement may be available if the offense for which the defendant is before the court is the defendant's first offense of possession of less than one ounce of marijuana and files with the court a petition for a possession of marijuana diversion agreement.

(2) The petition form for a possession of marijuana diversion agreement shall be available to a defendant at the court.

(3) The form of the petition for a possession of marijuana diversion agreement and the information and blanks contained therein

Measure No. 57

shall be determined by the Supreme Court under ORS 1.525. The petition form made available to a defendant by any state court shall conform to the requirements adopted by the Supreme Court.

(4) In addition to any other information required by the Supreme Court to be contained in a petition for a possession of marijuana diversion agreement, the petition shall include:

(a) A waiver by the defendant of the right to speedy trial or sentencing in any subsequent action upon the charge;

(b) An agreement by the defendant to complete at an agency or organization designated by the state court a diagnostic assessment to determine the possible existence and degree of a drug abuse problem;

(c) An agreement by the defendant to complete, at defendant's own expense based on defendant's ability to pay, the program of treatment indicated as necessary by the diagnostic assessment;

(d) An agreement by the defendant to comply fully with the laws of this state regarding controlled substances;

(e) A notice to the defendant that the diversion agreement will be considered to be violated if the court receives notice that the defendant at any time during the diversion period committed a violation of the controlled substances laws of this state;

(f) An agreement by the defendant to keep the court advised of the defendant's current mailing address at all times during the diversion period; *and*

(g) A waiver by the defendant of any former jeopardy rights under the federal and state constitutions and ORS 131.505 to 131.525 in any subsequent action upon the charge or any other offenses based upon the same criminal episode; **and**

(h) A stipulation by the defendant that the controlled substance the defendant possessed was marijuana.

SECTION 6. In addition to and not in lieu of any other appropriation, there is appropriated to the Emergency Board, out of the General Fund, for the biennium beginning July 1, 1997, the sum of \$600,000 for allocation only to the Judicial Department and the Department of State Police to address costs expected to be incurred in carrying out the purposes of this Act. Any such moneys that remain unallocated and unobligated by the Emergency Board on November 1, 1998, become available for any lawful purpose for which the Emergency Board may lawfully allocate funds.

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

EXPLANATORY STATEMENT

Ballot Measure 57 makes possession of less than one ounce of marijuana a Class C misdemeanor crime, punishable by up to 30 days in jail and a fine of \$500 to \$1,000. Under current law, possession of less than one ounce of marijuana is a non-criminal violation, punishable upon conviction by a fine of at least \$500 but not more than \$1,000.

Current law allows an adult charged with possession of less than one ounce of marijuana to have the charge dismissed by completion of a diversion program if it is the person's first offense. This measure also allows diversion, but requires, as a condition of diversion, that the person charged stipulate that the person was in possession of marijuana. Current law also requires a juvenile who is found to have committed the same act to enter a program for information or treatment. This measure provides that if a person enters one of these programs and fails to complete the program, the person's driving privileges will be suspended for six months.

The measure appropriates \$600,000 for the biennium out of the General Fund to the Emergency Board, for allocation to the Judicial Department and the Department of State Police for purposes of carrying out the provisions of the measure.

The text of Ballot Measure 57 was enacted by the Legislative Assembly in 1997 as House Bill 3643 and was referred to the voters in accordance with the referendum power reserved to the people by section 1, Article IV of the Oregon Constitution.

Committee Members:

Representative Jo Ann Bowman
Representative Floyd Prozanski
Senator Eileen Qutub
Representative Ben Westlund
Representative Lane Shetterly

Appointed by:

Chief Petitioners
Chief Petitioners
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. 57

ARGUMENT IN FAVOR

YES ON 57

<http://www.focc.org>

When marijuana was decriminalized in 1977, it actually attracted criminals to the state. Decriminalization, sent a mixed message to our children and though marijuana is especially damaging to children, Oregon students, soon led the nation in the use of marijuana. Today, marijuana is 5 to 30 times more potent, and far more dangerous than it was in the 70's. Recriminalizing will impose meaningful penalties, act as a deterrent for use and possession, and end attracting drug users to Oregon.

- Marijuana is a gateway drug! Those who use marijuana 100 times or more, are 85 times more likely to use cocaine!

"It's our children who are at the greatest risk of substance abuse, and tragically, this substance abuse occurs while their central nervous systems are still developing. In a very real sense, the onset of substance abuse occurs when it is the most detrimental to their psycho-social development."

David Smith, M.D., Founder, Haight Ashbury Free Clinics
The Commonwealth, Vol. 90, #5, January 29, 1996

- Marijuana is addictive; when a substance is legal, like alcohol and tobacco, use, particularly by children, escalates!

"Applying the same measures to alcohol, it turns out that marijuana is just as addictive as alcohol for adults and even more so for teenagers. Kids may be unusually "sensitive" to marijuana for biological as well as social reasons; the reason we have so many alcoholics is simply that there are so many people drinking."

Denise Kandel Columbia University,
From: "New Scientist", 2/21/98

- When a woman smokes marijuana during pregnancy, THC passes through the placenta into the fetus. Her babies have: lower birth weight, trouble focusing on an object, increased tremors, increased sleep disturbances, and more startle responses.

By school age, these same children exhibited: highly inferior verbal skills, lower intelligence, and memory problems

Their mothers rated them as: more impulsive, more hyperactive, and more problematic (behavior).

Fried, P.A., Published in "Clinical Obstetrics and Gynecology" 36:319-337, 1993

(This information furnished by John E. English, Director, For Our Children's Children.)

ARGUMENT IN FAVOR

OREGON MARIJUANA LAW NEEDS FAIR CONSEQUENCES TO PROTECT OREGON TEENAGERS.

- Marijuana use by Oregon eighth graders has tripled since 1990 and is 36% above the national average. Oregon's extremely permissive marijuana law contributes to this problem.
- Teenagers who use marijuana are:
 - 6 times more likely to bring guns to school.
 - 4 times more likely to attack another person to hurt them.
 - 3 times more likely to engage in sex (and far more likely to do so with no protection against disease and pregnancy).
 - 2 times more likely to attempt suicide.
 - 85 times more likely to use cocaine.
- Marijuana is addictive and affects the brain in ways similar to heroin, cocaine, tobacco, or alcohol. Teenagers are twice as likely as adults to become addicted to marijuana. In Oregon, marijuana is now the # 1 problem drug for teenagers entering drug addiction treatment programs.
- Using marijuana damages health, coordination, thinking, memory, learning, judgment, and self management abilities.
- Measure 57 would require teenagers who use marijuana to have a professional evaluation of their drug problems and to complete a drug education or treatment program. This would provide early intervention for youths with drug problems before it is too late to help. Parents of these youths would pay for the programs according to their ability to pay. Youths who fail to complete these programs would lose their driving privileges for six months.
- Permissive marijuana laws encourage more drug use and create more drug problems for all Oregonians. Measure 57 would create fair and helpful consequences for Oregon teenagers who may have a serious drug problem.

PROTECT OREGON TEENAGERS FROM THE HARM OF MARIJUANA AND OTHER ADDICTIVE DRUGS.

VOTE YES ON MEASURE 57.

(This information furnished by Roger Burt, MS.)

(This space purchased for \$300 in accordance with ORS 251.255.)

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Measure No. 57

ARGUMENT IN FAVOR

OREGON POLICE CHIEFS FOR SAFER COMMUNITIES URGES YOU TO VOTE YES ON MEASURE 57

SEND A CLEAR MESSAGE TO OREGON'S CHILDREN

It's time we send a clear message to the children of Oregon that the use of marijuana is not acceptable. We cannot expect young people in Oregon to believe our message about the danger of drugs, if we continue to treat possession of marijuana as a minor offense worth no more than a violation.

For the past several years, Oregon's children have been receiving conflicting messages about the acceptability of drugs. These mixed messages leave children more vulnerable to drug use than ever before. Increased marijuana usage by our children results in significant social impacts which deeply impact our schools and our communities. More children in Oregon are using marijuana than ever. Here are the facts:

- **The Oregon Biennial Student Drug Use Survey, reported marijuana use by eight-graders more than tripled since 1990, rising 4.5% to 15.3%.**
- **The Partnership Attitude Tracking Study found from 1995 to 1996 trial use of marijuana doubled among elementary school children aged 9 to 12. An increase from approximately 230,000 children experimenting with the drug in 1995 to 460,000 children in 1996.**
- **The 1996 Oregon Public School Drug Survey found that marijuana, alcohol, tobacco, and other drug use not only affects a student's scholastic performance but is often related to their willingness to remain in school as well.**

WE CANNOT STAND BY AND WATCH THIS HAPPEN. OREGONIANS HAVE A RESPONSIBILITY TO PROTECT OUR CHILDREN. MEASURE 57 WILL SEND A CLEAR MESSAGE TO OUR YOUTH THAT MARIJUANA IS NOT ACCEPTABLE. YES ON MEASURE 57.

(This information furnished by Mike Cahill, Oregon Police Chiefs For Safer Communities.)

(This space purchased for \$300 in accordance with ORS 251.255.)

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ARGUMENT IN OPPOSITION

Argument Against Ballot Measure #57

NO PRIVACY, NO HOME

This bill erodes everybody's privacy. By placing marijuana in the same category as cocaine, heroin, and prostitution, the State can require forfeiture of cars, assets and home. Professional licenses could be revoked. Loss of children to CSD is also a possibility. If marijuana is suspected to be present, the police may also presume guns to be present, thereby allowing swat team entry. A **NO** vote protects the Fourth Amendment from dilution and predatory interests!

The Fourth Amendment provides: The right of the people to be secure in their persons, houses, papers and effects against unreasonable searches and seizures shall not be violated, and no Warrants, shall (be) issued(d), but upon probable cause, supported by Oath of affirmation, and particularly describing the place to be searched and the person or things to be seized.

Since 1986, over forty million dollars worth of property has been seized in Oregon. Ballot Measure #57 allows the police to search the suspected marijuana criminal's car, house, computer files, and personal effects. Imagine if a friend who was a tobacco, coffee, or alcohol user was subjected to such inquisition by a similar bill! The proposed punishments for using small amounts of marijuana are extreme, especially in comparison with the penalties for alcohol abuse. Ballot measure #57 is an expensive assault on all **privacy** issues and one's **home**.

CHERISH PRIVACY RIGHTS! THEY ARE THE REAL BASIS UPON WHICH ALL OF OUR OTHER FREEDOMS REST. KEEP EVERYONE'S HOME A LEGAL CASTLE.

Vote **NO** on Ballot Measure #57!

Written by Toby Grant Occupation - Landlord
Registered as Republican

(This information furnished by Toby Grant.)

(This space purchased for \$300 in accordance with ORS 251.255.)

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Measure No. 57

ARGUMENT IN OPPOSITION

Five Good Reasons To Vote No on Measure 57:

Measure 57 costs too much:

At least **\$1.5 million** each year.

That's what the Legislative Fiscal Impact Committee estimates Measure 57 will cost taxpayers.

But the true cost could go much higher.

The cost of taxpayer-funded, court-appointed lawyers could exceed **\$1 million** a year alone.

Measure 57 would increase costs to state and local governments for jail time and court costs.

And it would reduce state revenues by at least **\$638,000** per year. The Legislature only appropriated **\$300,000** annually to pay for the increased costs.

Where will that additional **\$1.2 million** come from?

Measure 57 sends the wrong message to our kids:

By re-criminalizing possession of small amounts of marijuana we tell our kids one thing: We'll pay for your lawyers and jail cells, but we won't pay for your education.

Measure 57 will increase the release of criminals from our jails:

In an *Oregon State Bar Bulletin* editorial in June, 1997, the Honorable Judge Frank Bearden had this to say about the Legislature's efforts to re-criminalize possession of small amounts of marijuana:

"With our Sheriff releasing around 500 criminals per month on matrix...our revolving door will soon spin like a top."

Measure 57 Won't Reduce Drug use among juveniles or adults:

Experts agree treatment programs are far more effective in reducing casual use of marijuana, yet the Legislature has underfunded treatment programs for years.

Now Measure 57 will send people who use small amounts of marijuana to jail. At a cost of \$1.5 million or more per year. There are better ways to spend our tax dollars.

Police Should Worry About Violent Criminals, Not People Who Use Marijuana.

Why waste law enforcement's time and money on these non-violent individuals when property and violent crimes continue to rise and people continue to be scared in our streets.

Keep law enforcement working where they belong.

VOTE NO ON MEASURE 57

(This information furnished by David Smigelski, No on 57.)

(This space purchased for \$300 in accordance with ORS 251.255.)

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ARGUMENT IN OPPOSITION

Former Governor Tom McCall

signed the legislation that decriminalized possession of small amounts of marijuana 25 years ago.

Here's what Governor McCall said:

"The Legislature determined that the existing penalties for mere possession or use of small amounts of the substance were disproportionately severe.

"All of us recognize the widespread use among our young people, and most of us disapprove of the custom.

"There is recognition however, that if we are correct in assuming marijuana to be a socially undesirable substance, the solution is not to toss youthful offenders in jail.

"We long ago recognized alcoholism as a disease and abandoned efforts to treat alcoholics by simply locking them up."

Former Governor Tom McCall

7/22/73

Salem *Statesman Journal*

Vote No on Measure 57.

There are better ways to spend our tax dollars.

Tom McCall knew that back in 1973.

It is more true today.

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

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Measure No. 57

ARGUMENT IN OPPOSITION

Index of Facts on Measure 57:

Sources listed in parenthesis

State estimate of cost of Measure 57: (Ballot Measure Fiscal Impact Committee)	\$1.42 million
Potential cost of Measure 57 to taxpayers annually:	\$18 million
Amount Legislature appropriated annually in current budget: (Legislative record)	\$300,000
Amount Legislature left unfunded that will have to come from other programs like schools:	\$1.2 to \$17 million
State Sen. Eileen Qutub's response to cost of M57: (Eugene Register Guard, August 6, 1998)	"Startled"
Number of prisoners released <u>EARLY EACH MONTH</u> in Multnomah County: (Oregon State Bar Bulletin, June 1997)	500
Estimated number of people charged with marijuana possession in 1999: (Legislative Fiscal Impact Committee)	6,000
Potential cost per person for taxpayer-funded defense lawyers: (Oregon State Bar Bulletin, June 1997)	\$280
Total cost if each person arrested receives taxpayer-funded defense lawyer:	\$1.68 million
Minimum cost per day to jail people arrested for using marijuana: (Ballot Measure Fiscal Impact Committee)	\$76.20
Annual cost if every possession case resulted in maximum jail stay:	\$13.7 million
Governor who signed law decriminalizing marijuana possession in 1973: (1973 Legislative Record)	Tom McCall

(This information furnished by Geoff Sugerman, No on 57 Committee.)

ARGUMENT IN OPPOSITION

DON'T TURN BACK THE CLOCK! VOTE NO ON MEASURE 57!

The American Civil Liberties Union (ACLU) of Oregon urges you to consider why Oregon was the first state to decriminalize possession of less than an ounce of marijuana in 1973. It **wasn't** because most Oregonians thought using marijuana was a good idea. We didn't then—and we don't now. It **was** because we thought police had more important things to do with their time and our tax dollars.

IT MADE SENSE THEN; IT MAKES EVEN MORE SENSE NOW

Thirty years ago, police, prosecutors and the courts were spending too much time arresting and prosecuting young people whose only offense was the possession of small amounts of marijuana. Then, as now, marijuana was the most frequently used illicit drug.

Police, prosecutors and the courts shouldn't waste their time and our tax dollars arresting and prosecuting minor drug offenses. Their first priority should be catching and convicting murderers, rapists, sex offenders, armed robbers, burglars, drunk drivers and **dangerous** drug dealers.

MEASURE 57 GOES TOO FAR!

Before 1973, someone caught with less than an ounce of marijuana could end up in jail and saddled with a criminal record for the rest of his or her life. If Measure 57 is approved, that could happen again—but there's more.

In recent years, lawmakers have given police and prosecutors powerful new tools that weren't available in 1973. Among those is the right to seize property from people suspected of committing drug crimes. Under these "forfeiture" laws, it's up to property owners to prove their innocence if they want their property back.

One of the effects of Measure 57 will be to allow police to seize cars, cash and even the homes of people suspected of possessing less than an ounce of marijuana. Do we really want to give police and prosecutors this kind of power in minor marijuana cases?

LET'S KEEP OUR PRIORITIES STRAIGHT! VOTE NO ON MEASURE 57!

(This information furnished by Jann Carson, American Civil Liberties Union (ACLU) of Oregon.)

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Measure No. 57

ARGUMENT IN OPPOSITION

A Respected Judge Argues The Legislature's Effort to Re-Criminalize Marijuana Use Will Result in More Prisoners Being Released From Our Jails.

Excerpts from an editorial by the Honorable
Judge Frank Bearden:
Oregon State Bar Bulletin, June 1997

"Like pouring gasoline on an out-of-control fire, the Legislature passes more laws in the name of public safety without coming close to funding the product through to completion.

"One small example is the proposed bill to re-criminalize marijuana to a Class A misdemeanor, with a conservative estimate of an additional 1,000 misdemeanor cases in Multnomah County (to go with our 20,000 plus).

"This would mean approximately \$250,000 or more in indigent defense costs (in Multnomah County alone) and no additional prosecutors or judges or courts to handle those cases...

"With our Sheriff releasing around 500 people a month on matrix because of overcrowding, our revolving door will soon spin like a top."

NOTE: Judge Frank Bearden is the chief criminal judge for Multnomah County Circuit Court. This statement is excerpted from an article written by Judge Bearden which appeared in the June 1997 edition of the *Oregon State Bar Bulletin*.

(This information furnished by Leland R. Berger, No on 57 Committee.)

(This space purchased for \$300 in accordance with ORS 251.255.)

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ARGUMENT IN OPPOSITION

Even Top Brass in the War on Drugs Agree: Treatment Works Better than Jail Time....

"It is time to make education, prevention and drug treatment a priority for funding if we hope to make a lasting impact on alcohol and drug abuse."

"...Studies show that prevention and treatment work and save money. A recent study by the Oregon State office of Alcohol and Drug Abuse Programs clearly shows that each dollar spent on alcohol and drug abuse treatment results in a savings of \$5.60."

"...I am convinced that expanding prevention and drug treatment programs will help us make greater gains in eliminating alcohol and drug abuse."

—Portland Police Chief Charles Moose Source: July 12, 1996 cover letter as Chair of the Regional Drug Initiative Task Force

"We are not going to arrest our way out of the drug problem....The drug issue is going to get solved in the home and in the home room of a school, not on the streets of America."

U.S. Drug Czar, General Barry McCaffrey Source: Speech before the National Sheriffs' Association, Portland, Oregon-- June 4, 1996

The Salem Statesman Journal Agrees...

"...We don't have the police, prosecutors, prison space and probation resources to combat major crime now. By burdening them with more small time offenders, we will be diverting law enforcement from effectively targeting drug suppliers, violent criminals and other high-priority offenders."

Source: "Tougher Marijuana Penalties Won't Curb Substance Abuse."

Salem Statesman Journal editorial, April 26, 1997

Vote NO on Measure 57—Let's not waste our tax dollars.

(This information furnished by Amy K. Klare, No on 57 Committee.)

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Measure No. 57

ARGUMENT IN OPPOSITION

Vote No on Measure 57

There are better ways to spend our tax dollars.

For 25 years, since Tom McCall was Governor, Oregon has used treatment and prevention programs to fight the problems of casual marijuana use. Compared to other states, especially those with costly incarceration programs, our rate of marijuana usage is similar. We do better than many states with the most severe penalties.

Measure 57 won't cut use... But it will cost taxpayers millions of dollars each year...And it will force us to release more criminals onto our streets.

Under current law, we require those caught with small amounts of marijuana to pay a hefty fine – a minimum of \$500 up to \$1000 – when they are caught. Under Measure 57, fines would actually be reduced in 40% of cases.

Now the politicians want to spend millions each year to send a political message.

But it's the wrong message, especially for young people. Because what our young people hear is that we are willing to pay for their lawyers and jail cells, but not willing to pay for their education, prevention or treatment programs. In fact, Measure 57 makes it more difficult for people arrested for first time to enter diversion programs.

Measure 57 also requires us to release more prisoners from our over-crowded jails.

Prisoners who commit property crimes and theft are often released when jails become full. In Multnomah County, up to 500 prisoners are released each month..

Do we really want to release more criminals just to send a costly and ineffective message to our children?

Measure 57 is a political tool that will:

- Cost taxpayers millions.
- Cause more prisoners to be released early.
- Do nothing to prevent or treat casual drug use.

Vote No on Measure 57.

It's a bad law that will cost us millions and make our streets less safe.

(This information furnished by Charles E. Grossman, MD.)

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ARGUMENT IN OPPOSITION

Vote NO on Measure 57

There are better ways to spend our tax dollars.

For 25 years Oregon has used treatment and prevention programs to fight the problems caused by the casual use of marijuana. Our rate of marijuana usage is similar to states that impose even more costly incarceration penalties. Oregon does better than many states in treating severe offenders.

Measure 57 won't cut usage, but it will cost taxpayers millions of dollars each year to punish those who use small quantities.

Under our present law, we require those caught with small quantities of marijuana to pay a hefty fine - a minimum of \$500 up to \$1000. Under measure 57, fines will actually be reduced in 40% of the cases.

Under Measure 57 certain politicians want to spend millions of your tax dollars each year to send their political message.

But, it is the wrong message; especially for young people. The message our youth will hear is that we are willing to pay for more jail cells and expensive lawyers, but we are not willing to pay for their education or marijuana prevention and treatment programs. In fact, Measure 57 will make it more difficult for those arrested for first time offenses to enter diversion programs.

Measure 57 will also require the release of more prisoners from our over-crowded jails.

Criminals in jail for theft or property offenses are often released early to make room for other offenders. In Multnomah County for example, up to 500 prisoners are released each month.

Do we really want to release more criminals just to send an expensive and ineffective message to our youth?

Measure 57 is a political tool that will:

- Cost taxpayers millions each year.
- Cause more prisoners to be released early.
- Do little to prevent or treat the casual use of drugs.

Vote NO on Measure 57.

It's a bad law, will cost us millions, and make our streets less safe.

(This information furnished by George Eighmey, State Representative, No on 57 Committee.)

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Measure No. 57

ARGUMENT IN OPPOSITION

M.A.M.A. Says Measure 57 Sends the Wrong Message to Kids

My name is Sandee Burbank. I have lived in Oregon for 24 years. I have a deep love for this state, not only because of its natural beauty, but also for the wonderfully diverse and progressive people who live here.

For the last 17 years, I have served as the executive director **Mothers Against Misuse and Abuse**, a nationally recognized parents' organization concerned about preventing the misuse and abuse of all drugs. MAMA believes we must seek a more inclusive approach to our current drug policies beginning by judging all drugs by the same standard. Drug policy should be based on sound science and reason—not political posturing.

Measure 57 sends a misguided message to our children—telling them that our state would rather pay for more jail cells than for parks or school books.

- Wouldn't you rather fund education and training programs that give people the help and social skills they need to find happiness in life, without resorting to substance abuse?
- Wouldn't you prefer our tax dollars be spent on programs that treat and prevent all drug misuse and abuse?
- Wouldn't you rather see our police and courts spend their time stopping violent crime and property crime?

Think Smart for Our Kids--Vote NO on 57.

Sandee Burbank
Mosier, OR

(This information furnished by Sandee L. Burbank.)

ARGUMENT IN OPPOSITION

MARIJUANA AND REASON Do we not see that it is senseless to throw a man in jail for drinking a beer, or to declare a woman a criminal for lighting a cigarette? Yet this is just what Measure 57 proposes for the one who holds a marijuana cigarette. This would be a step entirely in the wrong direction. No doubt it is difficult to put aside the fearful emotions that have been attached to the questions of marijuana, but let us calm ourselves and examine the facts from a rational perspective.

IS MARIJUANA DANGEROUS? The thoughtful answer can only be "Compared to what?" Nothing is entirely safe; dangers are to be found in everything under the sun. Two comparisons are particularly useful: marijuana versus alcohol and tobacco, the legal adult "recreational" (mood-altering) drugs; and regulated marijuana versus prohibited marijuana.

ALCOHOL is mind- and mood-altering; it causes birth defects and many other physical ailments; it impairs judgment, learning, memory, and physical control; it induces violent behavior. It is physically addictive and psychologically habit-forming. (Alcohol is addictive to 10-20 percent of its users, roughly the same proportion as cocaine and heroin; each of these is much less addictive than tobacco.) **TOBACCO** is, without question, the most addictive and lethal drug around.

MARIJUANA use, by contrast, simply is not a major public health or safety issue. No one dies from a marijuana overdose, nor from marijuana poisoning; while marijuana affects driving abilities, it is demonstrably safer than alcohol; it does not induce violent behavior; it is no more addictive nor more habit-forming than coffee.

When compared objectively, alcohol and tobacco are each much more dangerous than marijuana. And yet we do not prohibit their use and sale by adults to adults, because we know the effects of prohibiting alcohol or tobacco are more dangerous than the effects of the drugs themselves. Instead, we regulate. The same should be true for marijuana.

PROHIBITION may or may not reduce absolute consumption, but it guarantees that all production, distribution, and use will be illegal and away from effective social control. Here is the true 'gateway' effect, due to prohibition itself: prohibiting marijuana brings the user into contact and collusion with our dark side, the criminal world. Prohibition breeds crime and corruption by creating the sky-high profits of the black market, where illegal marijuana sells for one hundred times the price of legal, regulated tobacco.

PROHIBITION LOSES CONTROL While no form of regulation can be perfect, marijuana prohibition is wildly imperfect, a delusional fantasy: what prohibition pretends and what it actually delivers are two very different things. Prohibition pretends to offer control and safety, but instead gives us "unintended consequences"; it pretends to keep marijuana away from children, but actually makes it more available and completely uncontrolled. (Studies consistently show that school children can get marijuana more easily than alcohol.) Prohibition pretends to prevent crime while actually creating more.

Only by regulating adult marijuana commerce can we eliminate the black-market profits that are the real cause of crime and corruption. Then we can directly address the comparatively small social, medical, and public safety concerns about marijuana, and more effectively keep marijuana away from children, and children away from crime.

(This information furnished by Barry Smith.)

(This space purchased for \$300 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.

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

Measure No. 57

ARGUMENT IN OPPOSITION

VOTE NO ON MEASURE 57

Ballot Measure 57 will dramatically increase government intrusion and loss of privacy. It will give the police even more legal power to invade our homes at will. It is totally at odds with the Fourth Amendment to the Constitution.

This bill is NOT about possession of marijuana (a nonviolent and victimless act). It IS about increasing police search and seizure, the forfeiture of property, vehicles and cash, the loss of commercial and professional licenses, and CSD taking our children. Oregon's whole climate of freedom and pursuit of happiness will be compromised, if not destroyed. The police are very supportive of this draconian bill (its original sponsor in the Oregon legislature was a policeman/representative). The police will benefit greatly, on numerous levels, from the latitude it will allow them.

This so-called War on Drugs (really a war on our personal freedoms) is an unmitigated disaster, and Measure 57 will only make things worse. When marijuana prohibition was initiated with the Marijuana Tax Act of 1937, there were supposedly 55,000 users. Now in the U.S., after 60 years of prohibition and several trillion dollars, there are seventy million users. Our prison population has grown tenfold over the last 20 years. It is the highest in the world. On the average we have ten times the number of prisoners per capita than do most European countries.

If Measure 57 passes, there will instantly be a quarter of a million new "criminals" in the state of Oregon. What will we do with them?

Bill Conde

(This information furnished by Bill Conde.)

(This space purchased for \$300 in accordance with ORS 251.255.)

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Measure No. 58

Proposed by initiative petition to be voted on at the General Election, November 3, 1998.

BALLOT TITLE

58 REQUIRES ISSUING COPY OF ORIGINAL OREGON BIRTH CERTIFICATE TO ADOPTEES

RESULT OF "YES" VOTE: "Yes" vote requires issuing copy of original Oregon birth certificate to adult adoptees upon request.

RESULT OF "NO" VOTE: "No" vote retains confidentiality of original Oregon birth certificate of adoptees unless court orders disclosure.

SUMMARY: Current Oregon law provides that upon decree of adoption, a new birth certificate generally will be substituted for the original birth certificate, and the original certificate showing birth parent information will not be subject to inspection, unless a court orders disclosure. Measure would require state registrar to issue certified copy of original birth certificate to any Oregon born adopted person 21 years old or older. Establishes same procedures, filing fees and waiting periods for obtaining birth certificate copies for adopted persons as for non-adopted persons.

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

TEXT OF MEASURE

Upon receipt of a written application to the state registrar, any adopted person 21 years of age and older born in the state of Oregon shall be issued a certified copy of his/her unaltered, original and unamended certificate of birth in the custody of the state registrar, with procedures, filing fees, and waiting periods identical to those imposed upon non-adopted citizens of the State of Oregon pursuant to ORS 432.120 and 432.146. Contains no exceptions.

EXPLANATORY STATEMENT

This measure changes existing law to allow an adopted person 21 years of age or older to obtain a copy of the person's original birth certificate. Current Oregon law prohibits the release of an original birth certificate to such an adopted person without a court order. The law currently requires that upon receipt of a decree of adoption or a report of adoption from a court, the state registrar shall issue a new birth certificate unless the court, the adoptive parents or the adopted person requests otherwise.

This measure requires that upon receipt of a written application the state registrar shall provide a copy of the original birth certificate to an Oregon born adopted person 21 years of age or older. This measure requires that the procedures, filing fees and waiting periods for certified copies of original birth certificates be the same for requests by adopted persons as for non-adopted persons.

This measure applies to persons adopted in the past or in the future. There are no exceptions to this measure.

Committee Members:

Helen Hill
Shea Grimm
Catherine Dexter
Jim Wheeler
Michael Schrunck

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. The statement written by the committee was modified and certified by the Supreme Court of the State of Oregon pursuant to ORS 251.235.)

Measure No. 58

ARGUMENT IN FAVOR

Passage of measure 58 would grant adult adoptees the same right as the rest of the population enjoys, namely access to a document that truthfully states the names of the biological parents. As the original birth certificate would only be available to the adult adoptee, the issue of "privacy and confidentiality" should not be an issue.

Although the adoption process severs the responsibilities of the birthparents, it should not relieve them of the moral obligation of providing accurate family history and medical information to an adult adoptee. The sealing of birth records was created and justified for the purpose of protecting the adoptee from the stigma of illegitimacy, to allow the birth mother get on with her life, and enable the adoptive parents the freedom to raise the child without interference from the birthparents. This is reasonable as it pertains to a minor, but should not restrict the rights and needs of the adult adoptee to access their biological information.

I applaud the birthmother's decision to give the child up for adoption, but I think that if she would put herself in the child's place, she would understand the importance of providing this information.

Adult adoptees had access to their original birth certificates prior to 1957, when the records were sealed, even for prior adoptions. Sealed birth certificates do not serve the interests of birth parents or adult adoptees. Statistics have not shown a higher rate of abortion in those states and countries with open records.

The passage of this measure would restore the rights of adult adoptees that were taken away in 1957.

(This information furnished by Berry T. Price.)

(This space purchased for \$300 in accordance with ORS 251.255.)

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ARGUMENT IN FAVOR

Supporters of Measure 58 have heard concern over the possible loss of privacy to birthparents. There are complex issues in adoption that require compassionate consideration but are beyond the scope of the simple civil rights issue this measure addresses.

The sealing of the original birth certificate provides irrevocable legitimacy and a legal bond with the adoptive family that cannot be challenged on grounds of kinship or inheritance. The confidentiality of birthparents is a secondary effect. The surrender form signed by birthparents deals with the transfer of custody and rights from the birthparents to the adoptive parents. Nowhere is birthparent identity concealment alluded to in the forms signed by the birthparents. The fact that the birthmother gave birth on a specific date remains on state documents and hospital records even after the amendment of a birth certificate to replace the birthparent names with the adoptive parent names. Searches are routinely conducted through such archival evidence. There is no ultimate legal protection of privacy. Many birthparents have waived confidentiality and signed up with registries. Members of our group believe in statistical and powerful anecdotal evidence that over 90% of birthmothers do not object to an adoptee's knowledge of birthfamily identification.

Some adoptees grow up with such knowledge. Others have to jump through hoops to obtain even a scrap of vital medical information. Measure 58 would provide consistency and equality. We understand the concern of the few who want to conceal knowledge, but privacy does not equate with secrecy. As a group including birthmothers, we seek to remove obstacles from access to original birth certificates by adult adoptees. We support the measure on behalf of adoptees and their birth and adoptive families.

(This information furnished by Carey Mercer and Other Members of The Circle, A support and information group for all involved or interested in the relations of the adoption circle.)

(This space purchased for \$300 in accordance with ORS 251.255.)

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Measure No. 58

ARGUMENT IN FAVOR

Citizens deserve to know the Facts

All Adults have the right to know the true facts regarding their birth, except Adoptees. Are you adopted? Are you sure?

Vote for the right of All Adults to receive upon request a copy of their original birth certificate.

Vote to restore a constitutional right denied by the state in 1957.

EQUAL RIGHTS FOR ALL ADULTS.

Vote YES for Measure 58.

(This information furnished by Donna Martz.)

ARGUMENT IN FAVOR

Hidden Roots Support Group of Bend, Oregon believes it is unconstitutional for the State of Oregon to regulate who gets a true birth certificate and who gets a falsified one. Give Adult Adoptees the right to choose whether they would like to have access to their original birth certificate by voting Yes on Measure 58. Thank you.

(This information furnished by JoAnne Wildman, Birthmother; Victoria Seaton, Adult Adoptee; Hidden Roots Support Group of Bend, Oregon.)

(This space purchased for \$300 in accordance with ORS 251.255.)

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Measure No. 58

ARGUMENT IN FAVOR

The year was 1957 - the peak year of the baby boom and a time with the most teen pregnancies per capita in history. It was the year Senator Joe McCarthy died, the Russians launched Sputnik and Oregon closed adoption records to adult adoptees, the people to whom they had always been open previously. Those who oppose Measure 58 will argue that the 1957 sealed records law was meant to protect birthparents. Untrue. It was a move designed to protect the adoptee and the adoptive parents from the alleged shame of an adoptee's often "illegitimate" birth. Secrecy in the adoption process was something forced on birthparents, not something they asked for or were promised.

Opponents will attempt to scare you by claiming that pregnant women in Oregon will choose abortion if records are open to adult adoptees. This is false. In states and countries where records are open to adult adoptees, the abortion rate is no higher than in states like Oregon, which seal such records.

Opponents will argue that people who relinquish a child have a right to privacy that opening records will violate. We ALL have a right to privacy. However, privacy does not equal anonymity. The U.S. Supreme Court upheld an appellate court decision just last year that reiterated this fact. (*Doe v. Sundquist* 1997 FED App. 0051P (6th Cir)).

The opponents of Measure 58 shamelessly use the specter of birthparents allegedly promised anonymity, or young women choosing abortion, to further their own agendas, which in many cases is simply to cover up and hide their own illegal and unethical activities with regard to these very same birthparents they now claim to care about. The not-so-honorable past of some adoption agencies and attorneys may come back to haunt them if discrepancies are revealed once records are unsealed. On November 3rd vote YES on Measure 58. Vote for Truth.

(This information furnished by Shea Grimm, Ian Hagemann, Mary Hunt, Arletta Gustafson, Judy Kennett, Julie Dennis, Terri Leber, Rhonda Bradeen; Washington state Open '98.)

(This space purchased for \$300 in accordance with ORS 251.255.)

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ARGUMENT IN FAVOR

Imagine two Oregon neighbors, Bill Jones and Sam Smith. They are the same age; as a matter of fact, they were born the same day at the same hospital in Corvallis. They both became grandfathers the same year and fought in World War II. Bill can go down to the county registrar and pay twelve dollars for a certified copy of his original birth certificate. Sam, on the other hand, cannot. His birth certificate is sealed. The only difference between Bill and Sam? Sam was adopted in Oregon.

It's time to get the State of Oregon off the backs of its adult adopted citizens. Measure 58 will finally put to rest the failed social experiment of hiding and obscuring the most fundamental information any of us possess: the facts of our birth. The present sealed records law, a remnant of the McCarthy Era philosophy of "Government Knows Best", has been judged a failure by the very people it was designed to "protect": the adopted adult citizens of Oregon.

Governments make poor referees in the affairs of law-abiding people. Measure 58 would allow all of Oregon's citizens the ability to access the documentation concerning their birth without the interference of disinterested bureaucrats and expensive, cumbersome procedures.

When you mark your ballot, consider whether you would like the state to decide whether you could know the facts of your birth or not. Consider that is not a large leap from sealing birth certificates to withholding other personal, vital information from the citizens to whom such information belongs. Consider that something of YOURS could be next. Then Vote Yes on Measure 58.

(This information furnished by Shea Grimm, Marley Greiner, CK Bertrand Holub, Ron Morgan, Damsel Plum; Bastard Nation.)

(This space purchased for \$300 in accordance with ORS 251.255.)

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Measure No. 58

ARGUMENT IN FAVOR

Oregon born adult adoptees should have the same civil right as non-adopted Oregonians - the right to access the true historical document that records their own birth.

The Oregon Bill of Rights states: "No law shall be passed granting to any citizen or class of citizens privileges or immunities, which upon the same terms, shall not equally belong to all citizens". The State of Oregon currently violates it's own Bill of Rights by denying adoptees the right to access their own original birth certificate (OBC) while allowing anyone not adopted to do so.

Many countries allow adoptees easy, unrestricted access to their own records of birth. Every human being deserves the right to access these records which help them to define their genetic, ethnic and cultural heritage. The Oregon State government should not regulate who can and who cannot access their own OBC.

Medical science stresses the importance of knowing one's ancestors' medical histories. It is impossible for adoptees to obtain this vital medical information without allowing them access to their OBC.

Adoptees are forbidden access to their OBC due to archaic laws which mandate that adoptee birth certificates be falsified by the State and the original sealed by the courts at the time of adoption. These laws were enacted allegedly to protect adoptees from the shame of their "illegitimate" heritage, not to protect the birth-mother's privacy. Birth parents do not sign a contract upon relinquishing a child for adoption guaranteeing them anonymity.

Studies show that the overwhelming majority of birth mothers welcome reunion with their children. Many birth parents support Measure 58.

The creation of a falsified birth certificate implies there is something shameful about adoption and must therefore be kept secret. Adherence to the fundamental principles of truth and honesty advances the interests and goals of a free, open and democratic society. A birth certificate falsified by the State is incompatible with these principles.

The State should set an example for it's citizens - freedom to know the truth.

(This information furnished by Dale Bender, Birthfather, Karen Thomas.)

ARGUMENT IN FAVOR

Please, I need your help to find my sister and two brothers.
Vote Yes on Measure 58

The voters of Oregon are my only hope, and the only hope for thousands of others like me. My name is Jonathan Wexler, I was born here in Portland on April 12th of 1958 at Wilcox Memorial, now Good Samaritan Hospital.

When I was born, I may have had another name, but unlike you, I have no legal right to know what it was. I have no legal right to see my own unaltered birth certificate, to know what diseases may run in my family and most painfully, no right to know what happened to my two older brothers and sister.

Unlike them, I was lucky. Through a private adoption, I ended up with Simon and Joy Wexler. I had the most wonderful, loving parents anyone could ever wish for. My adopted sister, Marci, and I were truly blessed.

My sister and I are now alone. My dad died when I was twelve, and my mom died on my birthday last year. I applied to the state for what most Oregonians consider their most basic human right; to know who they are and where they come from. I can only say that what I found broke my heart.

The State, which is so desperate to "protect" us from ourselves, had adopted out my two brothers and my sister into different homes, but only after leaving them in foster care for seven years. They were two, three and four when I was born. I never knew they existed. They still have no idea I exist, and the State will not tell me their names. I don't have the same right in Oregon that any other citizen has. I can't call and ask, "are you alright?"

Ever since I was a boy, when I go to the doctors, apply for a loan, apply for health or life insurance or for a job, I have to leave the page on my family medical history blank. Not because there is no one to ask, unlike you, the State of Oregon has decided I have no right to ask.

Please don't buy into the nonsense that those who are not adopted tell you about the "rights" to privacy that birth and adoptive parents have. It is not their birth certificate that was been taken away. I never agreed to have my rights taken from me, and it is not the States business to assume that my birth mother wouldn't like to hear from me, that she made the right decision and that I'm happy and healthy. It's our decision.

I am a human being. I have a right to know the same details of my birth as any other citizen of Oregon. I have a right to care about and meet my own brothers and sister, and they should have the same right to know I exist.

You are my only hope. I beg you, please, vote "yes" on measure 58.

(This information furnished by Jonathan I. Wexler.)

(This space purchased for \$300 in accordance with ORS 251.255.)

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Measure No. 58

ARGUMENT IN FAVOR

Through the course of this past year, since the day I filed the paperwork to begin the process of certifying Measure 58 to the statewide ballot, I've been contacted by thousands of people throughout Oregon and the country. These people came from all walks of life, they were young, old, rich, poor, Democrat, Republican and unaffiliated. They were a diverse group of artists, teachers, retired construction workers, college students, lawyers, prison inmates and homemakers. Together they comprised a seemingly complete cross section of America with one unifying element: they had been touched in some way by adoption.

I was contacted by adoptive parents who expressed such unconditional love and concern for the deepest needs of their children that I was uplifted by their spirit for many days afterward. I was contacted by birth mothers whose lasting concern and love for a child relinquished twenty, thirty or forty years ago led them to work passionately for this measure. And of course, there were the adoptees. As an adoptee myself, I knew well the complex emotions in their hearts. Some were angry and frustrated at the road blocks to the unanswered questions of their lives, while others supported this effort in quiet solidarity. Still others were bed ridden or dying from an undiagnosed illness; that was a shock to me. We don't see those people, we don't realize they're there.

Perhaps this isn't an argument in favor of Ballot Measure 58 so much as it is a tremendous and heartfelt thank you to the initiative process and to the State of Oregon, and to all those who contacted and helped with this campaign, thank you for the most incredible year of my life.

Helen Hill

Chief Petitioner: Ballot Measure 58

(This information furnished by Helen Hill, Open 98.)

(This space purchased for \$300 in accordance with ORS 251.255.)

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ARGUMENT IN FAVOR

Adults should have the right to the truth about themselves. The state shouldn't be deciding what truths some adult citizens can be allowed to see, and what others cannot. This is the wrong job for the state. Keeping true facts of birth away from an adult citizen is not within the mandated purpose of a state government.

The State of Oregon expects us to be honest and report our income exactly the way it is, insurance companies expect us to be honest and report accidents exactly the way they happened, the courts demand that we account for our actions truthfully. So much in our society hinges on each and every citizen remaining truthful and responsible to each other. Why then does the state, in this instance, hold that it is legally appropriate to seal an original, historical document and deny an adult the true facts about when, where, and to whom they were born?

The CHOICE to know the true facts about ourselves should belong to all of us as adult citizens. Vote Yes on Measure 58.

(This information furnished by Patricia Champ.)

(This space purchased for \$300 in accordance with ORS 251.255.)

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Measure No. 58

ARGUMENT IN FAVOR

Before 1957, an adult adoptee was guaranteed the right to see his or her original birth certificate by an act passed in 1941 by the State of Oregon. For over HALF of all adult adoptees alive today, Measure 58 represents A RETURN TO THE STATUE IN PLACE AT THE TIME OF THEIR BIRTH! Vote Yes! A wrongful law is a wrongful law no matter how long it has been in effect. This measure is about truth and accountability. The right to the truth, for an adoptee, it is a right that has been abrogated. We all have a right to the truth, and the wisdom of countless religions and philosophers through the ages holds that in the presence of truth, there is the greatest potential for healing. Let's move into the year 2000 with this very human right and just step towards the light. Vote YES on Ballot Measure 58.

(This information furnished by Donna Harris.)

ARGUMENT IN OPPOSITION

We, the undersigned adoption professionals, urge all Oregonians to vote no on Ballot Measure #58.

Until the 1960's, women faced with an unplanned pregnancy were shunned by their friends and families. The deep shame associated with the prospect of bearing an "illegitimate" child and the disgrace heaped upon "unwed mothers" made it nearly impossible for these women to consider parenting their children. Those who made the wrenching decision to plan an adoption for their babies did so with the clearly expressed expectation that their identities would always be kept confidential.

By keeping the secret, they hoped to "start over," begin a new life without the risk of being discovered. These women were encouraged to "forget this ever happened." Many birthparents took, or intended to take, this secret to their graves.

Adoption agencies, seeking to honor their relationships with birthparents and adoptive families as well as respect their wishes for privacy, assured each party confidential services.

Over the years, adoption practice has changed and evolved. There are now many options that address the freedom of relationships among adoptees, birthparents, and adoptive parents:

- A wide range of opportunities for openness between birth and adoptive families
- A process for the release of non-identifying information by any party
- A process for assisted search for both birthparents and adoptees with the support of a trained social worker
- The freedom and power for all parties to decide whether and when they might choose to disclose their identities.

We oppose Ballot Measure #58 because there are no provisions in this measure allowing birthparents to veto either the disclosure of their identities or potential contact from the adult adoptee. There is also no way for birthparents to access current identifying information about the children for whom they planned adoptions.

We believe that birthfamilies, adoptive families, and adoptees deserve equal respect and courtesy. Services offered to one of these parties should also be offered to the others.

VOTE NO ON MEASURE 58

Nancy P. Simpson, MA; Lauren Greenbaum, MSW; Claudia Hutchison, MA; Gayle Dukart-Hardy, LCSW; Kathleen Moore, LCSW; Kathy Astle; Susann B. Finnegan; Lori Mason Namba; Paula Reents; Lynne Schroeder; Sherry Steele

(This information furnished by Nancy P. Simpson, MA, Concerned Adoption Professionals.)

(This space purchased for with a petition containing the signatures of 1,000 voters eligible to vote on the measure in accordance with ORS 251.255.)

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Measure No. 58

ARGUMENT IN OPPOSITION

Measure 58 would destroy a critical part of Oregon's adoption laws. Oregon and almost all other states know from long experience that in some adoptions confidentiality — tempered with flexibility — is necessary.

A pregnant woman wanting to surrender a child for adoption may choose one of two systems. If she chooses open adoption, she will maintain contact with the adoptive family. If she chooses a confidential adoption, the adoptive family will receive essential medical information, but the biological and adoptive families have no contact.

In extreme cases parental rights are terminated by courts. The biological parents may be child abusers or have other serious problems. When that happens there will ordinarily be no contact between the biological and adoptive families, but State officials will still provide medical information to the adoptive family.

To allow confidential adoptions, Oregon law seals adoption records — original birth certificates, court records, and adoption agency records. Measure 58 would destroy that system of confidentiality, breaking promises made to women over many years that an adoption would help permanently put behind them acts ranging from rape to a moment's indiscretion.

The initial decision to make an adoption confidential can be changed. Oregon law (ORS 109.425-109.507) requires the creation of voluntary adoption registries in which biological parents and adult adoptees can register their wish to meet. If both register, they are introduced with the help of trained social workers. The law gives voluntary adoption registries access to sealed adoption records. They will track down necessary medical information and contact biological parents for an adult adoptee to see if the biological parents wish to meet the adoptee.

Confidentiality gives some pregnant women considering adoption a choice they need. It protects them and adoptees from public disclosure of information on the unfortunate circumstances that sometimes lead to adoption. Oregon should preserve that choice.

VOTE NO ON MEASURE 58.

Warren Deras, J.D.

(This information furnished by Warren Deras.)

ARGUMENT IN OPPOSITION

The initiative to identify birthparents simply by request of adoptees is seriously flawed. This initiative seeks to create a new "right" by destroying established rights of privacy and personal choice.

Contrary to the claim by sponsors of this initiative that the Oregon State Legislature has not been responsive to their requests to essentially open confidential adoption records automatically when adoptees reach a certain age, the Legislature has, in fact, given a great deal of consideration to all sides of the adoption records question in recent years. Legislation has been passed and implemented to make information available to adoptees, and to aid those adults who are interested in finding birth families to do so.

While some who support this initiative state their goal is not search and identification of biological relations, many others say that is their intent. In Oregon, this initiative is unnecessary for purposes of search and reunification of biological relations. Under current Oregon law, adoptees have access to medical, social, and genetic information in their adoption files. Identifying information about birthparents may be obtained when all parties are adults and consent to exchange such information. The State even administers an "assisted search" program through Services to Children and Families to help those parties to adoption wishing to reunite. By requiring that all parties consent before identifying information is revealed, the Legislature recognized that the individuals who will be most affected by release of such information are the ones to determine if, or when it should be released.

The flaw in this initiative is that control of private information is removed from the parties involved. It is wrong to assume that any one individual has a greater right to information in adoption than another. The current carefully crafted law puts all parties in an adoption on equal footing and requires that all be contacted and give consent prior to personal information being released. This initiative removes protection of personal choice and right to privacy.

(This information furnished by Steven Dahl, Friends of Adoption.)

(This space purchased for \$300 in accordance with ORS 251.255.)

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Measure No. 59

Proposed by initiative petition to be voted on at the General Election, November 3, 1998.

BALLOT TITLE

59 AMENDS CONSTITUTION: PROHIBITS USING PUBLIC RESOURCES TO COLLECT MONEY FOR POLITICAL PURPOSES

RESULT OF "YES" VOTE: "Yes" vote prohibits using public resources to collect or help collect political funds.

RESULT OF "NO" VOTE: "No" vote rejects prohibition on using public resources to collect or help collect political funds.

SUMMARY: Amends constitution. Prohibits using "public funds" to collect or assist in collecting "political funds." "Public funds" defined to include public employee time, public property or equipment and supplies. "Political funds" defined to include any expenditure supporting or opposing a candidate, ballot measure or initiative petition. Prohibition applies even if public entities are reimbursed for use of public funds for collection. Measure would prohibit public employee payroll deduction for any entity that uses any funds deducted for political purposes or that commingles political and non-political funds.

ESTIMATE OF FINANCIAL IMPACT: This measure is estimated to reduce state expenditures for voters' pamphlet publication by \$1,800,000 in the year 2000 and in subsequent even-numbered years. State revenues from filing fees are estimated to decrease by \$400,000 in the year 2000 and in subsequent even-numbered years.

These reductions result from eliminating candidates' statements and measure arguments in the State Voters' Pamphlet.

The measure will have no financial effect on local government expenditures or revenues.

TEXT OF MEASURE

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OREGON:

The Constitution of the State of Oregon is amended by adding the following section to Article XV, which section shall be appropriately numbered and shall read:

Section 10 (1) No public funds shall be spent to collect or assist in the collection of political funds.

(2) For purposes of this section, money shall be deemed to be "political funds" if any portion of the money, including in-kind contributions, is contributed to a candidate or political committee, or spent, including independent expenditures, supporting or opposing a candidate for public office or a ballot measure, including efforts to collect signatures to place a measure on the ballot, and any efforts, including but not limited to direct mail and media campaigns, to solicit signatures for initiative petitions or to discourage electors from signing initiative petitions.

(3) For purposes of this section, public funds shall include public employee time, public property, and public equipment and supplies.

(4) Public entities are prohibited from providing a service prohibited by this section even if reimbursed for the cost of doing so.

(5) No public entity shall collect or assist in the collection of funds for any purpose for a person or organization, if, after the effective date of this Amendment, the person or organization has: (i) used for political purposes any of the funds collected for it by a public entity after the effective date of this Amendment, or (ii) co-mingled non-political funds collected by a public entity after the effective date of this Amendment with political funds.

(6) If any phrase, clause, or part of this section is found to be unconstitutional by a court of competent jurisdiction, the remaining phrases, clauses, and parts shall remain in full force and effect.

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

EXPLANATORY STATEMENT

This measure adds a new section to the Oregon Constitution that prohibits any person or organization from using public resources to collect or help collect political funds. Public resources that cannot be used to collect political funds include public moneys, public employee time, public property and public equipment and supplies. Political funds include any money contributed to candidates or political committees and any money spent supporting or opposing a candidate, ballot measure or initiative petition. A public body is prohibited from using its resources to collect political funds even if it is reimbursed for the cost.

An organization violating this measure by using non-political funds (collected for it by a public body) for a political purpose will lose the right to payroll deductions by any public body for all purposes.

This measure prohibits several activities currently allowed under Oregon law. For example:

- 1) To use public property, including public buildings, to collect or help collect political campaign funds.
- 2) To recognize a public employee's request to payroll deduct part of the employee's wages and transfer that deducted money to an organization that uses all or part of that money to support or oppose candidates, initiatives or ballot measures.
- 3) To include in the voters' pamphlet any paid statement supporting or opposing candidates, initiatives or ballot measures.

Committee Members:

Representative Steve Harper*
Bill Sizemore*
Roger Gray
Greg Hartman
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. The statement written by the committee was modified and certified by the Supreme Court of the State of Oregon pursuant to ORS 251.235.)

Measure No. 59

ARGUMENT IN FAVOR

MEASURE 59 PRESERVES WORKERS' RIGHTS

My name is Harry Beck. In the 1980s I filed a lawsuit to prevent a labor union from forcing me to contribute money to their political agenda against my will.

My case went all the way to the U.S. Supreme Court. The Supreme Court ruled in my favor; saying no worker should be forced to contribute to political campaigns he or she doesn't personally support.

The Beck decision is now the nation's landmark case defending a worker's right to not contribute to political campaigns they don't personally believe in.

Even though I won my case, the abuse I suffered continues today. **Millions of workers across America are still having money deducted from their paychecks and spent on a union's political agenda without the employees' permission.** The union simply confiscates the money from the employee's paycheck before the employee is paid.

In Oregon, tens of thousands of public school teachers, police officers, fire fighters, clerks, secretaries, prison guards, etc. are still having money deducted from their paychecks and transferred to a union's political coffers.

Measure 59 makes it illegal to deduct money from any public employee's paycheck and use then that money for a political purpose. **Of course, public employees will still be free contribute to any cause they personally choose.** But rather than the money being deducted from their paychecks with or without their permission, they will simply write out a check to the cause they personally support, just like the rest of us do.

There will be tremendous labor union opposition to Measure 59. **Union bosses know if workers have the right to not contribute to the union's political funds, most will not.** I support Measure 59 because it gives workers the right to choose for themselves the political causes they will support.

No worker should be forced to contribute money to a political campaign they don't personally support. Not in America.

Please vote "Yes" on Measure 59.

(This information furnished by Harry E. Beck.)

(This space purchased for \$300 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

I am a public school teacher. I love to teach.

I became a teacher because I care about kids and because I want to help them learn. Nothing is as thrilling as watching a light come on in a young mind.

In recent years, though, my job has become politicized. I have been forced to participate in political battles that are not of my choosing. Every month, money is taken from my paycheck and used to support the agenda of an increasingly political teachers' union. Money is taken from me and contributed to the campaigns of candidates who hold views I oppose. Money is taken from me and used to oppose ballot measures I support.

This is not right. Public school teachers should have the same right as anyone else to support or oppose political candidates or causes we choose.

Thomas Jefferson once said, "**To compel a man to furnish contributions of money for the propagation of opinions which he disbelieves, is sinful and tyrannical.**" Jefferson's statement should apply to teachers the same as every other citizen.

Measure 59 gives public school teachers and other public employees the same freedom of political expression others already enjoy by preventing our employers from deducting money from our paychecks against our will and depositing that money into a political fund.

If I am going to be involved in politics, then I want the freedom to choose how, when and where I will be involved. That's only right. Please vote YES on Measure 59. Many hard-working dedicated teachers, who simply want to be left alone to teach, will appreciate your support.

(This information furnished by Tim Rohrer.)

(This space purchased for \$300 in accordance with ORS 251.255.)

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Measure No. 59

ARGUMENT IN FAVOR

As Oregon's largest business association, Associated Oregon Industries believes everyone should support candidates and issues of their own choosing. It is healthy for the political process to have broad participation.

Measure 59 says simply that tax dollars should not be used to collect or process political contributions. People pay taxes to support important and essential government services. They should not have their taxes used for political purposes or to help some groups collect political donations.

Measure 59 does not affect contributions to United Way or other charitable organizations. It only affects funds used for political campaigns.

Measure 59 does not affect private payrolls. It only affects public payrolls that are processed with tax dollars, and government employees who are paid with tax dollars.

Measure 59 does not prohibit participation by anyone in the political process. It allows people to choose on a direct and voluntary basis if, when, and where they want to participate.

Measure 59 closes the door on potential abuses. It provides free choice for people to decide for themselves what issues and candidates to support. And it stops the use of tax dollars for collecting political funds.

People --- not tax dollars --- should write personal checks to whatever group, issue or candidate they wish to support.

Vote YES on Measure 59.

Submitted by
Associated Oregon Industries

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

(This space purchased for \$300 in accordance with ORS 251.255.)

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ARGUMENT IN FAVOR

STATEMENT OF INTENT

Measure 59 will prevent the use of tax dollars to collect political funds.

It is not a legitimate function of government to collect political funds for either side of a political debate. **Government should remain neutral in elections**, favoring no candidate over another, and favoring no particular side of a ballot measure. Neutrality is essential to open and fair elections.

Currently, however, government is not acting as a neutral party in our elections. Government is helping one side of the public debate. **Every year, public resources are used to collect millions of dollars of political campaign funds, but only for the side of the debate that supports higher taxes and bigger government.**

Every year, our tax dollars and our publicly-owned buildings and equipment are being used to collect millions of dollars in political campaign funds for public employee unions, but no one else.

Certainly, public employees should be free to contribute money to any political campaign they choose. But public employee unions should not be free to use our publicly-owned buildings, equipment, and supplies to collect their political campaign funds. They should raise political money the way everyone else does -- without the use of public resources.

Following are two things Measure 59 will not do:

Measure 59 will not end the voters pamphlet as some have claimed. The only effect the measure would have on the voters pamphlet, if any, would be to require those who buy paid advertisements in the Voters Pamphlet pay to the publisher the full cost of their advertisement. Currently they pay only about 10 percent of the actual cost. Taxpayers pay the other 90 percent.

Measure 59 will not affect Oregon's political tax credit, because no public resources are used to collect those funds. Those funds are collected directly by the organizations receiving the money, not by the state.

Measure 59 will, however, make government once again neutral in Oregon elections. Like it should be.

(This information furnished by Bill Sizemore, Oregon Taxpayers United.)

(This space purchased for \$300 in accordance with ORS 251.255.)

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Measure No. 59

ARGUMENT IN FAVOR

Let me tell you what Measure 59 is not about. It's not about Republicans against Democrats. It's not about corporations against unions. It's not about rich fat cats against poor working folks.

It is not about charities like the United Way or Boy Scouts. It's not about the Voters Pamphlet.

Measure 59 is about stopping government from using your tax dollars to collect political funds for certain select groups who support bigger government and higher taxes. And it's about stopping unions from deducting money from employees' paychecks for politics without the employees' permission.

Why is it important to state what Measure 59 is not about? Because the primary opponents of Measure 59 are public employee unions who never discuss what a measure is really about. They always campaign about something else, because they know if you discover what the issue really is, you will vote against them.

So this election you will hear and see ads attacking Bill Sizemore. You will hear or see ads attacking Newt Gingrich or some guy back East named Norquist. Why? Because the public employee unions don't want to talk about what they are doing with your tax dollars, i.e. using them to raise your taxes.

And they don't want to talk about what they are doing to school teachers and police officers and fire fighters, i.e., taking money out of their paychecks without their permission, and then using that money to run political campaigns.

Read Measure 59 for yourself. It's not complicated. It has no secret agenda. Its goal is simply to prevent the use of public resources to collect political funds, and to give public employees the same right the rest of us enjoy, to give or not give to political causes as they see fit.

Don't let the public employee unions throw sand in your eyes. Don't let them distract you from the real issue of Measure 59. It's an honest straight forward measure.

(This information furnished by Bill Sizemore, Executive Director, Oregon Taxpayers United.)

(This space purchased for \$300 in accordance with ORS 251.255.)

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ARGUMENT IN FAVOR

STOP USING TAX DOLLARS TO COLLECT POLITICAL FUNDS

Who do you suppose are the top contributors to the election campaigns of those politicians who want to increase taxes and expand the size of government?

When a measure to increase taxes appears on the ballot, who spends the most money trying to pass the measure?

When a ballot measure would reduce taxes, who spends the most money trying to defeat the measure?

The answer to all three questions is the same: **Public employee unions.**

Public employee unions spend millions of dollars every election cycle trying to elect politicians who will expand government and increase taxes because that's good business for them. The more money the rest of us pay in taxes, the more money government has available for hiring public employees. More public employees means more unions dues for their unions. **That's why increasing taxes is a top priority of public employee unions.**

But the victims of this cycle are the taxpayers. Their tax dollars are being used to collect political campaign funds for those whose primary goal is to increase taxes.

Why do the public employee unions have what seems like an endless supply of political campaign funds? Because they have an advantage no one else has. **Government collects their campaign funds for them by taking political contributions out of public employees' paychecks before the employees even see a dime of their own money.** (And they don't even have to have the employee's permission.)

Of course, public employees have as much right to contribute to political campaigns as anyone else. And under Measure 59, public employees will still be free to contribute to any cause they personally believe in by simply writing out a check; just like everyone else does.

Measure 59 applies equally to everyone. It doesn't favor Democrats, Republicans, Independents, liberals or conservatives. Under Measure 59, government simply will not collect political campaign funds for anyone. Period.

That's the way it should be.

(This information furnished by Bill Sizemore, Oregon Taxpayers United.)

(This space purchased for \$300 in accordance with ORS 251.255.)

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Measure No. 59

ARGUMENT IN FAVOR

PUBLIC EMPLOYEE UNIONS HAVE TAKEN OVER THE SYSTEM

Here in Oregon, democracy is being undermined by the public employee unions. Because of their enormous political check-books, filled at taxpayer expense, public employee unions have become the most powerful force in politics.

Why do the public employee unions have so much political money? Under current law, unlike other groups, public employee unions are allowed to use public employee time and other taxpayer owned resources to collect their political funds.

And what do they do with all that campaign money? They use it to raise our taxes - to elect politicians who will increase taxes and to support ballot measures that increase taxes. We're literally giving them the money they use to raise our taxes.

Remember when the measure to slow down the growth of property taxes appeared on the ballot? Who spent most of the money trying to stop the people from slowing the growth of property taxes? The public employee unions. Why? Because when we pay more taxes, it's more money for them.

Why doesn't the legislature stop this abuse from occurring? Because legislators are afraid of the public employee unions, because these unions have so much money to spend opposing them.

Why doesn't the governor stop this abuse from occurring? Governor Kitzhaber's largest contributors are public employee unions. They give him large campaign contributions, and he gives them large pay raises. It's a pretty sweet thing they have going.

As usual, it falls to the people to deal with this problem through the initiative process. Measure 59 is on the ballot because it is the only way we can stop the use of our tax dollars to collect political campaign funds for the public employee unions.

Your vote is needed to prevent the use of your tax dollars, and your public buildings, computers and supplies, to raise the political funds they use to increase your taxes!

Please vote YES on Measure 59.

(This information furnished by Becky Miller, Executive Assistant, Oregon Taxpayers United.)

(This space purchased for \$300 in accordance with ORS 251.255.)

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ARGUMENT IN FAVOR

Public employee unions are using your tax dollars to collect millions of dollars in political campaign funds. And they are spending that money - which you paid to collect - on tax-and-spend candidates and political efforts that are making our government bigger, more intrusive, and more expensive.

Taxpayers are unwillingly financing the fund-raising machine for political organizations that are spending millions of dollars each year to raise your taxes and limit your freedoms.

In recent years public employee unions have spent millions of dollars - which you paid to collect - to support candidates for public office who:

- Favor increasing property taxes
- Favor keeping your income tax refund - known as the "kicker"
- Favor eliminating phonics - a proven method for teaching children to read - from the classroom
- Favor increasing gas taxes and vehicle registration fees
- Favor loosening sentencing laws and giving more rights to criminals
- Favor placing even more regulations on small businesses
- Favor adding a sales tax in Oregon

Additionally, the public employee unions have spent millions of dollars opposing pro-taxpayer measures and filing lawsuits to overturn laws passed by voters.

Doesn't it make you mad that political organizations with a big-government, high-tax philosophy are the ONLY groups that get their political money raised at taxpayer expense - or rather, at YOUR expense?

It's time to level the playing field. **Measure 59 will make public employee unions raise their money like everyone else does - without the use of our tax dollars.**

(This information furnished by Becky Miller, Executive Assistant, Oregon Taxpayers United.)

(This space purchased for \$300 in accordance with ORS 251.255.)

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Measure No. 59

ARGUMENT IN FAVOR

MEASURE 59 IS FAIR FOR EVERYONE

Measure 59 is one of the most fair, even-handed campaign finance reforms ever. Unlike most campaign finance reforms, Measure 59 does not favor any one group over another. It applies equally to everyone.

Measure 59 prohibits using public resources to collect political funds. Period. It treats Republicans, Democrats, Independents and minor political parties all the same. It applies equally to liberals, moderates, and conservatives. It applies equally to corporations and unions.

Measure 59 simply prohibits government from collecting political funds for anyone or any group, no matter what their political stripe.

Under current law, publicly owned buildings, computers, and supplies are being used to help collect political funds for certain groups. Currently, it is even legal for public employees to use time on the job, while they are being paid, to help collect money that is used for political purposes.

This is an abuse of public resources and taxpayer dollars. Our tax dollars should never be used to collect someone's political funds. Period. Collecting political funds is not a legitimate function of government.

Let's pass Measure 59 and let everyone collect their own political funds from now on, without the use of public resources. That's the way it should be.

Please join me in getting government out of the business of collecting political campaign funds. Keep your tax dollars out of political campaigns.

VOTE YES ON MEASURE 59

(This information furnished by Bill Sizemore, Oregon Taxpayers United.)

ARGUMENT IN OPPOSITION

THIS IS A PAID POLITICAL ADVERTISEMENT (and you're the one paying for it.)

That's right. What you're reading right now is a paid political ad. It is not official information; just my opinion, brought to you at taxpayer expense.

This ad costs the taxpayers of Oregon about \$3,000 to print and distribute. But I only have to pay \$300 for the ad. Taxpayers pay the rest. Such a deal.

I can say pretty much what ever I want in this ad. I may be a reasonable person giving you sound political advice, or I may be a total crackpot. No matter, under current law, taxpayers pick up 90 percent of the tab for printing and distributing my opinion.

For example, I can say that I oppose Measure 59 because it ends the 90 percent taxpayer subsidy of political ads placed in the Voters Pamphlet by total crackpots. Or I can say I oppose Measure 59 because if Measure 59 passes public employee unions will lose millions of dollars in political campaign funds.

I can even say I oppose Measure 59 because "59" is my least favorite number. Actually "59" is one of my most favorite numbers because if you add 5 and 9 together you get 14, which is two times seven, and seven is everybody's lucky number.

The point is this: Measure 59 will have no effect on the rest of the Voters Pamphlet, but it will probably end the huge taxpayer subsidy of ads like this one, and all the other ads for pages and pages on both sides of this ad. If Measure 59 passes, people like me, who place paid ads in the Voters Pamphlet, could be required to pay the actual cost.

Just think of it. Every ad in the Voters Pamphlet costs the author only \$300, and costs the taxpayers \$2,700.

VOTE NO ON MEASURE 59

(so I can keep running ads like this one for only \$300)

(This information furnished by Adelia Stewart.)

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Measure No. 59

ARGUMENT IN OPPOSITION

A NURSE'S VIEW OF BALLOT MEASURE 59

As Registered Nurses, we care about what happens to our patients and the care they receive at the bedside. When we see trends in our health care system that put people at risk we feel an obligation to take action. Bills like the Patient Bill of Rights are important to us as professional and compassionate people.

Nurses and other health care providers must be involved in the political process so that laws are passed to protect patients from those who would put profits first and quality patient care second. We recognize that in politics, to have an effective voice you need to raise money to be heard in political campaigns and in the legislature.

Ballot Measure 59 will eliminate our option to have a voluntary political contribution deducted from our paychecks. Ballot Measure 59 will make it very difficult for our professional association – the Oregon Nurses Association – to help elect people who care about how the “business” of health care treats you as a patient.

However, Ballot Measure 59 will not effect HMO's and insurance companies who oppose safeguards in our health care system. In fact, by silencing nurses HMO's will have even more influence on the quality of care you receive.

Ballot Measure 59 is unfair and unnecessary. Nurses have been willingly making contributions through their paychecks for years. We also willingly use payroll deductions to contribute to other worthy causes like United Way. Having these important contributions deducted from our paycheck is efficient and inexpensive.

Please, ask yourself this question:

“Why are the proponents of Ballot Measure 59 trying to stop us from voluntarily spending our own money to have a voice in the public debate about health care issues?”

(This information furnished by Kathleen Sheridan RN, Neta Courcey RN, Bruce Brown RN, Pamela Kirk RN, Patrice Boose RN, Cynthia Mosser RN, Linda Pesanti RN, Susan King RN, Chris O'Neill RN; Oregon Nurses Association.)

(This space purchased for \$300 in accordance with ORS 251.255.)

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ARGUMENT IN OPPOSITION

The Former Deans Committee

We believe Measure 59 raises serious issues under the First Amendment to the United States Constitution. This measure may prohibit state and local Governments from collecting “Funds” to be spent for political purposes.

Notwithstanding the intent of the drafters, we believe Measure 59 is vague and unclear in its meaning. As Measure 59 is written, it appears to limit free expression of political ideas and concepts by elected officials and governmental officials by placing a chilling effect upon the exercise of “free speech”. It also appears to prohibit the production of the Oregon Voters Pamphlet by the Secretary of State in its present form.

“Public funds” are defined to include public property and employee time. Therefore the Measure seems to prohibit the rental or use of traditional public forums such as schools, plazas or parks for political gatherings. It also seems to forbid the use of public law enforcement to direct traffic or provide public safety at such events. Officials may be forced to guess when to allow free speech and assembly. The Measure appears to limit all levels of government from communicating with their citizens concerning political issues of community interest.

We provide this information to help fellow voters in understanding this measure. Our comments are designed only to provide objective and careful constitutional analysis of the measure. Collectively we take no position on the other merits of this measure.

Prof. Leroy Tornquist (Chair), Former Dean Willamette College of Law
Rennard Strickland, Dean University of Oregon Law School
Prof. Robert Misner, Former Dean Willamette College of Law
Robert Ackerman, Dean Willamette College of Law
David Frohnmayer, Former Dean University of Oregon Law School

(This information furnished by Bob Cannon, Treasurer, The Former Deans Committee.)

(This space purchased for \$300 in accordance with ORS 251.255.)

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Measure No. 59

ARGUMENT IN OPPOSITION

VOTE NO ON MEASURE 59!

The American Civil Liberties Union (ACLU) of Oregon asks you to consider the serious flaws in Measure 59 before you vote.

IT'S NOT ABOUT SAVING TAX MONEY

Section 4 of Measure 59 makes that crystal clear: even if it doesn't cost the government one thin dime, the restrictions of Measure 59 would still apply.

IT'S OVERBROAD

Because Measure 59 is a constitutional amendment—and because its language is so sweeping—it will affect all Oregonians, not just government employees. Among its likely consequences are:

- An end to voter's pamphlet statements by candidates, and arguments for and against ballot measures (because the measure prohibits spending any public funds to "support or oppose" candidates and ballot measures);
- Eliminating government payroll deductions for United Way and charities like the American Lung Association of Oregon and American Cancer Society (because many charities occasionally take positions on ballot measures—like the tobacco tax approved by voters two years ago); and
- Eliminating government payroll deductions for home mortgage payments (because banks use some of their profits to engage in "political" activity).

IT'S UNNECESSARY

Oregon law already prohibits public employees from doing anything while they're on the job to support or oppose candidates or ballot measures. (ORS 260.432)

Measure 59 is also unnecessary to protect public employees who disagree with the political activities of their union. Public employees already have the right and ability to opt out of paying the portion of union dues that supports their union's political activities.

IT'S UNCONSTITUTIONAL

Even if the only target of Measure 59 were public employees, their rights to participate in the political process are clearly protected by the First Amendment.

VOTE NO ON MEASURE 59!!

IT'S OVERBROAD

IT'S UNNECESSARY

IT'S UNCONSTITUTIONAL

(This information furnished by Jann Carson, American Civil Liberties Union (ACLU) of Oregon.)

(This space purchased for \$300 in accordance with ORS 251.255.)

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ARGUMENT IN OPPOSITION

MEASURE 59 GUTS THE OREGON VOTERS' PAMPHLET

Big Money Wants to Keep Oregon Voters in the Dark about ALL Candidates and ALL Ballot Measures

Oregon voters created the Oregon Voters' Pamphlet by an overwhelming vote of the people in 1908. Now Bill Sizemore's Measure 59 would destroy it by deleting 90% of its content.

Every neutral legal analysis of Measure 59 has concluded that it will remove from the Oregon Voters' Pamphlet:

- all information about the qualifications, beliefs, or policies of any candidate
- all arguments on why voters should accept or reject ballot measures

Among those who agree are Oregon's Legislative Counsel (who prepared the Draft Explanatory Statement) and the State of Oregon Financial Impact Committee, which includes the Secretary of State and the State Treasurer.

Politics is corrupted by big money. Candidates and ballot measure sponsors (and opponents) get huge contributions from the big corporations and wealthy people who want special treatment from government. They use this money to buy ads on TV, radio, billboards, and newspapers.

Now Big Money wants to destroy the Oregon Voters' Pamphlet -- the only way for candidates and those interested in ballot measures to reach all Oregon voters without begging the Big Money barons for cash.

If Big Money wins on Measure 59, they will have more power than ever before:

- power to raise your taxes, while cutting their own
- power to raise your utility bills
- power to pollute the air and water
- power to tell you how to live your life

because they will control what you see and hear about all candidates and all measures.

**Let's keep the lights on ...
by keeping the Oregon Voters' Pamphlet.**

Daniel Meek
dan.meek@usa.net
law.view.org

For more information: www.voters.net

(This information furnished by Daniel Meek.)

(This space purchased for \$300 in accordance with ORS 251.255.)

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Measure No. 59

ARGUMENT IN OPPOSITION

SIZEMORE'S MEASURE 59 DESTROYS THE OREGON VOTERS' PAMPHLET!

on all levels: State, County, City, District

Oregon voters created the Oregon Voters' Pamphlet in a 1908 initiative to reform corrupt politics. The initiative directed the Secretary of State to distribute the Voters' Pamphlet to all registered voters and that it include fee-based statements supporting or opposing candidates for public office.

For 90 years, the Oregon Voters' Pamphlet has served as the best way for candidates or those with opinions about ballot measure to get their views to **all Oregon voters** without needing huge amounts of money and becoming obligated to the special interests.

Every published legal analysis of Measure 59 has concluded that it will remove from the Oregon Voters' Pamphlet:

- **all information about the qualifications, beliefs, or policies of any candidate**
- **all arguments on why voters should accept or reject any ballot measure, including state, county, city, and district measures**

Today, a candidate for state office can print in the Voters' Pamphlet a statement of her background, beliefs, policies. This costs \$300 for a full page or \$100 for a half page.

Today, a person or group can print in the Voters' Pamphlet an argument for or against a ballot measure. This costs \$300 (or 1000 signatures of voters) for a half page.

Measure 59 will make it illegal to print any of this in the Voters' Pamphlet.

Experienced election law attorneys, including Warren Deras, have concluded that Measure 59 would also eliminate the Oregon political tax credit, which credits a taxpayer for up to \$50 (\$100 for a married couple) per year to offset the cost of contributions to political causes in Oregon. This tax credit allows the campaigns for candidates and initiatives to receive support from those of us who don't have the big money.

Daniel Meek
dan.meek@usa.net
law.view.org
For more information: or.voters.net

(This information furnished by Daniel Meek.)

(This space purchased for \$300 in accordance with ORS 251.255.)

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ARGUMENT IN OPPOSITION

SAVE THE OREGON VOTERS PAMPHLET BY VOTING NO ON 59!

Don't Let Bill Sizemore put Voters in the Dark about All Candidates and All Ballot Measures

Coalition for Initiative Rights Urges "NO" Vote on Measure 59

Measure 59 would gut the Oregon Voters' Pamphlet, deleting from it all statements supporting or opposing any candidate or any ballot measure. That's about 90% of the Pamphlet.

Under Measure 59, the Oregon Voters' Pamphlet will contain:

- **no information about the qualifications, beliefs, or policies of any candidate**
- **no arguments on why voters should accept or reject ballot measures**

What's left is a list of candidate names, a list of the ballot titles for the measures, a list of polling places, an absentee ballot coupon, and some "general" information about voting.

The chief sponsor of Measure 59, Bill Sizemore, has said that gutting the Oregon Voters' Pamphlet was not his intention [*Oregonian*, August 23, 1998], **but Sizemore has also stated that "paid advertisements in the Voters' Pamphlet could be affected because they are about 90 percent taxpayer-subsidized."** [*Oregonian*, August 9, 1998]. All of the candidate statements and all of the ballot measure arguments are "paid" for by the candidates, by the argument authors, and by the taxpayers. **Measure 59 would delete them all.**

The Oregon Voters' Pamphlet was created by voter initiative in 1908. Measure 59 would turn back the clock on political reform by 90 years!

Don't put Oregon voters in the dark about all candidates and all ballot measures!

Join us in saving the Oregon Voters' Pamphlet.

VOTE NO ON MEASURE 59

The Coalition for Initiative Rights is a group of volunteers dedicated to protecting the rights of Oregon voters to use the initiative and referendum.

Email: coalition.rights@usa.net
More Information: www.voters.net; www.teleport.com/~dweezil/cir

(This information furnished by Lloyd Marbet, Coalition for Initiative Rights.)

(This space purchased for \$300 in accordance with ORS 251.255.)

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Measure No. 59

ARGUMENT IN OPPOSITION

From the desk of John A. Kitzhaber, M.D.

In my twenty years of public life, I have seen the importance Oregonians place in the ability to make the right choice on issues that matter to us. We may not always agree on the issue, but we all want the right to make a choice through the use of our political voice.

That's why I am asking you to join me in voting NO on Ballot Measure 59.

Ballot Measure 59 isn't fair to Oregonians. It denies some of your friends and neighbors who happen to be union members the right to voluntarily choose a dues deduction -- giving them political voice like citizens in any other organization in Oregon. These are the men and women of Oregon who are firefighters, police officers, nurses and teachers. They save lives, protect our communities and educate our children. They are our friends and neighbors.

What else does this ballot measure do? It silences every Oregonian by making it illegal to include political statements in the voters' pamphlet. It sounds ridiculous, but it is true. If this measure passes, no statement supporting or opposing candidates, initiatives or ballot measures would be allowed to appear in the voters' pamphlet. I don't think that is good for democracy and I don't think its good for Oregon.

Why do I feel so strongly about Ballot Measure 59? Because it is deceptive; it isn't being honest with Oregonians about how it changes our political future. I think it is unfair to a small group of Oregonians; it denies them an equal voice in the political process. And I believe it takes the heart right out of the voters' pamphlet; it silences the ability of Oregonians to see and hear about all of their choices on the ballot.

I hope you'll consider these facts and join me in voting NO on Ballot Measure 59.

Sincerely,

John A. Kitzhaber, M.D.

(This information furnished by John A. Kitzhaber.)

(This space purchased for \$300 in accordance with ORS 251.255.)

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ARGUMENT IN OPPOSITION

A Republican Says Vote No on Sizemore-Norquist 59

I have never written a statement for the Oregon voters' Pamphlet, but Sizemore-Norquist 59 has compelled me to do so. From where I stand as a Republican activist and union members, it's deceptive and unnecessary,

I am public employee who serves Oregonians as a corrections officer at the Columbia River Correctional Institution in Portland. In that role, I am a union member represented by Local 3941 of the American Federation of State, County and Municipal Employees (AFSCME).

And, as a Republican, I am also the chair of the statewide AFSCME Republican Caucus. We are a group of registered union members who work with out political action committees to ensure that our viewpoint is heard on both issues and candidate endorsements. It's a democratic process, and we participate fully.

We also have the legal and voluntary right to "opt out" if we feel strongly about the political decisions of our union, and many of my co-workers do so. When you "opt out," you are rebated the percentage of your dues that AFSCME spends on political activity. You simply fill out a form and receive your rebate.

Bill Sizemore wants you to believe that public employee unions have money forcefully taken from them and spent on issues they don't believe in. I know first hand that's simply not true.

Tomorrow, if Sizemore-Norquist 59 Isn't defeated by Oregonians, my right to choose will be denied and my right to speak through my union will disappear. That isn't fair.

I am convinced that Sizemore-Norquist 59 is aimed at me and all of my fellow public safety workers throughout the state who work hard to protect Oregonians. Just as you, we are entitled to the same rights and protections about how we participate in Oregon's political future.

Please join in me saying no to this deceptive and unfair ballot measure. Vote no on Sizemore-Norquist 59.

(This information furnished by Hermann Green, American Federation of State, County and Municipal Employees.)

(This space purchased for \$300 in accordance with ORS 251.255.)

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Measure No. 59

ARGUMENT IN OPPOSITION

Secretary of State Advises Oregonians to Vote No on Measure 59

Keep the Voters' Pamphlet Available to Oregonians

As your Secretary of State, one of my jobs is to make sure that every Oregonian has the chance to learn about the candidates and issues before their votes are counted on election day.

Without question, the best tool we have to assist Oregonians as they decide on the candidates and issues is the Voters' Pamphlet. Everywhere I go, Oregonians tell me that they support this valuable resource as an important way to keep them informed about every election. That's why I am asking you to join me and citizens throughout Oregon in voting no on Measure 59.

As the current explanatory and fiscal impact statements on this measure note, there is a real danger that Measure 59 will make it illegal to include in the Voters' Pamphlet any paid statement supporting or opposing candidates, initiatives or ballot measures.

This could be the last Voters' Pamphlet that really helps Oregonians be informed citizens on the most important task they have -- electing our leaders and shaping the state's future.

Because Measure 59 amends the constitution, any effort to correct this obvious flaw may require an additional vote, potentially costing taxpayers up to one million dollars.

As Oregon's chief elections officer, I urge you to reject Measure 59.

(This information furnished by Phil Keisling.)

(This space purchased for \$300 in accordance with ORS 251.255.)

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ARGUMENT IN OPPOSITION

Seniors Say Sizemore-Norquist 59 Will Destroy the Voters' Pamphlet

As senior citizen advocates, we are often overwhelmed by the amount of political information that arrives with every election. We get a mountain of mail asking us to vote one way or another. We hear radio spots and see television commercials trying to persuade us on the issues.

For us, however, the voters' pamphlet is different. Like many Oregonians, seniors trust the voters' pamphlet. It's really the one opportunity every Oregon voter has to read good information and arguments on both sides of every issue. It comes to us free from the Secretary or State before we vote, and anyone can use the voters' pamphlet to make their best case to vote for or against a candidate or a ballot measure. Then informed Oregonians, including senior citizens, can make their decision.

Sizemore-Norquist 59 would change the voters' pamphlet forever. Because it prohibits the use of public resources for political purposes, the voters' pamphlet could no longer include any arguments or statements supporting or opposing candidates, initiatives, or ballot measures. It's true. Just read the explanatory statement for Measure 59.

The voters' pamphlet is an important election tradition for senior citizens in Oregon. Many of us review it with families and friends before making our decisions on election day. Of course, many seniors use a vote-by-mail ballot, so for us the pamphlet is a great tool to help mark their ballots at home.

As a senior citizen, I know that without the voters' pamphlet it will be more difficult to determine the truth about candidates and measures. Without it, every citizen will be less informed and find it much harder to make good choices for Oregon's future.

Please join Oregon's senior citizens in voting no on Sizemore-Norquist 59. The voters' pamphlet is too important to lose.

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

(This space purchased for \$300 in accordance with ORS 251.255.)

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Measure No. 59

ARGUMENT IN OPPOSITION

Oregon's Business Community Advises a No Vote on Sizemore-Norquist 59

Voters' Pamphlet Guides Oregonians on Election Day

As a member of Oregon's business community, I am concerned about Sizemore-Norquist 59. This measure really goes too far.

Oregon's business community cares about our employees and the choices we offer them. Sizemore-Norquist 59 really reduces the choices we offer our employees for voluntary participation through payroll deductions.

Like you, many of our employees choose to have money deducted directly from their paychecks for savings and retirement plans, charitable contributions, health care and disability coverage, as well as college savings programs and family emergencies. These are important choices for people to make, and valuable benefits for everyone.

We also understand the essential value of the voters' pamphlet for giving every Oregonian, as employees and employers, the right to speak about issues important to them. This tool is often every citizen's best chance to inform voters about how their election decisions affect them.

As a result, every Oregonian is threatened by this impact of Sizemore-Norquist 59: it will be illegal to include in the voters' pamphlet any paid statement supporting or opposing candidates, initiatives or ballot measure.

Sizemore-Norquist 59 threatens the voices and choices of every Oregonian because it goes too far. As a fellow citizen, I ask you to reject Sizemore-Norquist 59.

(This information furnished by Fred D. Miller.)

ARGUMENT IN OPPOSITION

League of Women Voters of Oregon Urges a No Vote on Measure 59

The League of Women Voters of Oregon is asking Oregonians to vote "no" on Measure 59.

Measure 59 is unfair. It denies some union members the right to choose a payroll deduction to have a political voice like any citizen. These are the men and women of Oregon who are firefighters, police officers, nurses and teachers. They save lives, protect our communities and educate our children.

Measure 59 is unnecessary. Right now in Oregon, unionized workers already have the legal right and protection to choose not to participate in the voluntary political deduction. In some local unions, as many as 1 in 5 choose not to participate. Measure 59 doesn't protect these workers. It takes away their right to choose.

Measure 59 threatens the voters' pamphlet. Today in Oregon, the voters' pamphlet is the most important tool we have to ensure that every voter has access to all of the information and arguments they need to make an informed choice on election day. If Measure 59 passes, according to legal interpretation, the pamphlet you are reading right now would contain no election information, no arguments for and against issues, and no explanation of what a measure's consequences might be. The use of public funds for providing this information could be prohibited.

Measure 59 is unfair, unnecessary, and an attack on Oregon public employees such as firefighters, nurses, teachers, and others. The Oregon League of Women Voters of Oregon strongly recommends voting "no" on Measure 59. It's a matter of protecting individual rights.

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

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Measure No. 59

ARGUMENT IN OPPOSITION

Common Cause Asks Oregonians to Vote No on Measure #59

As Oregonians, we know the importance our citizens place on making the right choices for Oregon's future. In any election, we may not all agree on the issues, but we all want the right to participate and make an informed, fair decision. That's why we're asking you to join citizens throughout Oregon in voting no on Measure #59.

Measure #59 is unfair. It denies some Oregonians, who are union members, the voluntary right to choose dues deduction as a way to have a political voice, and participate like any citizen. These people are firefighters, police officers, nurses and teachers. They save lives, protect our communities and educate our children.

Measure #59 is unnecessary. Right now in Oregon, unionized workers already have the legal right and protection to choose not to participate in voluntary political deductions. In some local unions, as many as one in five choose not to participate. This measure takes away their right to choose.

Measure #59 is underhanded. Its sponsors call it "paycheck protection" but it is actually an effort to deny one group, public employees, the political participation of their choice.

Measure #59 threatens the voters' pamphlet. Today in Oregon, the voters' pamphlet is the most important tool we have to ensure that every voter has access to all the information and arguments they need to make an informed choice on election day. If #59 passes it might mean that the pamphlet you are reading right now would have no information, no arguments for and against candidates and measures, and no explanations of what we are voting on. We need to protect the Voters Pamphlet.

Measure #59 is unfair, unnecessary, and an underhanded attack on participation and information in our electoral system. Please join Oregon Common Cause in voting no on measure #59.

(This information furnished by David Buchanan, Oregon Common Cause.)

ARGUMENT IN OPPOSITION

A Police Officer Says Vote No on Sizemore Norquist 59

Say No to 59 Because It's Not Fair to Oregonians

Let me put it on the line for you: Sizemore-Norquist 59 isn't fair to me and my fellow officers. Why? Because every day we put our lives on the line protecting and serving Oregonians. We protect your communities. We need your help to assure our protection as equal citizens in Oregon. That's why I am asking you to join me in voting no on Sizemore-Norquist 59.

Why am I a Target for Sizemore-Norquist 59? Because it makes important changes in my right to choose how I participate in the political process.

Sizemore-Norquist 59 denies my right of choice through contributions to candidates or campaigns by payroll deduction. Today I have a choice. If 59 passes I won't. As a union member, it's very important to me to continue my voluntary participation in its work through a payroll deduction program.

What Else does Sizemore-Norquist 59 deny me? The same thing it will deny you and every Oregonian: our voices in the election process. It makes it illegal to include in the voters' pamphlet any paid statement supporting or opposing candidates, initiatives or ballot measures.

Why am I opposing Sizemore-Norquist 59? Because it's a mean-spirited effort aimed at me and my colleagues. Every day, while I and my fellow officers protect your communities, this measure challenges our place as citizens in Oregon.

Let me put in on the line again: that isn't fair to me, my fellow officers, or any Oregonian.

On November 3, please vote No on Sizemore-Norquist 59.

(This information furnished by Bryon Beaulieu, Lt., Winston Police Dept.; Don Sheldon, Winston Police Assoc.; Joe Felix, Winston Police Association; Scott Gugel, President, Winston Police Association; Brandon Sarti, Winston Police Association; Mary Forney, Secretary, Winston Police Association; Ronald Sanders, Winston Police Assoc.; Kent Grant, Winston Police Association.)

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Measure No. 59

ARGUMENT IN OPPOSITION

A Teacher Says Vote No Sizemore-Norquist 59

I teach high school in Portland. I love working with my students. My classroom is where I want to put all my energy. But, Bill Sizemore, the sponsor of Measure 59, has crafted a Constitutional Amendment that takes away my personal right to choose how to spend my own money. I urge you to vote NO on Sizemore-Norquist 59.

The fact is Measure 59 is unfair. It targets a certain group of individuals – teachers, firefighters, nurses and other public employees – and says we don't have the same rights as individuals who are employees of private businesses and big corporations. It's not right. It's not fair. And, it certainly has no place in Oregon's Constitution.

What does Measure 59 do? It changes how I can participate in the political process – the process that decides how Oregon's public school system will be funded, what kind of educational reform is needed in my school district, even how many students may be placed in my classroom.

Why would anyone want to make it more difficult for me to participate in the decisions that impact my classroom and my school? Those who work in Oregon's schools should certainly be able to have a voice in the decision-making process. After all, who knows our educational system best?

Measure 59 is unnecessary. Right now I have the choice whether or not to participate in the political system through payroll deduction. Measure 59 would remove that right – for other Oregonians and myself. I ask that you join me in voting no on Measure 59.

VOTE NO ON SIZEMORE-NORQUIST 59

(This information furnished by Julie Laut.)

(This space purchased for \$300 in accordance with ORS 251.255.)

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ARGUMENT IN OPPOSITION

ECUMENICAL MINISTRIES OF OREGON OPPOSES MEASURE 59

MEASURE 59

DISCOURAGES VOTER PARTICIPATION

Ecumenical Ministries of Oregon calls upon all citizens to study the issues to become aware of their implications for equality and social justice and their impact on individuals and society. The Voters' Pamphlet has been a major source of information for this in-depth analysis. Measure 59 denies us this common base of balanced information.

MEASURE 59 LIMITS CITIZEN INVOLVEMENT

Measure 59 denies public employees the right to voluntarily participate in the democratic process through a payroll deduction. It singles out Oregon workers who happen to be public employees and says they can't collectively and efficiently fund citizen participation through payroll deduction. Measure 59 is unfair to Oregonians who serve all of us as teachers, police officers, librarians, firefighters and public health providers.

MEASURE 59 THREATENS CHARITABLE GIVING

Ecumenical Ministries of Oregon provides housing, health care, hospice, nutrition services, parent mentoring, resettlement assistance and addiction services to many of Oregon's most vulnerable citizens. Many public employees contribute to this work through a voluntary charitable payroll deduction. Because advocacy is integral to this work, a charitable payroll deduction would be illegal under Measure 59. Many Oregon community based services find themselves in similar circumstances. Measure 59 discourages charitable giving by public employees.

MEASURE 59 VIOLATES CONSTITUTIONAL INTEGRITY

Measure 59 introduces into Oregon's constitution language that affects individuals rather than the basic framework of governance. A state constitution is supposed to provide protection for citizens' rights. Measure 59 violates the rights of public employees.

SAFEGUARD EQUAL ACCESS TO THE DEMOCRATIC PROCESS

PLEASE VOTE NO ON MEASURE 59

(This information furnished by Ellen C. Lowe, Ecumenical Ministries of Oregon.)

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Measure No. 59

ARGUMENT IN OPPOSITION

Environmentalists Say Vote No on Sizemore-Norquist 59

Sizemore-Norquist 59 is bad for Oregonians and Oregon's Environment.

Oregonians care about the environment. Our environmental landmarks - the Columbia River Gorge, high desert country, spectacular and accessible beaches - are there because citizens got involved in our political process. By writing letters, attending public hearings and making payroll deductions to support environmental organizations or green candidates, citizens made their voices heard about the rhetoric of out-of-state money and special interests.

Now, **special interests are trying to silence some of us**. Bill Sizemore and Grover Norquist, an advisor to Newt Gingrich, want to take away the political voices of the men and women of Oregon who enforce our environmental regulations, who help protect our forest, rivers and wild salmon, and who keep our communities healthy.

Sizemore-Norquist 59 would deny Oregonians who are union members the **voluntary right to choose** a dues deduction. They would no longer have the choice to take part in election activities important to every citizen and currently allowed under Oregon law.

That's not fair to Oregonians.

This extreme measure not only silences some Oregonians, it reduces the ability of every Oregonian to cast an informed vote. Sizemore-Norquist 59 would make it **illegal to include in the voters' pamphlet any statement** supporting or opposing candidates, initiatives or ballot measures.

That's not fair to Oregon's electoral process.

Today, **where special interests outspend Oregonians who are union members by eleven to one**, we need more fairness - not less - in our elections. Today, when out-of-state dollars are used to undermine the laws protecting our environment and to eliminate the public workers enforcing those laws, we need more - not less - participation in politics by all Oregonians.

Oregonians who care about a healthy environment and fair elections in Oregon should beware. Sizemore-Norquist 59 is about taking away political choice and voice. Let your voice be heard by voting No on Sizemore-Norquist 59.

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

(This space purchased for \$300 in accordance with ORS 251.255.)

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ARGUMENT IN OPPOSITION

Who is Really Behind Measure 59?

There's a lot of things about Measure 59 that I don't know. It seems deceptive and unclear, and if you're like me, you're not sure how many get hurt and how badly. But one thing I do know:

The people pushing this on us are **Bill Sizemore and Grover Norquist**.

Bill Sizemore's running for governor of Oregon even though he ran his own business into bankruptcy. The measures he's written in past elections have caused lawsuits that every Oregon taxpayer still pays for.

Grover Norquist registers himself as a foreign lobbyist and refers to himself as a close advisor to **Newt Gingrich**. He gets paid to try and get American taxpayer dollars sent to foreign countries. **Norquist takes credit for the Gingrich agenda** to give tax breaks to the wealthy, cut education, and put Social Security and Medicare at risk.

Now Norquist is going around the country, paying for measures like this one, just like he did in California, so that he can advance his anti-worker movement. It's **political payback** for everyone who fought the Norquist-Gingrich attack in Congress and tried to protect children and seniors. **Sizemore is using Norquist's money and agenda.**

That's who is behind Measure 59

The list of people opposing Measure 59 is a lot longer. It begins with our Governor and includes nurses, firefighters, police officers, teachers, senior citizens, and religious leaders.

Please vote **No on Sizemore-Norquist 59**.

(This information furnished by Susan C. Remmers, Oregon Action.)

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Measure No. 59

ARGUMENT IN OPPOSITION

A Health Professional Says Vote No on Sizemore-Norquist 59

Do you know that 59 is sponsored by Bill Sizemore? Does that scare you, too? As a psychiatric social worker in Salem for 10 years,, I know the value of public service in my community. That's why I am asking you to join me and citizens throughout Oregon in voting no on Sizemore-Norquist 59.

Why am I opposing Sizemore-Norquist 59? Because it's a mean-spirited effort aimed at the men and women of Oregon who are firefighters, policemen, nurses and educators.

What does Sizemore-Norquist 59 do? It makes it illegal to include in the voters' pamphlet any paid statement supporting or opposing candidates, initiatives or ballot measures. Doesn't that challenge our constitutional protection on the matter of freedom of speech?

It also makes important changes in my right to chose how I participate in the political process. Sizemore-Norquist 59 denies my right of choice through contributions to candidates or campaigns by payroll deduction. Today I have a choice. If 59 passes I won't. As a union member, it's very important to me to continue my voluntary participation in its work through a payroll deduction program.

Why do I feel so strongly about Sizemore-Norquist 59? Because it's **Deceptive, Unfair Unnecessary and Silences working families in Oregon.**

Please exercise your voice on November 3. **Vote No on Sizemore-Norquist 59.**

(This information furnished by Jackie Pierce.)

ARGUMENT IN OPPOSITION

Sizemore-Norquist 59 is Deceptive

On the surface, it looks like Measure 59 is about taxpayer money being used for politics, but it's already illegal to use taxpayer money for campaigning. Measure 59's deceptive language is just an attempt to deceive the voters of Oregon.

Bill Sizemore and Grover Norquist, a registered foreign lobbyist and advisor to Newt Gingrich, wrote Measure 59 for another purpose -- to support their national anti-worker movement. Oregon is just the latest state they have tried to trick into passing this kind of law.

Like so many politicians today, they are trying to fool the voters by obscuring the real issue. And like so many politicians today, all they are doing is creating a big mess.

They're trying to deceive us about the consequences of Measure 59.

What are the consequences of Measure 59?

The Secretary of State says it will gut the voters' pamphlet.

It will make this deceptive language a permanent part of Oregon's Constitution.

It will cause dozens of lawsuits, ending up in court and costing us all money.

Sizemore-Norquist 59 is deceptive, dishonest and misleading. It has major, expensive and severe consequences.

Please vote No on Sizemore-Norquist 59.

(This information furnished by Rich Rohde, Progressive Coalition of Southern Oregon.)

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Measure No. 59

ARGUMENT IN OPPOSITION

Ballot Measure 59 has earned a No Vote!

The Oregon State Building and Construction Trades Council asks for your No Vote on Ballot Measure 59. Measures that unfairly pit one group of Oregonians against another aren't in Oregon's best interest.

We are the men and women who build your homes, schools, bridges, hospitals, and repair the roads. We have worked hard to build Oregon utilizing skills acquired through years of training. While most of us aren't directly targeted by this ill-conceived measure, we strongly believe it's wrong and should be defeated.

The sponsors of Ballot Measure 59 are promoting a deceptive measure. Clever ballot titles that divert attention from the real consequences of a measure need to be exposed. **If Measure 59 passed it would:**

- **Change the voters pamphlet without thorough public discussion.**
- **Silence groups of voters without reason.**
- **Violate the rule of political fairness and participation.**
- **Give an unfair advantage to one group over another.**

The Oregon State Building and Construction Trades Council is a private organization whose members support our activity. We are, as our name implies, from Oregon, interested in Oregon. We are dedicated to promoting a strong economy and livable communities. While we don't think it's illegal that out-of-state special interests are purported to be the financial backers of Measure 59, we do wonder why these out-of-state interests are so committed to silencing the citizens of Oregon. If Measure 59 is truly in the best interest of Oregon, shouldn't Oregonians be leading the fight to pass it?

Measure 59 is about choice. An Oregonians choice to participate in the political process. While we may not always agree with their individual decisions, we should always fight for their right to participate. Measure 59 begins to erode that protection and participation. **Make the right choice, Vote No on Ballot Measure 59.**

(This information furnished by Bob Shiprack, Oregon Building Trades Council.)

ARGUMENT IN OPPOSITION

Measure 59 doesn't make sense. While its supporters argue that people shouldn't have to contribute to campaigns, Measure 59 doesn't address this issue.

Instead, it targets one type of organizations. As such, it is highly discriminatory.

What's even more puzzling is that these organizations do give their employees a choice whether to contribute to these political campaigns. Any employee can opt out.

So Measure 59 isn't about freedom or fairness.

Measure 59 is petty and irrelevant. Don't waste your time: vote "no."

(This information furnished by Jason Reynolds, Oregon Consumer League.)

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Measure No. 59

ARGUMENT IN OPPOSITION

Measure 59 is a proposal shrouded in deception, sponsored by a man who is a tool for unscrupulous malefactors of great wealth who want to destroy Oregon's democracy as we know it. They are not content to limit their unsavory efforts to attempts to destroy organized labor's political influence, which provides some limited balance to the millions of dollars spent by big business, multinational corporations and secret political contributors. They want to destroy the very fabric of Oregon's democratic system created almost 100 years ago by our great progressive leaders.

June 1, 1908, the people adopted Oregon's first Corrupt Election Practices Act. This Initiative was designed to curb the abuses being practiced by the forces of evil of the time, similar to those who are sponsoring this measure. It included a section creating Oregon's first Voters' Pamphlet which made it possible for ordinary people, not just a few millionaires to influence public opinion.

Adoption of this measure would destroy that instrument of democracy and establish a government of the wealthy, by the wealthy and for the wealthy, a government with no concern for ordinary Oregonians. It would eliminate the Oregon Voters' Pamphlet for all practical purposes. It would destroy the right of ordinary people to have their views about a measure published for a modest fee in the Voters' Pamphlet.

Measure 59 would eliminate the right of a citizen to submit an argument for or against a school or municipal bond or tax proposal. It would eliminate the right of a candidate for school board director, city councilor, legislator, state office, congress or president to insert a statement in the Voters' Pamphlet setting forth his/her qualifications for office and stands on the issues involving those candidacies.

This is the most recent of a long list of bad legislation financed by greedy special interests. It must be defeated.

Vern Cook, former state senator
(503) 665-8143; FAX (503) 665-8145

(This information furnished by Vern Cook, former State Senator.)

ARGUMENT IN OPPOSITION

HUMAN SERVICES COALITION OF OREGON OPPOSES MEASURE 59

MEASURE 59 DISCRIMINATES AGAINST WORKERS

Measure 59 is not fair. It says public employees should be denied the right to participate in the public process through a voluntary payroll deduction. It separates Oregon workers into first and second class citizens. At a time when citizen participation is declining, Measure 59 creates barriers to citizen involvement. The Human Services Coalition of Oregon includes more private and non-profit groups and individuals than public, but we have discovered our need to work together to ensure that the basic needs of all Oregonians will be met. Measure 59 creates barriers to these partnerships.

MEASURE 59 THREATENS COMMUNITY SERVICES

Many Oregon charitable groups not only provide basic human services — health, child care, food boxes, housing, alcohol and drug treatment and child and adolescent treatment services, but they also work for changes in public policy that will lessen the need for those services. To assist low-wage Oregonians move out of poverty and to assure health care services, many community service groups supported the successful 1996 measures increasing the minimum wage and the tobacco tax. Many of these same community groups receive donations from public employees through voluntary payroll charitable deductions. Measure 59 will make these voluntary payroll contributions illegal.

MEASURE 59 DISCOURAGES CITIZEN INITIATIVES

The Voters' Pamphlet has provided citizen groups access to all Oregon voters. Measure 59 will take away this relatively inexpensive campaign literature. Voters will receive expensive sound bites rather than in-depth discussions by their fellow Oregonians. Measure 59 sponsors say the elimination of the Voters' Pamphlet arguments is an unintended consequence. But since Measure 59 is a constitutional amendment, the legislature can not remedy their mistake.

ALLOW ALL OREGONIANS TO WORK TOGETHER

PLEASE VOTE NO ON MEASURE 59

(This information furnished by Jerry Bieberle, Human Services Coalition of Oregon (HSCO).)

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Measure No. 59

ARGUMENT IN OPPOSITION

A School Bus Driver Urges Your NO Vote on #59

I wonder why Bill Sizemore and his Washington D.C. friends want to take away my right to personal choice when it comes to how I participate in political activity?

As a school bus driver at Cascade Union High School in Turner for a number of years, I've never considered myself such a political threat to these big money special interest groups, that they would spend millions of dollars trying to fool Oregon voters into taking away my right to choose how and when to participate in politics. But apparently they think I am, because that's what BM59 is all about. **It's about taking away my right as a citizen to participate as I choose in politics.**

And apparently, Bill Sizemore and his D.C. cronies don't think you would agree with them if they wrote BM59 in a straightforward manner that would allow you to see all of it's intent and consequences. **So, they wrote it so vaguely that**, if it passes, we won't know all of it's ramifications **until we have spent a lot of our tax dollars in the courts trying to figure it out.**

One thing is certain though. Ballot Measure 59 takes away my right to choose how to participate in politics - and that decision should be my personal choice.

Please don't be fooled by Bill Sizemore. Please don't take away my personal choices. Please vote NO on BM59.

(This information furnished by Jon Wimmer.)

(This space purchased for \$300 in accordance with ORS 251.255.)

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ARGUMENT IN OPPOSITION

THESE GROUPS OPPOSE MEASURE 59 FOR THE FOLLOWING REASONS

SIZEMORE/NORQUIST 59 IS

UNCLEAR

UNFAIR

UNNECESSARY

UNDERHANDED

TAKES AWAY PEOPLE'S VOICE & CHOICE

PLEASE JOIN US IN VOTING NO ON SIZEMORE/NORQUIST 59

Ecumenical Ministries of Oregon

Human Services Coalition of Oregon

League of Women Voters of Oregon

Oregon Action

Oregon AFSCME, Council 75

Oregon Consumer League

Oregon Council of Police Associations

Oregon Education Association

Oregon Nurses Association

Oregon Public Employees Union/SEIU

Oregon State Council of Senior Citizens

Oregon State Public Interest Research Group

Portland Rainbow Coalition

Progressive Coalition of Southern Oregon

Rural Organizing Project

(This information furnished by Roger Gray, Oregonians for Open and Fair Elections.)

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Measure No. 60

Proposed by initiative petition to be voted on at the General Election, November 3, 1998.

BALLOT TITLE

60 REQUIRES VOTE BY MAIL IN BIENNIAL PRIMARY, GENERAL ELECTIONS

RESULT OF "YES" VOTE: "Yes" vote amends existing law to require vote by mail in biennial primary, general elections.

RESULT OF "NO" VOTE: "No" vote retains current law prohibiting vote by mail in biennial primary or general elections.

SUMMARY: Current law prohibits vote by mail for biennial primary or general elections. This proposal eliminates the prohibition and requires vote by mail for biennial primary or general elections. The proposal does not affect existing law permitting the Secretary of State and county clerk to conduct other elections either at the polls or by mail.

ESTIMATE OF FINANCIAL IMPACT: County government expenditures are estimated to be reduced each Primary and General Election year by \$3,021,709.

TEXT OF MEASURE

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

SECTION 1. ORS 254.465 is amended to read:

254.465. The following rules apply to elections conducted by mail:

(1) A presidential preference primary election described in ORS 254.056 shall be conducted by mail in all counties, under the supervision of the Secretary of State.

(2) *[Except as provided in subsection (1) of this section,]* An election held on the date of the biennial primary or general election shall *[not]* be conducted by mail.

(3) A state election not described in subsections (1) or (2) of this section may be conducted by mail. The Secretary of State by rule shall direct that a state election authorized to be conducted by mail under this subsection be conducted uniformly by mail or at polling places.

(4) A county clerk may conduct an election not described in subsections (1) to (3) of this section by mail in the county, in a city or in a district defined in ORS 255.012, under the supervision of the Secretary of State. In deciding to conduct an election by mail, the county clerk may consider requests from the governing body of the county, city or district and shall consider whether conducting the election by mail will be economically and administratively feasible.

(5) The Secretary of State shall adopt rules to provide for uniformity in the conduct of state elections by mail.

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

EXPLANATORY STATEMENT

This measure requires that the primary and general elections be conducted by mail. The primary and general elections are held in May and November of even-numbered years. Current law prohibits conducting the primary and general elections by mail.

Under current law, the following rules apply:

1. The primary and general elections may not be conducted by mail.
2. Voters may sign up to become permanent absentee voters and receive all ballots by mail.
3. The presidential primary election in March of presidential election years is required to be conducted by mail.
4. Special state elections and local elections may be conducted by mail.

Currently, voters may vote by going to a polling place on election day or by some form of absentee voting, including permanent absentee or single-election absentee.

This measure would eliminate polling places for primary and general elections. Voters could return their ballots by mail or drop them off at designated sites.

This measure would not affect the current law that allows voters to obtain absentee ballots or to vote at the elections office. It would also not affect the current laws that allow the Secretary of State to decide whether to conduct special state elections by mail, or that allow the county election officials to decide whether to conduct local elections by mail.

Committee Members:

Vicki Ervin
Paula Krane
Harry Demarest
Representative Lynn Snodgrass*
Michael Schrunck

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. 60

ARGUMENT IN FAVOR

Vote By Mail - An Idea Whose Time Has Come

Measure 60- Vote By Mail came about because **11,000 Oregonians** from all walks of life: Republicans, Democrats and Independents, college students and senior citizens, community leaders and housewives stepped forward and volunteered their time. Vote By Mail was able to submit over 100,000 signatures collected **entirely by citizen volunteers** - the only all-volunteer measure to qualify.

Vote By Mail transcends the typical partisan battles seen so often in our initiative process because it is an idea that makes sense: it increases voter participation, saves money and makes democracy more convenient for everyone. The following is a short list of individuals, companies and organizations that have endorsed Measure 60 (Due to space requirements we apologize for not listing everybody).

Organizations

League of Women Voters
Oregon League of Conservation Voters
AARP of Oregon
American Association of University Women
Oregon Common Cause
AFL-CIO Oregon
OSPIRG
NW Oregon Labor Council
Oregon Education Association
Special Districts Association of Oregon
National Association of Letter Carriers, Branch 82
Oregon NARAL
Oregon Woman's Rights Coalition
Oregon Public Employees Union, SEIU Local 503
Oregon Fire District Directors Association

Individuals

Governor John Kitzhaber
Secretary of State Phil Keisling
Former Secretary of State, Governor and US Senator Mark Hatfield
Former State Treasurer and Secretary of State Clay Myers
Brian Booth
Ivan Gold
Curt Gleaves
John Gray
Jim Wright
Paul and Alice Meyer

Businesses

Salem Area Chamber of Commerce
PGE
Gibson Enterprises
Neil Kelley Company
Russell Development Company
Medford Fabrication

In the following pages, you will find arguments from individuals and organizations. We urge you to read them carefully, make an informed choice and we hope we have earned your support for Measure 60- Vote By Mail!

(This information furnished by Jeremy Wright, Vote By Mail Initiative Committee.)

(This space purchased for \$300 in accordance with ORS 251.255.)

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ARGUMENT IN FAVOR

A. Peterson's Statement:

A Letter to My Fellow Oregonians

I have been involved in the Oregon political scene since 1948. I have seen many ideas come and go in my 81 years and once in awhile an idea comes along in politics that is so simple and so popular that it makes you wonder why we waited so long.

Since 1981 I have seen Vote By Mail grow until all elections in Oregon are Vote By Mail **except** for the biennial primary and general elections. **The time has come to expand Vote By Mail to all elections.**

I have always been proud of the State of Oregon and its nationwide recognition as a forerunner of political firsts.

- The first state to pass the Bottle Bill in 1971.
- Innovative land-use laws under Governor Tom McCall.
- The first state to successfully conduct a US Senatorial election by mail in 1996.

As an Oregonian, I support Vote By Mail for three main reasons:

1) It Increases Voter Turnout!

Election after election has shown that more people vote when they receive their ballots in the mail. Over 50% of all those who vote are now absentee voters! These same elections have shown that neither party benefits from Vote by Mail. **We all benefit from more people voting!**

2) It Saves Money - Over 3 Million in Local County Tax Dollars!

In an age where every tax dollar is being stretched, the elimination of our costly dual election system would save over 3 million in local county tax dollars.

3) Convenience!

As you sit here in the comfort of your home, reading this voter pamphlet statement and making an educated, informed choice think about the alternative. A recent national poll showed the number one reason that people do **NOT** vote is that they are too busy. Vote By Mail is the common sense alternative - and it works!

I urge you to vote YES on Measure 60! It's about time!

(This information furnished by "A" Peterson.)

(This space purchased for \$300 in accordance with ORS 251.255.)

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Measure No. 60

ARGUMENT IN FAVOR

Ballot measure 60 makes sense:

Voter sense. . . Taxpayer sense. . . Common sense

The people who conduct your local, state and federal elections, the election officials of Oregon, ask for your YES vote on Ballot measure 60, which brings the Primary and General elections into the same system as all other Oregon elections. Passage means that all elections can be conducted by mail.

It is the common sense thing to do. Why? Our 16 year history with conducting elections by mail shows that voter turnout improves with elections by mail, tax dollars are saved when elections are conducted by mail and elections by mail help keep our voter registration files among the cleanest in the nation.

If you could improve voter turnout, save up to \$4 million in property tax dollars, make voting more convenient for everyone, why wouldn't you do it?

You can by passing measure 60.

No longer will you need to wonder if your ballot will be sent to you or if you need to go to the polls.

No longer will you need to worry about finding the time in your busy schedule on a Tuesday during limited hours to get to your polling place to cast your ballot.

Your ballot will be mailed to you for every election and you can return it by mail, deposit it at a secure official ballot dropsite, or go to a site designated by your elections office and vote in a voting booth if that is what you prefer. The options are yours.

Meanwhile you will have your ballot, at your home with your voter pamphlet and be able to vote at your own pace. You will have your ballot in time to call and ask questions of candidates or ballot measure campaigns.

As those you have elected and chosen to oversee your elections process, we recommend a "YES" vote on measure 60.

It just makes common sense.

The Election Officials of Oregon

(This information furnished by Al Davidson, Marion County Clerk, Oregon Election Officials Committee.)

ARGUMENT IN FAVOR

The American Association of Retired Persons (AARP) supports Ballot Measure 60, VOTE BY MAIL.

We support Vote By Mail for all primary and general elections because it enhances the fundamental right to vote, increases voter turnout, has greater protections against fraud and gives more convenient access for everyone to vote.

Measure 60 - Vote By Mail is a non-partisan issue that enjoys bipartisan support.

• The Right to Vote

Most basic of all political rights is the RIGHT TO VOTE. We feel that one of the most important aspects of a democracy is voter participation and citizen involvement in the democratic process. The essence of a democracy is that citizens exercise their civic responsibility by voting. The act of voting is what is valuable, regardless of where one does it.

• Increases Voter Participation

We support the efforts to promote and enhance the ability of all Oregonians to vote. Vote By Mail assures greater voter participation. AARP favors increasing the number of citizens voting in elections. Our system of government depends on a majority of citizens voting.

• Higher Safeguards Against Fraud

Retired persons do not take the privilege of voting lightly. It is important to retired persons to vote their own convictions and make their own decisions when voting on issues and candidates. Over 15 years of conducting elections by mail in Oregon has proven that Vote By Mail does not deny privacy nor does it encourage fraud. In fact, higher safeguards against fraud and intimidation exist in Vote By Mail elections than in a traditional polling place election.

• More Convenient

Vote By Mail gives more convenient access to everyone to vote. It provides convenient access for employed persons to vote. It also enables the frail, elderly and persons with disabilities to vote - people whom otherwise may not make it to the polls.

AARP URGES YOU TO VOTE YES ON MEASURE #60 - VOTE BY MAIL!

(This information furnished by Marion Esty, Chair, State Legislative Committee, Oregon Association of Retired Persons.)

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Measure No. 60

ARGUMENT IN FAVOR

The Time Has Come to Expand Vote By Mail

As current and former Governors and Secretaries of State, both Republicans and Democrats alike, we urge you to Vote Yes on Measure 60. In an age where good ideas unfortunately become bogged down in partisan politics, we all agree that Vote By Mail - Measure 60 is an idea whose time has come.

Oregon has always led the country in new and innovative ideas, and Vote By Mail is another step in that proud tradition. Vote By Mail began in Oregon over 15 years ago and we have personally seen it progress to the point that all elections are now conducted by mail **except** for the biennial primary and general. The time has come to **expand Vote By Mail to all elections.**

Oregon also has a proud tradition of active citizen involvement in their political process and high voter turnout when compared with the rest of the country. Sadly, we are seeing this tradition slowly disappearing. We are now saddled with a costly and confusing dual election system that drives down voter turnout while increasing costs.

Most of us grew up voting at a polling place. While some of us may miss the polling place experience, we understand that the question now is **not** polling places Vs voting by mail. Rather it is replacing our current dual election system - one that is costly, confusing and drives down voter turnout - with the simplicity, convenience and efficiency of Voting By Mail.

Obviously every Oregonian should be concerned about fraud, coercion and intimidation in any election. However, over 15 years of conducting elections by mail in Oregon have proven that Vote By Mail elections can be conducted with the highest standards of integrity.

As leaders we have seen that Oregonians value ideas that make sense, improve our government and increase civic involvement. The time has come to expand Vote By Mail to all elections. We urge you to vote Yes on Measure 60!

Governor John Kitzhaber

Secretary of State Phil Keisling

Fmr Secretary of State, Governor and U.S. Senator Mark Hatfield
Fmr Secretary of State and State Treasurer Clay Myers

(This information furnished by Jeremy Wright, Vote By Mail Initiative Committee.)

ARGUMENT IN FAVOR

OREGON'S TEACHERS SUPPORT VOTE BY MAIL

Vote Yes on Measure 60

Why would the Oregon Education Association, representing more than 40,000 public school employees, urge you to **VOTE YES ON MEASURE 60**, the vote by mail initiative? It's as easy as 1, 2, 3:

1. **Measure 60 would end the confusion around Oregon's election process.** Unfortunately, in an effort to make elections easier, they've actually gotten more complicated. Is the next election by mail ballot only? Or is this one the one where you're supposed to show up at your polling location? Where is your polling location? What hours can you vote? Did you sign up as a permanent absentee voter or didn't you? Get the picture? No wonder Oregonians aren't turning out to vote in the numbers they've done before.
2. **Measure 60 would likely increase voter participation because it's convenient.** If you are a registered voter, you simply receive your ballot in the mail. You vote. You put it back in the mail. End of story. No more juggling your schedule. No worries about the weather. No questions about polling location. No hassle.
3. **Measure 60 saves money.** It doesn't take a mathematician to figure that vote by mail costs less. It's expensive to set up polling places statewide.

This November, please join Oregon's public school employees and me. **VOTE YES on MEASURE 60.**

James K. Sager, president

Oregon Education Association

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

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Measure No. 60

ARGUMENT IN FAVOR

VOTE-BY-MAIL IS IN THE PUBLIC INTEREST

Vote Yes on Measure 60

OSPIRG urges the passage of Measure 60. As a public interest watchdog organization with 25,000 citizen members, OSPIRG has a history of supporting policies that would enhance public participation in the political process. Efforts such as campaign finance reform, motor voter, and defense of the initiative process do this, and so does Vote-by-Mail. Simply put, when more people participate in our democracy, the true public interest will be more likely to prevail.

Vote-by-Mail increases turnout.

Compared with polling place elections, voter turnout is dramatically higher with Vote-by-Mail. Rapidly rising use of absentee ballots in recent years indicates that voters prefer to vote by mail. Even though there is a nostalgia about going to the polling place, the reality is that we currently have a costly and complicated dual system of elections. The dual system is confusing for many voters. Vote-by-Mail gets more people to vote.

Vote-by-Mail is convenient for Oregonians.

With Vote-by-Mail, citizens will be able to vote without the barriers of work schedules, child care, transportation and other time or lifestyle constraints. We'll have the opportunity to vote at home -- with ample time to read over each issue.

Vote-by-Mail has overwhelming public support.

With so many opportunities in politics today for the public to be cynical or angry, it's nice to have a measure we can all feel good about. Measure 60 has been brought forward by a broad coalition of citizens and civic organizations. This inspiring effort is in the proud tradition of Oregon's citizen initiative process.

VOTE YES ON MEASURE 60!

Submitted by
Maureen Kirk
Executive Director,
Oregon State Public Interest Research Group

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

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ARGUMENT IN FAVOR

BEFORE YOU CAST YOUR BALLOT ON MEASURE 60, WE THOUGHT YOU SHOULD KNOW . . .

• ELECTIONS ARE NOT FREE.

Every time there is an election in Oregon, someone has to pay for it. Voting booths, election employees, even the ballots themselves, all have a price.

• WHO PAYS THE BILL?

While taxpayers are not directly charged for the cost of these elections, **you still end up with the bill.** When a local government, such as a special district, holds an election, it must pay for it. But, where does that money come from? You, the taxpayer!

• WHY VOTE- BY-MAIL?

When it comes to vote-by-mail elections, less really is more. Mail-in ballots have consistently increased voter participation in the state of Oregon, but, more importantly, they also **cost significantly less than traditional polling place elections.**

• AN EASY CHOICE!

Oregon's special districts would rather spend **YOUR money on the quality services YOU deserve** – fire, police, parks, water, sewer – **not elections!** That is why we support vote-by-mail in Oregon. That is why we support Measure 60.

VOTE YES ON MEASURE 60!

(This information furnished by Sally Smith, President, Special Districts Association of Oregon.)

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Measure No. 60

ARGUMENT IN FAVOR

VOTE-BY-MAIL: MYTH AND REALITY

As a supporter of Vote-by-Mail, I have heard a number of objections to this innovation. These have failed to deter the growing support for Vote-by-Mail. However there is also such a hodgepodge of mythology about this process that additional information is needed.

- First myth: that voting is a "social function". The act of voting is not a meet-and-greet gabfest. It is the noblest expression of the democratic process and it is so wherever you do it, in a kitchen or a campground or a courthouse. In fact Vote-by-Mail doesn't even deprive the polling place fan. They can drive to their clerk's office on election day and vote with all the ceremony and camaraderie they want.
- Second myth: fraud. Fraud is less possible in mail elections, where every signature is verified, than in poll elections where they are not.
- Third myth: coercion. People who have looked for it haven't found it. But anyone who has the slightest fear of coercion can prevent it. Designate on your registration card to send your ballot to a place where you feel safe and free from coercion. If someone tries to interfere with your vote, destroy your ballot. Later, report the action to your clerk, receive a new ballot and vote unhindered.
- Fourth myth: Vote-By-Mail voters miss out on "late revelations about candidates." The "late revelations" just before election day are really just "attack ads" and mudslinging. In a Vote-by-Mail election the ads have to come three weeks early and can be effectively rebutted. The voter can vote or wait for more information, whichever he or she prefers.

To believe that voting in a public setting is somehow superior to voting in a private setting puts too high a value on ostentation. No, with voting, as with prayer, what matters is what is in your heart and your head and not where you happen to be standing at the time.

David Buchanan
Executive Director,
Oregon Common Cause

(This information furnished by David Buchanan, Oregon Common Cause.)

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ARGUMENT IN FAVOR

The extension of Oregon's Vote by Mail statute to the biennial primary and general elections is not only a good idea who time has come - it is long overdue. Oregonians favor Vote by Mail. Thousands already have registered for permanent absentee voter status and more are doing so daily. In some counties 70 percent of registered voters Vote By Mail in every election as absentees. The permanent absentee ballot for anyone was enacted by the 1995 Legislature.

Vote by Mail is convenient for all people - those with various physical challenges, those who work, those who want to study the issues and vote at home, those who don't want to be harassed by late smear campaigns, those who like saving the cost of the current dual polling place/absentee system. It is an idea whose time has come. Vote "YES" on Ballot Measure #60.

Paula Krane
President, League of Women Voters of Oregon

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

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Measure No. 60

ARGUMENT IN OPPOSITION

Eliminating "Election Day Voting" at local polls, officials would mail out ballots far ahead of "Election Day" to all registered voters, whether or not they request ballots. Recipients then must dispose of the ballots, whether or not interested in voting. Such casual broadcast of blank ballots to people who have not requested them invites more vote scams, fosters corruption, trivializes voting, and deprives everyone of the option of casting a secret ballot in a protected and secured voting place.

Broadcast mailing of ballots far ahead of time surrenders the state responsibility for providing citizens access to ballots and turns this solemn duty over to a semi-privatized federal agency. It increases chances of delay, intrusion, loss, theft, premature voting, and low turnout.

Broadcast mailing already in a previous state-wide mail-only election led to accumulations of numerous unopened ballots in unsupervised places, including public wastebaskets and community mailrooms of apartment complexes, campus residence halls, and other living groups where registered voters had moved away, died, or failed to pick up their mail.

Return of ballots to collection boxes led to overflow of unguarded ballots vulnerable to loss or theft with no safeguard to verify the actual number of votes cast. Forged signatures have occurred, likely more often than detected by hard-pressed clerks. Collection by unofficial "ballot herders" can't guarantee delivery and counting of all ballots.

Broadcast mailing of ballots can encourage un-informed voting on impulse when people mark ballots between sweepstakes offers and packets of junk mail, not waiting to consider legitimate arguments emerging after ballots arrive. This bad practice does not occur in jury trials, so why encourage it for the important business of balloting on laws and electing people to make and administer laws? Early mailing of ballots will foster premature voting.

Depriving all voters of the private refuge of the polling place eliminates the truly secret ballot, exposing many voters to undue pressures and promptings while actually voting. Mail-out ballots facilitate "helpers" intruding and dominating voting by recipients unlikely to vote independently.

Secure, secret, intentional, and accurate voting might cost a bit more than indiscriminate broadcast mailings of official ballots later collected as rubbish. Shouldn't a voter's security in voting have greater worth than a recycling effort? Don't vote us back to the mess of corrupted elections that Americans reformed by adopting the secret ballot a century ago! Don't deprive voters of the option of the secret ballot!

(Updates: www.corvallis.com/sixtyNO)

(This information furnished by Fred W. Decker, Treasurer, Citizens For Choice of Voting.)

ARGUMENT IN OPPOSITION

Let's call it what it is: an elimination of your ability to choose how to vote and new opportunity for corruption to our election process. Mandatory vote by mail does not assure the sacred agreement that the state must uphold with its citizens; one ballot, one vote, assurance of privacy, and the freedom to choose how your ballot is cast.

Facts:

- Saving dollars is not the answer to every problem. I would no more ask for substandard materials for a bridge to save money than I would to jeopardize the voting system for the sake of saving money.
- We do not have a statewide-computerized voter registration system. A single voter can be registered in more than one county and receive more than one ballot. Counties verify signatures, however, they do not automatically talk to 35 other counties to see if someone is registered in multiple jurisdictions. Therefore, multiple casting of ballots can occur.
- Proponents state that no fraud exists because there are no reports of fraud. It will exist and the reporting process won't be used. What family member would report to authorities another for tampering with a voting decision? We must not quickly brush aside the issue of "domestic coercion" simply because it is not being reported.
- Requests to bring your ballots to the church, union hall, employee meetings, senior luncheon, so that individuals can "vote as a unified group" or "get questions answered" will be highly intimidating situations.

Intimidation, coercion, thousands of ballots sent from inaccurate and outdated registration lists, counties lacking the ability to daily and accurately exchange or compare data with each other, and lack of privacy all potential for dramatic corruption.

While some suggest that mandatory vote by mail will encourage voter participation, the fact is, the most responsible way to encourage voter participation is to deliver what was promised on the campaign trail. Mandatory vote by mail will not guarantee that result.

Vote NO on Mandatory Vote by Mail.

(This information furnished by Representative Lynn Snodgrass.)

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Measure No. 60

ARGUMENT IN OPPOSITION

STATEMENT PART 1

When in 1994 I began learning the details of a plan to conduct all elections by mail it soon became clear that the lunatics are in charge of the asylum.

We have been told by Mr. Keisling that millions of dollars will be saved by his system but no cost/benefit analysis has been provided to prove his claim, and every citizen who has ever paid taxes knows that not a single elections office in Oregon will reduce their annual budget request if this measure passes. While advancing unproved claims of cost savings, Keisling has also been proposing a statewide computerized registration system that will cost several million dollars to install and who-knows-how-much to operate every year.

But the overriding concern about mail voting is not cost or convenience, it is vote FRAUD.

Under the current system, anyone may register by mail any name to vote in Oregon. Elections officials never verify that the person actually exists, that they are a U.S. citizen, that they are over 18 or that they actually live at the address claimed. Elections officials also allow a registered voter to specify an address other than their residence to have their ballot sent to, even if that address is in another state or country.

When people are allowed to vote through the mail as well as register through the mail, all control over elections is lost. It will be possible for a person to register and to vote from anywhere in the world without ever having been to Oregon. Just as an example: In the 1996 special election for U.S. Senator a person with a Chinese name registered to vote in Lane County, but had their mail ballot sent to a province in the People's Republic of China. That ballot was returned and counted. Indeed, printouts of registered voters in Lane County show hundreds of registered voters with addresses in other states and countries.

It will also be possible for non-existent persons to be registered and voted. While Mr. Keisling has pooh-poohed this argument by saying that there have never been any instances of vote fraud in Oregon, the fact is that he has no idea if vote fraud is being committed because none of his elections officials are looking for it.

Cont'd Statement Part 2.

(This information furnished by Neale Hyatt.)

(This space purchased for \$300 in accordance with ORS 251.255.)

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ARGUMENT IN OPPOSITION

STATEMENT PART 2

Continued from Statement part 1.

Further proof of the corruption inherent in voting by mail was given by the mayoral election in Miami, Florida in 1998. The election was challenged and the courts found the mail-in absentee ballots so filled with illegal and non-existent voters that they threw out ALL absentee ballots, stating that eligible persons have a constitutional right to vote but do not have a constitutional right to vote by mail.

Other states have also found fraud in mail voting. For example, in California recently it was discovered that dead people had voted by mail in a ballot measure for a new sports stadium.

None of these fraudulent activities were detected by elections officials, they had to be caught by disappointed candidates and/or the press.

Oregon voters need to know that Secretary Keisling has been less than truthful about his efforts to get this initiative on the ballot. Contrary to his statements that signatures were gathered by a "grass roots" effort, most of the signatures were obtained through an expensive mailing effort. Over \$110,000 were spent, or more than \$1.00/signature. It is disturbing to see where all that money came from: Less than 10% came from small contributions of under \$50, 20.2% came from unions, 29.7% from business interests, 7.4% from lawyers and 4.6% (\$5,041) from elections employees.

We need to know from Mr. Keisling why businesses, unions and lawyers are trying to take away our right to vote at the polls. Keisling should also try explaining who "The New Democrat Network" is and why that Washington DC PAC sent \$1,000 to this campaign. Why did a union PAC in Kalispell, MT send \$1,000? Why did the postal workers union send \$1,000 from Wash. DC? Why did a nursing home send \$500 from Vancouver, WA? Why did two individuals send hundreds of dollars from Rhode Island and New York?

Obviously, Keisling is amassing money from special interests inside and outside Oregon to try to force us into a voting system without any controls and which will be wide open to corruption (as proven in other states). If you like to vote by a mail (or absentee) system in which you can't even be sure your ballot was received and counted by the election office that is your choice, but please don't force the rest of us to give up our right to the secure voting system that is the foundation of our democracy.

VOTE "NO" ON MEASURE 60.

(This information furnished by Neale Hyatt.)

(This space purchased for \$300 in accordance with ORS 251.255.)

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Measure No. 61

Proposed by initiative petition to be voted on at the General Election, November 3, 1998.

BALLOT TITLE

61 CHANGES MINIMUM SENTENCES FOR LISTED CRIMES, INCLUDING CERTAIN REPEAT OFFENSES

RESULT OF "YES" VOTE: "Yes" vote changes minimum sentences for listed crimes, including certain repeat offenses.

RESULT OF "NO" VOTE: "No" vote retains present sentencing statutes and guidelines for listed crimes, including repeat offenses.

SUMMARY: Establishes minimum sentences for crimes listed as "major crimes." Provides one to three year proportionally increased sentences for major crimes, aggravated murder or murder if person has one to three prior convictions for major crime within past 10 years. Prior juvenile court adjudications involving major crimes apply to increase sentence. Treats prior conviction for driving under influence of intoxicants as major crime if current conviction is for criminally negligent homicide using vehicle. Prohibits temporary leave or other reduction in additional prison time imposed under measure.

ESTIMATE OF FINANCIAL IMPACT: The mandatory and presumptive sentences imposed under this measure are estimated to require 4,300 new prison beds by 2006, with direct state expenditures for prison construction and start-up of \$470 million by 2006.

Direct state expenditures for prison operating costs and debt service are estimated at \$21 million in 1999-2000 and \$40 million in 2000-2001, growing to \$125 million in 2005-2006. Community corrections payments from the state to counties for probation and post-prison supervision are estimated to be reduced by \$800,000 in 1999-2000, \$1.9 million in 2000-2001, and \$1.4 million in 2005-2006.

Under this measure, direct state expenditures for court operations are estimated at \$100,000 in 1998-1999 and \$175,000 in each of the next two years. State expenditures for indigent defense are estimated at \$350,000 in 1998-1999 and \$900,000 in each of the next two years.

Major factors affecting this estimate include:

- Plea bargaining practices of prosecuting attorneys;
- Prior criminal history of offenders;
- Sentencing practices of judges;
- Numbers of arrests; and
- Type of prison bed, minimum or medium security.

TEXT OF MEASURE

REPEAT OFFENDERS INITIATIVE

SECTION 1. The purpose of this Act is to protect the public by imposing tougher sentences on criminals who repeatedly violate major criminal laws and to ensure that all criminals are held accountable and punished for major crimes including for killing people while driving intoxicated.

SECTION 2: (1) Notwithstanding any other provision of law, when a person is sentenced for a major crime, and the person has been convicted of a major crime, aggravated murder, or murder, the court shall impose the sentence under the sentencing guidelines or any greater sentence permitted or mandated by law and, in addition, shall impose a consecutive period of imprisonment as follows:

A. An additional one year imprisonment for one previous conviction for a major crime occurring within ten years prior to the commission of the major crime or prior to sentencing.

B. An additional two years imprisonment for two previous convictions for a major crime occurring within ten years prior to the commission of the major crime or prior to sentencing.

C. An additional three years imprisonment for three or more previous convictions for a major crime occurring within ten years prior to the commission of the major crime or prior to sentencing.

(2) A conviction for a major crime shall include any prior sentence imposed during the same proceeding provided that the prior sentence is based on a crime committed in a separate criminal episode. Post prison supervision shall be as determined by the sentencing guidelines and shall follow the additional period of imprisonment.

SECTION 3: If the conviction is for Criminally negligent homicide and the crime involved the use of a vehicle any prior conviction for driving under the influence of intoxicants shall be counted as a previous major crime under Section 2.

SECTION 4. For purposes of this Act, a major crime includes:

- Robbery in the first, second or third degree,
- Burglary in the first or second degree,
- Assault in the first, second or third degree,
- Arson in the first degree,
- Compelling prostitution,
- Promoting prostitution,
- Aggravated theft,
- Unauthorized use of a motor vehicle committed by taking, operating or exercising control over a motor vehicle,
- Theft by extortion,
- Criminal mistreatment in the first degree,
- Felon in possession of a firearm, where the felony is an A or B felony,
- Criminally negligent homicide,
- Conspiracy, attempt or solicitation to commit aggravated murder or murder,
- Manslaughter in the first or second degree,
- Rape in the first, second or third degree,
- Sodomy in the first, second or third degree,
- Unlawful sexual penetration in the first or second degree,
- Sexual abuse in the first or second degree,
- Escape in the first degree,
- Bribe giving, bribe receiving, bribing a witness,
- Perjury,
- Criminal mischief in the first degree where the aggregate value of the damage or destruction of property exceeds \$10,000, and
- Any attempt, conspiracy or solicitation to commit aggravated murder, murder, or a Class A or B felony listed in this section.

SECTION 5: The sentence for a major crime committed on or after January 1, 1999 shall be no less than fourteen months and within thirty days after the passage of this Act the Oregon Criminal Justice Commission shall so provide.

Measure No. 61

SECTION 6: Whether a person has another conviction under Section 2 of this Act shall be determined by the sentencing court of current conviction. The court shall make this determination accurately and no district attorney shall fail to disclose or conceal knowledge of or otherwise negate such a conviction. Other convictions need not be pled in the charging instrument, but shall be disclosed to the defense by the district attorney as soon as is reasonably practical. No challenge to the validity of a conviction shall be permitted except to the extent constitutionally required and upon written notice by the defendant to the district attorney seven days in advance of sentencing.

SECTION 7: Notwithstanding any other provision of law, the **additional** period of imprisonment imposed under Section 2 may not be reduced for any reason whatsoever and the person sentenced shall serve the entire period of **additional** imprisonment without any release on post-prison supervision or any form of temporary leave from custody.

SECTION 8: The convictions under Section 2 of this Act include convictions for major crimes, aggravated murder, murder, and juvenile court adjudications for offenses which if committed by an adult would constitute aggravated murder, murder or a major crime. Out-of-state adult convictions and juvenile adjudications shall constitute a conviction under this Act if the offense would constitute a major crime, aggravated murder, or murder under current Oregon law.

SECTION 9: Imprisonment means time in secure prison custody and does not allow any form of release, leave, or furlough as to the **additional** period of imprisonment under Section 2.

SECTION 10: The sentences set by this Act apply to all crimes committed on or after January 1, 1999. Other convictions under Section 2 of this Act include convictions for crimes occurring before, on, or after January 1, 1999.

SECTION 11: Notwithstanding Section 2 of this Act, imprisonment under this Act shall not exceed the maximum indeterminate sentence under ORS 161.605 in effect on July 1, 1997. Nothing in this Act shall be construed to reduce any mandatory minimum sentence or any other sentence previously enacted. The sentence or portion of the sentence under Sections 2 and 5 of this Act, other than the **additional** period of imprisonment shall be subject to modification under the sentencing guidelines rules for departures and Section 14 of Senate Bill 936 (1997), unless it is otherwise prohibited by law including, but not limited to, ORS 137.700 and ORS 137.707.

SECTION 12: These sections shall supersede any other provision of the Oregon Revised Statutes with which they conflict. If any subsection, clause or part of these sections is held invalid under the United States Constitution or Oregon Constitution, the remaining subsections, clauses and parts shall not be affected and shall remain in full force and effect.

EXPLANATORY STATEMENT

This measure creates a statute that sets minimum sentences for "major crimes," as defined in this measure. In addition, the measure requires the imposition of an additional sentence of one to three years of imprisonment for any offender who is convicted of a "major crime" and who was convicted of one or more "major crimes" within the previous 10 years.

The measure requires that a presumed sentence of at least 14 months imprisonment be imposed for "major crimes" committed on or after January 1, 1999. A court may impose more or less than the presumed sentence only upon a finding of substantial and compelling reasons.

The measure also provides that when an offender is convicted of one of the "major crimes," and before sentencing the court determines that the offender was previously convicted of a "major crime," murder or aggravated murder, the court must impose a sentence to serve a period of imprisonment that is in addition to the sentence imposed under sentencing guidelines or other law. The mandatory additional sentence is imposed only if the other crime was committed within 10 years before the commission of the "major crime," or within 10 years before the date of sentencing. The mandatory additional sentence is one year if the offender has one previous conviction for one of the specified crimes within that period, two years if the offender has two previous convictions for the specified crimes within that period and three years if the offender has three or more previous convictions for the specified crimes within that period.

The mandatory additional sentence for previous convictions may not be reduced for any reason. The mandatory additional sentence must be served in secure prison custody and the offender serving the sentence may not be released for furlough, post-prison supervision or any form of temporary leave.

For the purposes of the mandatory additional sentence for previous convictions, juvenile court adjudications are treated as previous convictions. Previous convictions for driving under the influence of intoxicants are treated as "major crimes" for purposes of the mandatory additional sentence if the offender is thereafter convicted of criminally negligent homicide and the crime involved the use of a vehicle. The validity of any previous conviction may be challenged by an offender only to the extent that there is a constitutional requirement that the offender be allowed to make that challenge.

The mandatory additional sentence for previous convictions applies to the sentencing for all "major crimes" committed on or after January 1, 1999. In imposing a mandatory additional sentence for a "major crime" committed after that date, the court is required to consider previous convictions for "major crimes," murder or aggravated murder committed before January 1, 1999.

Committee Members:

Steve Doell
Kevin Mannix
Ingrid Swenson*
John Tyner*
Tom Clifford**

Appointed by:

Chief Petitioners
Chief Petitioners
Secretary of State
Secretary of State
Secretary of State

*Member dissents (does not concur with explanatory statement)

**5th member appointed by Secretary of State because committee members could not agree on selection.

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

Measure No. 61

ARGUMENT IN FAVOR

When someone breaks into your home, and steals your jewelry, family heirlooms, and other prized personal possessions, insurance may cover the cost of replacing some or all of the property. But insurance will never replace the personal mementos. Insurance will never restore your sense of personal security. That sense of security will be taken away forever. Yet current sentencing laws assume that it is no big deal for someone to break into a house and steal everything, break into a business and vandalize it completely; or steal a car. Oregon's current sentencing laws say that these kinds of criminals, after conviction, should be set free. The theory seems to be that giving them a break, sending them back out on the streets will somehow cause them to stop preying on innocent citizens.

Measure 61 will change all of that. It will impose a basic tough sentence of 14 months in prison for first convictions for major crimes, and higher sentences, with mandatory minimums, for repeat convictions. On the very first conviction, Measure 61 allows the Judge some leeway to reduce the sentence – even to probation. For repeat offenders, however, tougher mandatory minimum sentences are needed, because these serious criminals obviously did not get the message the first time.

A vote for Measure 61 is a vote to protect your personal security, and to give victims of crime true justice by holding criminals accountable. Vote yes on Measure 61.

(This information furnished by Kevin L. Mannix, Justice for All, Director.)

ARGUMENT IN FAVOR

Measure 61 protects your neighborhood. Are you worried about people breaking into houses? You should be. Under current sentencing laws, these kinds of serious "property" criminals are set free after they are convicted. Are you worried about having your business broken into? You should be. Criminals who burglarize businesses also are set free. Somehow the sentencing laws pretend that property is not owned by real people.

Do you worry that someone will trash your house, doing thousands of dollars worth of damage? Do you worry about someone stealing your car? Yes, you do, and if you can afford it, you spend increasing amounts on insurance to try to protect yourself from the losses. Imagine your feeling when you find out that, under current sentencing laws, a criminal can do over \$10,000 worth of vandalism to your house – and be set scot free. A criminal can steal your car, get caught, get convicted – and be set free.

This "catch and release" system may be great for fly fishing, but it does not work in the criminal justice system. Remember, when you engage in catch and release in fly fishing, you are trying to increase the fish population. When you engage in catch and release in regard to serious crime, you are contributing to the increase in the population of criminals on the streets.

A vote for Measure 61 is a vote to protect our homes, our businesses, our neighborhoods, our communities – and our families. Vote yes on Measure 61.

(This information furnished by Dana C. Baugher.)

(This space purchased for \$300 in accordance with ORS 251.255.)

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Measure No. 61

ARGUMENT IN FAVOR

Some opponents of Measure 61 say that we should apologize to criminals because they had a bad childhood, and their bad childhood is what turned them into criminals. However, those us who support Measure 61 believe that everyone needs to be held accountable for their decisions--decisions that hurt other people. So called "property" crimes involve real victims--innocent people who own homes that are burglarized, businesses that are broken into, and cars that are stolen.

When you leave your home in the morning and find that your car isn't where you left it, do you stop to analyze the motives of the criminal and sympathize with them? or do you want the is criminal caught and put in prison?

Once these major property criminals are put in prison, we can try to address the "root causes" of their problem. We can try to rehabilitate them from drug and alcohol addictions, and give them a basic education, all as part of the prison work program, which teaches criminals responsibility, work ethic and makes them help pay for their keep.

The answer to serious property crimes is not to apologize to the criminals for their past, but to hold them responsible and put them somewhere where there is no opportunity to victimize property owners, and there is some opportunity for rehabilitation: Prison.

Vote yes on Measure 61.

(This information furnished by Ronda L. Buffington.)

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ARGUMENT IN FAVOR

TOP TEN REASONS TO VOTE YES ON MEASURE 61

10. Oregon is ranked **ninth in the nation for property crime** (Testimony; Professor James Heuser, Ph.D., Portland State University, July 22, 1998, Oregon Criminal Justice Commission).
9. Oregon property crime rates have **risen 25.6%** since 1991 (Oregon State Police, LEDS).
8. Losses to Oregonians since 1991 have exceeded **\$1.25 billion** (OSP, LEDS).
7. Since the voters approved Measure 11 in 1994, **violent crime has decreased 11%**, while property crime has increased.
6. Serious property crimes are felonies. **Real victims** have their security and family heirlooms stolen in home burglaries, and transportation taken in car thefts.
5. Property criminals currently receive **Probation (no prison time)** for breaking into your homes, stealing your possessions, and stealing your automobiles. The message- **"Go ahead, you won't go to prison!"**
4. Oregon is among the nation's leaders in taxpayer money spent on social programs--yet we still have increases in felony property crimes. **Social spending is not the only answer.**
3. The **American Civil Liberties Union** doesn't want you to vote for Measure 61 because they consider the liberty and rights of criminals **more important** than yours.
2. The **Oregon Criminal Defense Lawyers Association** doesn't want you to vote for Measure 61 because they make more money revolving their clients through the system so they can offend again.
1. **Politicians** who are weak or cheap on the criminal justice issues don't want you to approve Measure 61 because they want to **scare** you into thinking we are spending too much on prisons. However, in the current state budget we are spending 58% of the state budget on education, that's **\$58 out of every \$100** you pay in state income tax. The Department of Corrections is currently funded with only **\$7 out of every \$100** you pay in state income tax.

Vote yes on Measure 61 for a safer Oregon and better quality of life for our communities.

(This information furnished by Steve Doell, Crime Victims United.)

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Measure No. 61

ARGUMENT IN FAVOR

Measure 61 means less business for criminal defense attorneys. Why? They are appointed to represent people who steal from you and, ironically, **you**, the taxpayers, are required to pay for them. When their clients are found guilty, set free only to commit more crimes, you pay again. This is big business for criminal defense lawyers. No wonder they oppose Measure 61.

What is good for the criminal defense lawyers is not good for society. We need to stop criminals, such as car thieves and burglars, from repeating their crimes by imposing tougher sentences on them. Measure 61 will do that. First offense: the criminal receives a presumptive sentence of 14 months (giving the judge discretion to go as low as probation, i.e., no prison). After that, for a first repeat offense involving a major crime, the criminal will get a mandatory minimum additional sentence of one year. For a second repeat major crime, the criminal will get a mandatory minimum sentence of two years. For three or more prior major crimes, the criminal will have a mandatory minimum sentence of three years added to his sentence.

These mandatory minimum add-on sentences cannot be reduced for any reason. This means that criminals will no longer be allowed to continue committing crimes with no accountability. Stopping, rather than encouraging, criminal behavior is the only solution for a workable society. Don't allow those who encourage and financially benefit from criminal behavior fool you any longer.

Our society has pretended for too long that we know how to prevent crime by not holding criminals accountable. Incarceration with treatment is a more responsible way to protect the public and deter crime.

Vote Yes on Measure 61

Bob and Dee Dee Kouns
Crime Victims United

(This information furnished by Bob & DeeDee Kouns, Crime Victims United.)

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ARGUMENT IN FAVOR

Some critics of Measure 61 say it will cost a lot of money. They ignore the fact that it costs innocent citizens much more if government fails to incarcerate these hardened, repeat criminals who prey on our society. An auto thief will steal 10 to 20 cars before he is caught. Right now, when he is caught and convicted, he will be set free, only to steal more cars. Each one of those cars represents the property of an innocent citizen who may or may not have insurance — and who pays for these crimes through high insurance rates, deductibles on insurance, or, worse yet, the cost of immediate replacement of the car.

When you count up the tremendous cost to society of letting people break into houses, burglarize businesses, and steal cars, and compare it to the cost to the state to pull these serious, repeat offenders off the street, the equation is simple: For every dollar it may cost the government to incarcerate these criminals, we are saving citizens several dollars.

The cost to government to implement Measure 61 is a great benefit to all citizens in our society. We are not simply spending money to put away serious criminals; we are spending the money to protect all of our society.

Consider this: At present, 58 cents out of each state budget dollar go to education, and 24 cents go to human resources programs. Only 7 cents go to the Department of Corrections. Measure 61 will probably increase this 7 cents to almost 8 cents per dollar. Juveniles are not affected by Measure 61; we will continue to allow county juvenile departments and the Oregon Youth Authority to deal with juvenile property offenders. It is worth one penny out of the budget dollar to achieve justice.

A vote for Measure 61 is a vote to hold criminals accountable, to give justice to victims, and give justice to all Oregonians.

(This information furnished by Steve Doell, Crime Victims United.)

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Measure No. 61

ARGUMENT IN OPPOSITION

Oregonians be on the alert! Measure 61 is the latest attempt by a small, but vocal group of individuals with special interests to control criminal justice policies in this state. Having failed to get the Legislature to accommodate their extreme views, they are once again trying to sell Oregonians a wolf in sheep's clothing.

Supporters of 61 want you to believe that by passing this measure, which requires mandatory minimum prison sentencing, it will address the problem of property crimes in Oregon. What they don't say is that only 7 listed are property crimes and the majority of the other 35 plus ALREADY require mandatory minimum sentencing. We don't need this law.

The likelihood that someone will needlessly or unjustly be sent to prison increases with every mandatory minimum sentence Oregonians create because a judge is UNABLE to consider the circumstances of the crime and make the punishment fit.

Parents Against Cruel and Unusual Punishment (PAC-UP) consists of thousands of individuals who have watched mandatory minimum sentencing nationwide, as well as statewide with Oregon's Measure 11, and believe studies show such laws DO NOT LOWER CRIME RATES.

Finally, there is a cost impact this measure will have on Oregon. Measure 61 will require more judges, more prisons, more prison guards etc. This money will be used to warehouse NON-VIOLENT, FIRST TIME OFFENDERS.

Please do not assist them in the creation of bad and costly laws. SAVE taxpayers money. Support prevention and treatment programs which CAN lower the crime rate, not more prisons which will not.

VOTE No on Measure 61.

(This information furnished by Cathi Lawler, Parents Against Cruel & Unusual Punishment.)

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ARGUMENT IN OPPOSITION

The Oregon Association of Community Corrections Directors is a professional organization comprised of County leaders in probation and parole. Collectively, we supervise more than 30,000 offenders. We have dedicated our careers to the public safety of our communities. We ask you to cautiously weigh all factors concerning Measure 61. Our organization opposes this measure for the following reasons:

1. Similar legislation has been enacted within the last three years. In 1995 Measure 11 dramatically increased sentences for person to person offenders. In 1997 House Bill 3488 imposed longer sentences for property offenders. This legislation has not been in existence long enough to determine its effect on reducing crime in our communities. Measure 61 proposes to further increase the sentences of many of these same offender and add mandatory sentences for some additional crimes. Before Oregonians approve Measure 61, let us be sure this strategy is effective.
2. The cost of Measure 61 is extremely high, an estimated \$470 million over the next eight years, for construction and operation of prisons.
3. No money has been allocated to fund Measure 61. Therefore, the estimated \$470 million may come at the expense of education, transportation, mental health, and economic development, which are already inadequately funded.
4. Limited tax dollars need to be invested in programs that prevent crime. Today, when children have increased exposure to drugs, alcohol, sexual experimentation, and violence, we provide them with less supervision than at any time in our nation's history. We support funding for mentoring, after school activities, and other prevention programs that we believe will allow more youth to avoid criminal activity and live productive, healthy lives.
5. Will Measure 61 reduce crime? Longer sentences provide a legitimate strategy for punishment and incapacitation. However, they have not proven effective in altering criminal behavior. We owe it to ourselves, as judicious tax payers, to invest in strategies that will reduce crime.

(This information furnished by Bob Grindstaff, Oregon Association of Community Corrections Directors.)

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Measure No. 61

ARGUMENT IN OPPOSITION

From the Desk of John A. Kitzhaber, M.D.

I urge you to vote "NO" on Measure 61. It isn't the kind of public safety investment Oregon needs.

This measure costs too much. If Measure 61 passes, Oregon will spend \$1.4 billion more on prisons over the next 10 years—funds taken from other efforts that truly would make us safer. The \$83 million this measure costs in the next two years could be used to add 500 State Troopers, triple juvenile crime prevention funding or teach 9,000 students.

This measure means putting another new prison in another Oregon community. Nobody wants a prison in their community, but we must site new prisons if we increase sentences. I have sited 13 adult and juvenile prisons during my administration. Isn't that enough?

This measure isn't necessary. A new law increasing sentences for repeat property offenders took effect last July, and has sent hundreds of repeat offenders to prison.

Crime already is going down in Oregon without building more new prisons. There were 16,000 fewer serious crimes between 1995 and 1996, the most recent year for statewide statistics. That includes 3,200 fewer burglaries, 5,500 fewer thefts and 5,300 fewer car thefts.

Oregon's burglary rate is at a 25-year low. Your chances of becoming the victim of a burglary are the lowest they have been in 25 years.

This measure isn't well thought out. Measure 61 would increase sentences for Ballot Measure 11 crimes, already the toughest "one strike and you're out" law in the country. We need to be more than tough on crime, but we need to be smart too.

We can reduce crime without building prisons. New York State has led the nation in reducing its crime rate. They did it by putting more police on the street—not by increasing sentences or building prisons. We should do the same.

Let's prevent crime and not just punish criminals.

Let's spend money wisely to reduce crime.

Please vote NO on Measure 61.

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

ARGUMENT IN OPPOSITION

Vote NO on Measure 61

MEASURE 61 IS A BAD INVESTMENT!

The cost is staggering, over \$1 BILLION in the next ten years for more prisons. This is ONE BILLION additional dollars for prisons beyond the prisons already being built or waiting to be sited.

We need to invest in PREVENTING CRIME. We need to KEEP KIDS IN SCHOOL, not prison. We need to HIRE MORE TEACHERS, not guards. We need to HELP FAMILIES, not hurt them.

Dollar for dollar, money spent on education is the most effective crime prevention strategy available. (1996 Rand Corporation study)

Oregon already has the harshest "one strike" law in the country, known as Measure 11. We are already sentencing kids to long terms in prison with no time off for good behavior. We are already in the midst of the largest prison building boom Oregon has ever seen.

We don't need more prison, we need more schools. We don't need tougher sentences, we need more teachers. We don't need to spend ONE BILLION dollars unwisely.

MEASURE 61 IS A BAD INVESTMENT!

Vote NO on Measure 61

Michael Dugan
Deschutes County District Attorney

Chris Beck
State Representative

JoAnn Bowman
State Representative

Dan Gardner
State Representative

Sid Lezak
Former U.S. Attorney for Oregon

Avel Gordly
State Senator

Bryan Johnston
State Representative

Beverly Stein
Portland

(This information furnished by Ingrid Swenson.)

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Measure No. 61

ARGUMENT IN OPPOSITION

IF YOU CARE ABOUT OREGON'S KIDS AND OREGON'S SCHOOLS, VOTE "NO" ON MEASURE 61!

When fully implemented, Measure 61 will require the State to spend an additional \$250 million per biennium on prison operating costs and debt service. Where will this money come from? Schools and other state services? Higher taxes?

DO WE WANT TO BUILD MORE PRISONS OR IMPROVE OUR SCHOOLS?

Oregon has adopted higher academic standards for our students to meet. How will our children meet these high standards if we continue to drain resources from the school system?

We need smaller classes, better teacher training and more resources in the classroom. These improvements to our educational system will help reduce and prevent crime. Uneducated, neglected children are more likely to commit crimes as adults. A quality educational system is the foundation for crime prevention.

Do we really need more prisons? Here is what Measure 61 may mean to education:

- Overcrowded classrooms
- Teacher layoffs
- Lower academic performance

Education should be our top priority now, not more prisons. Measure 61 locks more prisons into our Constitution as a top priority above education, the environment, and health and human services.

DO YOU WANT THE STATE TO BUILD A PRISON IN YOUR NEIGHBORHOOD? Or, do you want more teachers, smaller class sizes, and better schools?

NEIGHBORHOOD SCHOOLS OR NEIGHBORHOOD PRISONS? THE CHOICE IS YOURS. VOTE "NO" ON MEASURE 61!

(This information furnished by William R. Hallmark, Linda Olson, George Mardikes, Scott Bailey.)

ARGUMENT IN OPPOSITION

MEASURE 61 IS BAD FOR SCHOOLS!

VOTE NO ON MEASURE 61

Measure 61 will require a \$1.4 billion increase in state general fund spending over the next 10 years. That's money that could be used to improve Oregon's schools.

MEASURE 61 ROBS MONEY FROM OREGON'S SCHOOL CHILDREN!

VOTE NO ON MEASURE 61

Measure 5 and Measure 47 moved most funding for Oregon's elementary and secondary schools from the local property tax to the state general fund. Any new mandated spending requirements, like Measure 61, takes available money away from schools and services for children and their families.

MEASURE 61 IS BAD FOR OREGON!

VOTE NO ON MEASURE 61

State support for K-12 schools now takes up 45 percent of the state's general fund and lottery resources. Measure 61's \$1.4 billion increase in state spending will cause a disproportionate amount of spending for prisons - taking money away from schools!

IMPROVE OREGON SCHOOLS!

VOTE NO ON MEASURE 61

Reducing class size, raising student achievement and making schools clean and safe are all important goals for Oregon schools. These goals can be achieved. But only with adequate and stable funding. Measure 61 will divert money to criminals and away from Oregon's school improvement efforts!

DON'T HARM OREGON SCHOOLS!

VOTE NO ON MEASURE 61

(This information furnished by Ingrid Swenson.)

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Measure No. 61

ARGUMENT IN OPPOSITION

VOTE NO ON MEASURE 61!

I support efforts to improve public safety. I oppose Measure 61. As a public safety measure, Measure 61 is expensive, impractical, complicated and unnecessary.

As Chair of the Senate Judiciary Committee in 1995, I helped to implement the voter approved "Tough on Crime" initiatives. The State legislatures heard the voters' message on crime loud and clear. In Oregon, if you do the crime, you will do the time. However, as Chair of the Senate Budget Committee, I have come to realize -- we do not need and cannot afford Measure 61 for the following simple reasons:

- Measure 61 requires spending an additional \$1.4 Billion over the next ten years with no new money to pay for this expense. The funds will come from other State budgets or new revenue taxes.
- A better investment for your tax dollars would be prevention or education. Do you really want to build another prison at the expense of educating our children?
- Where will we put another prison? The State is still trying to site the additional prisons needed because of the "Tough on Crime" initiative. If Measure 61 passes, the State will be looking again.
- Measure 61 is not needed. Effective July 1, 1997, repeat car thieves, burglars and other thieves are sentenced under tough new standards. These new laws set minimum prison sentences for property offenders with prior convictions for similar crimes.

We must continue to work on reducing crime and not simply warehousing criminals once they have broken the law. Increasing prison sentences may look like a quick, easy solution, but the solutions that Measure 61 offers are confusing and unnecessary and would cost more than a billion dollars.

I want to be tough on crime, but I also want to be smart on crime. Please join me in voting "No" on Measure 61.

Sincerely,

NEIL R. BRYANT

Senator, District 27

Chair, Senate Judiciary Committee 1995

Chair, Interim Budget Committee 1998

(This information furnished by Neil Bryant, State Senator, Former Chair, Senate Judiciary Committee.)

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Measure No. 62

Proposed by initiative petition to be voted on at the General Election, November 3, 1998.

BALLOT TITLE

62 AMENDS CONSTITUTION: REQUIRES CAMPAIGN FINANCE DISCLOSURES; REGULATES SIGNATURE GATHERING; GUARANTEES CONTRIBUTION METHODS

RESULT OF "YES" VOTE: "Yes" vote requires additional campaign finance disclosures; regulates signature gathering; guarantees certain contribution methods.

RESULT OF "NO" VOTE: "No" vote rejects requiring additional campaign finance disclosures, regulating signature gathering, guaranteeing certain contribution methods.

SUMMARY: Amends constitution. Existing statutes require disclosing certain campaign finances. Measure adds constitutional requirements for prompter disclosure of contributions \$500 or more; more frequent disclosure of contributions/expenditures for referendum/initiative petitions. Requires disclosing entity authorizing/paying for political advertising. Legislature may regulate, prohibit paying signature gatherers if it finds practice has caused fraud, other abuses. Guarantees individuals' right to make campaign contributions using certain methods. Secretary of State must promptly publish finance reports. Prohibits payments for signing/not signing petitions. Specifies penalties. Other provisions.

ESTIMATE OF FINANCIAL IMPACT: This measure is estimated to increase state expenditures by \$248,000 a year, with an additional one-time-only start up cost to the state of \$104,000. Expenditures by county and city elections filing officers cannot be calculated, due to insufficient data.

TEXT OF MEASURE

OPEN AND FAIR ELECTIONS ACT

The following sections are added to and made a part of the Constitution of the State of Oregon:

Section 1. Disclosure of Large Contributions

In addition to any other disclosures required by law, the recipient of aggregate political contributions of \$500 or more from one contributor during any one calendar year shall disclose such contribution and any subsequent contributions from that contributor to the Secretary of State or other appropriate reporting authority within seven days of receipt. During the period two weeks prior to a primary or general election, such disclosure shall occur within two business days of its receipt.

Section 2. Disclosure of Contributions During Petition Signature Gathering

(1) The chief petitioner(s) on all petitions for a statewide initiative or referendum shall be responsible for disclosing to the Secretary of State all contributions received and expenditures made in support of the petition, including expenditures made for the purpose of collecting signatures or paying signature gatherers. The disclosure obligation imposed by this section shall commence upon the filing of the prospective petition for a statewide initiative or referendum with the Secretary of State, and shall include the amount and source of any assets on hand at the beginning of this reporting period. These disclosure reports shall be filed no less than once each month thereafter.

(2) Before any entity receives a contribution or makes an expenditure for the purpose of influencing the collection of signatures on a proposed statewide initiative or referendum petition, that entity shall file a statement of organization with the Secretary of State, form a petition political committee, and thereafter disclose contributions and expenditures as required in subsection (1) herein.

Section 3. Making Signature Gatherers Be Registered Oregon Voters, Permitting Regulation of Payment for Signatures, and Specifying Effective Date of This Constitutional Amendment

Section 1, Article IV of the Constitution of the State of Oregon, is amended by adding a new subsection, and the Constitution of the State of Oregon is amended by creating new Sections 1b and 1c to be added to and made a part of Article IV and to read:

A person gathering signatures on an initiative or referendum petition shall be registered to vote in this state in the manner provided by law.

Section 1b. The Legislative Assembly may pass laws which prohibit or regulate payment for gathering signatures for initiative or referendum petitions on a per signature basis if the Legislative Assembly finds that the practice has caused fraud or other abuses.

Section 1c. (1) The amendment to section 1 of Article IV of this measure applies to any initiative or referendum petition that, if filed with the Secretary of State with the required number of signatures of qualified voters, will be submitted to the people at a general election occurring after November 3, 1998, regardless of when the prospective petition for the initiative or referendum petition is filed.

(2) This section 1c is repealed December 31, 2000.

Section 4. Licensure of Businesses that Hire Paid Signature Gatherers

(1) The Secretary of State shall provide for the licensure of any individual, business, service, firm, organization, association, labor union or club which for a fee hires or procures individuals who receive pay or anything of value to gather signatures on initiative or referendum petitions.

(2) The Secretary of State shall require all license holders to report at least once each month the names and addresses of individuals it hires or procures to gather signatures on initiative or referendum petitions, the amount of any payments made to such individuals, the name and address of individuals or entities who paid the license holder to gather signatures on initiative or referendum petitions, and any amount paid or accounts receivable to the license holder for this service.

Section 5. Individuals' Right to Participate

Individuals protected by this Constitution have a fundamental right to participate in the political process by expressing their support for a candidate or cause through payment of political funds used for political purposes by any method identified in this sub-section. Protected methods of participation include but are not limited to pledges of, payment for, collection of, or assistance in collection of political funds by check, credit card, electronic transfer, automatic payment through a financial institution, and payroll deduction by public or private employer which agrees to such deduction or if payroll deduction is available to the employer's employees for any other purpose. Such methods of participation shall not be prohibited or restricted by any law or regulation enacted after November 1, 1998. If an individual authorizes political payments through electronic transfer, automatic payment, or payroll deduction, such authorization shall be in writing. An employer may be reimbursed for the reasonable, actual and identifiable costs of the payroll deduction described in this section. This sub-section is not intended to create any new rights. Any political committee or other entity which receives political funds by any of the methods described in this sub-section shall be entitled to use such funds. A recipient of political funds described in this sub-

Measure No. 62

section shall not co-mingle political with non-political funds. For purposes of this provision, it shall not be considered co-mingling if, promptly upon receipt, the recipient segregates political and non-political funds.

Section 6. Disclosures of Paid Political Advertising

(1) In addition to other requirements provided by law, no political committee or other entity shall cause any written material, photograph or broadcast supporting or opposing any candidate or measure for any election to be printed, posted, broadcast, mailed, circulated or otherwise published to the general public unless it states the name and address of the political committee or other entity authorizing or paying for the costs of the publication, including a statement that the publication was authorized by that committee or entity.

(2) Whenever a political committee or other entity makes an independent expenditure on a political communication to the general public that advocates the election or defeat of a clearly identified candidate, or which uses a candidate's name or image within 60 days prior to an election, such communication shall include a statement which identifies by name and address any political committee or other entity that authorized it, and any political committee or other entity that paid for it. It shall also clearly state that the communication is not authorized by the candidate or the candidate's principal campaign committee.

Section 7. Disclosure of Contribution and Expenditure Reports

Within one business day of receipt, the Secretary of State shall disclose and make available to the public all contribution and expenditure reports. The Secretary shall establish rules allowing electronic filing of contribution and expenditure reports and the electronic dissemination of such information to the public.

Section 8. Protecting Petitioning Process

It is unlawful to offer, pay or provide money or other valuable consideration to another individual to sign or refrain from signing an initiative, referendum or recall petition, and for the other individual to accept or agree to accept money or other valuable consideration for signing or refraining to sign an initiative, referendum or recall petition.

Section 9. Penalties

In addition to any other penalties prescribed by law, the following penalties apply for violation of this Act:

1. The Secretary of State may assess a penalty of up to \$3,000 per occurrence or three times the amount not properly and timely disclosed, whichever is greater, against an individual or entity that fails to make the disclosures required by Section 1 of this Act.

2. The Secretary of State may assess a penalty of up to \$1,000 per occurrence or three times the amount not properly and timely reported, whichever is greater, for violation of Section 2 of this Act. In addition to any individual or entity responsible by law, the chief petitioner(s) and the treasurer of chief petitioner's political committee shall be jointly and severally liable for the penalty.

3. The Secretary of State shall revoke the license of any licensee which fails to timely or accurately file the reports required under Section 4 of this Act, or for other reasons provided by law.

4. The Secretary of State may impose a civil penalty of up to \$25,000 per occurrence against any individual or entity which is not validly licensed under Section 4 of this Act and which pays or attempts to pay or provide anything of value to individuals for gathering signatures on initiative or referendum petitions.

5. The exclusive penalty for co-mingling political and non-political funds shall be a requirement that the recipient return all of the co-mingled political funds to the contributor(s).

6. The Legislative Assembly shall enact penalties for violation of Section 8 of the Act.

Section 10. Administrative.

If any phrase, clause, section, part or application of this Article is declared unconstitutional or otherwise unenforceable by a court of competent jurisdiction, the remaining phrases, clauses, sections, parts and applications shall remain in full force and effect.

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

Measure No. 62

EXPLANATORY STATEMENT

This measure would amend the Oregon Constitution to add several provisions relating to election finance.

The measure would require the recipient of political contributions aggregating \$500 or more from any contributor in a calendar year to disclose it within seven days of receiving the contribution. During the two weeks prior to a primary or general election, the disclosure would be required within two business days of receiving the contribution.

The measure would require chief petitioners for statewide initiative or referendum petitions to disclose each month all contributions received and expenditures made in support of the petition. Any other political entity must file a statement of organization and form a political committee before receiving a contribution or making an expenditure to influence the collection of signatures on a statewide initiative or referendum petition. The entity would be required to disclose contributions and expenditures each month.

The measure would allow only persons registered to vote in Oregon to gather signatures on initiative or referendum petitions. It would allow the Legislative Assembly to prohibit or regulate paying signature gatherers on a per-signature basis if the legislature finds that the practice has caused fraud or other abuses.

The measure would require anyone who hires individuals who are paid to gather signatures on initiative or referendum petitions to obtain a license from the Secretary of State and to report each month to the secretary.

The measure would prohibit enactment of laws or regulations after November 1, 1998, restricting the right of individuals to make campaign contributions through methods such as payroll deduction by public or private employers, electronic transfer or automatic payment through a financial institution.

The measure would require published material supporting or opposing a candidate or measure to state the name and address of the political committee or other entity which authorized or paid for the publication, including a statement that the publication was authorized by that entity. Certain communications advocating the election or defeat of a candidate and paid for with independent expenditures would be required to include a statement identifying the entity which authorized and paid for the publication and to state that the communication was not authorized by any candidate.

The measure would require the Secretary of State to make contribution and expenditure reports available to the public within one business day after the secretary received the reports. It would also direct the secretary to allow electronic dissemination of and filing of contribution and expenditure reports.

The measure would prohibit any person from paying or accepting payment to sign or not to sign an initiative, referendum or recall petition.

The measure would allow the Secretary of State to assess civil penalties for violations of provisions of the measure.

Committee Members:

Paul B. Gamson
Susan C. Remmers
Jack Kane*
Senator Eileen Qutub
Jacob Tanzer**

Appointed by:

Chief Petitioners
Chief Petitioners
Secretary of State
Secretary of State
Secretary of State

*Member dissents (does not concur with explanatory statement)

**5th member appointed by Secretary of State because committee members could not agree on selection.

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

ARGUMENT IN FAVOR

A NURSE'S VIEW OF BALLOT MEASURE 62

The Oregon Nurses Association have worked hard in the creation and defense of the Oregon Health Plan. In 1996 voters passed Ballot Measure 44 to expand health care coverage to more of Oregon's uninsured children. This expansion was created by raising the tax on tobacco products. In the support of that campaign we learned a great deal about why our election process must be reformed.

Opponents of Ballot Measure 44 did not run a fair and open election. The opposition campaign spent million of dollars in deceptive television ads that sounded like they were supported by health professionals. As nurses we were appalled.

The voters and the press had no way of knowing who was really paying for those ads. And the worst part of it was that the giant tobacco companies were following the law even as they were attempting to trick Oregon voters.

That is why we support Ballot Measure 62.

It opens the election process by disclosing who really pays for the political advertising. Now we'll know who buys the television ads during the election season.

Another aspect of Measure 62 that appeals to nurses is the quick reporting of all contributions and expenditures by political campaigns in Oregon.

As Nurses we are proud to be recognized as advocates for the issues we support. We feel that these campaign finance reforms are only a threat to organizations who would rather avoid public attention.

(This information furnished by Susan E. King, RN, Oregon Nurses Association.)

(This space purchased for \$300 in accordance with ORS 251.255.)

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

Measure No. 62

ARGUMENT IN FAVOR

From the desk of John A. Kitzhaber, M.D.

Dear Fellow Oregonians:

I care about Oregon, and I know that you do too. As a citizen of this great state, I have studied its history and worked hard to make it the kind of place we can proudly call home.

Today, as your Governor, I am one of many Oregonians working to leave a legacy of a fairer political system for future generations. That is why I am asking you to join me in supporting Ballot Measure 62, the Open and Fair Elections Act.

Why am I supporting Measure 62? It means a cleaner, clearer and fairer opportunity for Oregon's next generation of voters to shape their future in a much more open political process. It reveals who is behind signature gathering efforts and negative campaigns in Oregon.

It mandates the timely disclosure of large contributions by out-of-state and special interests to political campaigns. This allows every Oregon voter to know who is writing the checks to influence decisions on election day. It clearly explains who is paying for the political advertising on television, radio and in the newspaper.

Ballot Measure 62 makes important changes in how signatures are gathered in the petition process. First, it requires the disclosure of who is paying for signature collection. It also makes sure that people who collect your signature are really registered to vote in Oregon.

Finally, Ballot Measure 62 protects your right -- and that of every Oregonian -- to participate in our political process through campaign contributions. For a union member in Oregon, it continues the very important opportunity to make voluntary contributions through payroll deductions at work.

I believe Measure 62 will help give Oregon's political system back to Oregonians. It does so by disclosing who contributes to politicians and to ballot measures.

I hope you'll join me in voting YES on Ballot Measure 62.

John Kitzhaber, M.D.

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

ARGUMENT IN FAVOR

Senior Citizens Support Measure 62

Open and Fair Works in Oregon

It's important for Oregonians to know that Measure 62, the Open and Fair Elections Act, will be good for senior citizens in Oregon. That's why, as senior advocates and fellow citizens, we are asking you to join us and citizens throughout Oregon who support this important measure.

Why does Measure 62 work for Seniors in Oregon? Because it means a cleaner and clearer opportunity for Oregon's voters to help shape the state's future in a much more open political process. It tells the state's senior citizens who is behind signature gathering, negative campaigning and politicians in Oregon.

How will Measure 62 work for Seniors in Oregon? Well, it mandates the timely disclosure of large contributions of out-of-state and special interest money to political campaigns. Like you, senior citizens want to know who is writing the checks to influence decisions on election day and paying for the political advertising on television, radio and in the newspaper.

Where will Measure 62 work for Seniors in Oregon? On the street, where it also makes important changes in how signatures are gathered in the petition process. It requires the disclosure of who is paying for signature collection and makes sure that people who collect your signature are really registered to vote in Oregon, and regulates the way they do business in our state.

What's an example of how Measure 62 will work for Seniors in Oregon? It will protect your right and that of every Oregonian to participate in voluntary payroll deductions at work for everything from retirement plans to political participation. That's the right of choice for seniors, many of whom continue to work hard in Oregon.

Vote Yes on Measure 62 on November 3. It will be good for Seniors in Oregon.

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

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Measure No. 62

ARGUMENT IN FAVOR

Vote Yes on 62.

Common Cause asks Oregonians to vote yes on Measure #62, the Open and Fair Elections Act. Measure #62 requires a candidate or initiative campaign to promptly make public any contribution of \$500 or more. If a candidate takes \$500 from a tobacco company, you'll know about it.

- Measure #62 requires disclosure of contributions during the signature-gathering phase of an initiative. If an out-of-state or special interest group is paying signature gatherers to put something on Oregon's ballot, we will know about it before the measure is submitted. For the first time, Oregonians will be able to make a truly informed decision about whether to sign a petition.
- Measure #62 make disclosure reports available to the public quickly. We'll know BEFORE the election who's footing the bill for any campaign.
- Measure #62 requires signature gatherers to be registered voters in Oregon. Instead of importing out-of-state professionals, this measure will ensure that these signature-gatherers are Oregonians.
- Measure #62 guarantees our Right to Know who is paying for political campaigns before it is time for us to vote.

(This information furnished by David Buchanan, Oregon Common Cause.)

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ARGUMENT IN FAVOR

A Police Officer Talks about the Importance of Measure 62

Like many Oregonians, I go to work every day. I am a Portland police officer who has served the community for 6 years. My job is to protect our citizens, and while doing so I have watched our community debate the issues important to every Oregonian's future. That is why I am supporting a future of Open and Fair Elections.

Why am I supporting Measure 62? Because it protects my right and that of every Oregonian to choose to participate in our political process through campaign contributions. As a union member, it's very important to me to continue my choice for voluntary participation in its work through a payroll deduction program.

Why do I care about Measure 62? Because it means a better opportunity for Oregon's next generation of voters to address the continuing, critical matter of public safety. Tomorrow's voters can be better citizens on election day.

And, it requires the disclosure of large campaigns contributions before election day. If on election day you are being asked to decide on public safety measures that would make our streets safer, shouldn't you know who is supporting your community and who wants to put all of us at risk?

Measure 62 also opens the election process by disclosing who pays for political advertising. Now we'll know who buys the television ads during the election season.

Another aspect of Measure 62 that appeals to me is the quick reporting of all contributions and expenditures by political campaigns in Oregon. This measure mandates a one day disclosure by the Secretary of State.

Remember, every day I go out to protect and serve Portlanders. My fellow officers throughout Oregon do the same. Our future and yours depends on an open and fair elections process. Make your voice heard. Please vote for Measure 62 on November 3.

(This information furnished by Liz Cruthers.)

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ARGUMENT IN FAVOR

An Educator Writes on the Value of Measure of 62

I care about Oregon, and know that you do, too. As an elementary teacher in Bend for 17 years, I also know the value of preparing our children for a fairer political future. That is why I am asking you to join me and citizens throughout Oregon who support a future of Open and Fair Elections.

I am supporting Measure 62 because it means a cleaner, clearer opportunity for Oregon's next generation of voters. Today's students are tomorrow's voters.

Measure 62 will make elections cleaner and clearer by mandating the prompt disclosure of large contributions. It allows every Oregon voter access to a campaign's books, so that you will know who is funding any candidate or ballot measure campaign.

It also makes important changes in how signatures are gathered in the petition process. First, it requires the disclosure of who is paying for signature collection. Then it makes sure that people who collect your signature are really registered to vote in Oregon, and regulates the way they do business in our state.

Measure 62 also protects your right and that of every Oregonian to participate in our political process through campaign contributions. As a union member, it's very important to me to continue my voluntary participation in its work through a payroll deduction program in my district. Measure 62 would guarantee me -- and every Oregon citizen -- that right.

Measure 62 also opens up the election process by disclosing who pays for political advertising. Now we'll know who really buys the television ads during the election season.

Finally, Measure 62 demands quick reporting of all contributions and expenditures by political campaigns in Oregon. This measure mandates a one day disclosure by the Secretary of State so that we will know before election day who is really backing campaigns.

Please help us make Oregon elections Open and Fair. Vote Yes on Measure 62.

(This information furnished by Peggy J. Humphreys.)

ARGUMENT IN FAVOR

We need to Know

If you're like me, when you vote, you want to know **"who"** and you want to know **"how much."** That's why I'm voting for Ballot **Measure 62 -- the Open and Fair Elections Act.**

I want to know who's behind the politicians. I want to know who's paying whom to gather signatures for ballot measures. I want to know as much as possible.

Measure 62 will help me know what I need to know.

Here's how:

- I'll **know** much more quickly who's behind the 'curtain.' Measure 62 will require quick disclosure of any campaign contribution of \$500 or more. Currently, we don't find out about large contributions until expense reports are filed after the election. I want to know who's paying before I vote.
- I'll **know**, much more quickly, how much money someone is spending on "buying" my vote and I'll know where the money is coming from. In the past several elections we have learned, after the fact, that certain ballot measures have been largely funded by out-of-state money. I don't like that, and if Measure 62 passes, I'll know before I vote.
- I'll **know** that anyone gathering petition signatures must be a registered Oregon voter, since that's a requirement in Measure 62. I know, you probably thought that was already in our constitution, but it's not. Measure 62 would also regulated the way paid signature gatherers can do business in Oregon. I like knowing that.
- I'll **know** that everybody is following the same rules -- Big business, special interests and labor unions. I'm a union member, and I fully support my union having to make these disclosures in a timely manner, along with everyone else.

Measure 62 is called the Open and Fair Elections Act. To me, it's about **your right to know** as much as possible. Please join me in voting YES on Measure 62. I know you should.

(This information furnished by Leda Pugh.)

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ARGUMENT IN FAVOR

Oregon's ballots for sale in upcoming elections! Bring your checkbook!

What? Here in Oregon?

Every day our members are trying to educate and organize people within our communities to promote or challenge initiatives. We do voter registration drives and work to "get out the vote". And too often we hear this same response, "why should I bother to vote, my voice doesn't really count". They have a point: It's the same old obstacle -- money in politics. Often, big money corporate interests have bought and paid for candidates before one vote is cast. Massive media purchases by big money interests leave the average Oregonian bombarded by vague messages that often serves only to further muddle issues or mislead voters.

Who's paying for these misleading messages? Who underwrites a candidate's ticket? Good questions... Without the Open and Fair Elections Act, we don't really know. The wealthy and big business interests don't have to disclose how much they spend to win an election or pass an initiative until after the election.

The Open and Fair Elections Act takes a step to restore fairness to the current election laws. It returns more power of the ballot to Oregonians by requiring big money interests to disclose contributions of \$500 or more allowing for voters to know who backs a particular initiative or candidate before we cast our vote on election day. Let's face it, these days the only way to know who is really behind an agenda is to follow the money trail to the source.

Open and Fair Elections will also preserve every Oregonian's fundamental right to contribute to the political process through payroll deductions: Oregonians have a right to choose the method by which they contribute to the issues and candidates they support.

Send a strong message to big money interests seeking to buy our ballots: Vote yes to Open and Fair Elections.

Vote YES on 62. It's time to shine some light in the dark places of Oregon politics.

(This information furnished by Susan C. Remmers, Oregon Action.)

(This space purchased for \$300 in accordance with ORS 251.255.)

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ARGUMENT IN FAVOR

Union Member on the Importance of Measure 62

I live and work in Oregon because its a special place. One way that we can protect Oregon is by making our elections more open and fair through determining who is funding Oregon candidates and causes. That is why I am asking you to join me in supporting Measure 62, the Open and Fair Elections Act.

Measure 62 will help prevent misleading and negative attacks. Politicians and special interests slinging mud are no longer the exception -- they are the standard for campaign behavior. Measure 62 would help prevent that by forcing campaigns to promptly disclose any campaign contribution of \$500 or more.

Measure 62 will make politicians accountable to the people for the positions they take. With the new disclosure laws Measure 62 introduces, the public will know exactly who contributed to a politician's campaign

Measure 62 will crack down on out-of-state special interests. Measure 62 requires disclosures of contributions during the signature-gathering phase of an initiative so that we will know when out-of-state special interests are paying to put something on Oregon's ballot. It also regulates businesses that hire paid signature gatherers in order to prevent fraud and abuse.

Measure 62 protects everyone's rights. The measure guarantees every Oregonian's right to contribute to the political process through payroll deduction, including Oregon's unionized workers.

Measure 62 will bring greater disclosure to Oregon politics, and that's good for all Oregonians.

Please join me in voting Yes on 62.

(This information furnished by Timothy Welp.)

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ARGUMENT IN FAVOR

Measure 62 will help Oregonians who are concerned about campaign financing and political corruption can learn who is contributing to what politician's campaign.

Every donation in excess of \$500 must be reported, including donations made during voter signature drives. This measure also would make these reports available quickly, not after the election, as it is now.

We have a right to know who is paying our politicians for what. That's basic democracy.

Please vote Yes on Measure 62

(This information furnished by Jason Reynolds, Oregon Consumer League.)

ARGUMENT IN FAVOR

Yes on Ballot Measure #62

I take my right to vote seriously. Even though I am a high school special education assistant, not a political big-wig, I know my vote is important, so it's important that I make informed choices. That includes knowing who is behind political campaigns. Millions of dollars are spent every election year in Oregon to try to sway me and my fellow Oregonians to vote a certain way. Before I cast my vote, I want to know who is spending all that money. **Ballot Measure 62 will require candidates and ballot measure campaigns to provide more disclosure to voters about who is funding them.**

Do you know who influences elections that impact yourself, your family, friends and co-workers? I don't. And I want to know. It seems these days that more and more elections are decided based on who produces the best radio or t.v. commercial. I think it's important to know who paid for all those ads. **Ballot Measure 62 requires that the identity of who paid for political advertising be disclosed right on the ad.** By voting yes on Ballot Measure 62, we won't be kept in the dark any longer when it comes to who is shaping choices on election day.

Ballot Measure 62 protects our citizen initiative process by taking it back from out-of-state special interests who use paid signature gatherers — many of whom who are not even Oregon citizens — to get their measures on the ballot. **Ballot Measure 62 requires that all initiative petition signature gatherers be registered Oregon voters.** And Ballot Measure 62 requires that Oregonians be told **who is paying those signature gatherers while we are being asked to sign petitions**, rather than long after the measure has qualified for the ballot.

Please vote YES on Ballot Measure 62 so that we have the information we need to make informed choices on election day.

(This information furnished by Terry L. Christenson.)

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ARGUMENT IN FAVOR

THESE GROUPS SUPPORT MEASURE 62 FOR THE FOLLOWING REASONS

MEASURE 62 THE OPEN AND FAIR ELECTIONS ACT WILL

- **REQUIRE STRICTER CAMPAIGN FINANCE DISCLOSURE**
- **IDENTIFY OUT-OF-STATE SPECIAL INTERESTS WHO ARE SPENDING MONEY IN OREGON AND GATHERING SIGNATURES**

Please join us in VOTING YES on Measure 62

Coalition for a Livable Future
 Community Alliance of Tenants
 Ecumenical Ministries of Oregon
 Eugene-Springfield Solidarity Network
 Human Services Coalition of Oregon
 Oregon Action
 Oregon AFSCME, Council 75
 Oregon Common Cause
 Oregon Consumer League
 Oregon Council of Police Associations
 Oregon Education Association
 Oregon Employees Union/SEIU
 Oregon Nurses Association
 Oregon State Council of Senior Citizens
 Oregon State Public Interest Research Group
 Portland Rainbow Coalition
 Rural Organizing Project
 Sisters in Portland Impacting Real Issues Together
 United Seniors of Oregon
 Workers Organizing Committee

(This information furnished by Roger Gray, Oregonians for Open and Fair Elections.)

ARGUMENT IN OPPOSITION

Plainly and simply put:

Measure 62 seeks to overturn the effects of Measure 59 by requiring tax dollars to continue to be used for the collection of political contributions.

Measure 62 requires tax dollars and public employees be used for collection and processing of money that will be used in partisan political activities. The measure is wrapped inside what appear to be laudable changes in Oregon law, but are really just a smokescreen.

As Oregon's largest business association, Associated Oregon Industries supports strict campaign reporting laws, and Oregon has some of the strictest reporting laws in the nation. As a result, Oregon has some of the cleanest elections in the nation.

There are two ways to destroy the excellent record of Oregon election reporting laws: repeal them or make them so complex as to become unworkable. Measure 62 does the latter.

Measure 62 loads up the State Constitution with complex and onerous reporting requirements that serve no useful purpose. Oregon laws already require timely reporting of all political contributions, laws which AOI strongly supports as a matter of good public policy.

Measure 62 purports to authorize the legislature to impose regulation on people who circulate initiative petitions, but the legislature already has the power it needs to regulate signature gatherers and to require reporting of expenditures. The Secretary of State already vigorously pursues any hint of fraud in the initiative process.

Vote NO on Measure 62

Submitted by
 Associated Oregon Industries

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

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ARGUMENT IN OPPOSITION

The Former Deans Committee

We believe Measure 62 raises serious issues under the Oregon and United States Constitutions. The Measure would allow only Oregon registered voters to collect signatures. Oregon citizens who are not registered voters, those Oregon citizens under 18 and non-Oregon residents could not gather signatures for Oregon initiative petitions. The limitation raises serious issues under the First and Fourteenth Amendments to the United States Constitution. The Measure authorized the Oregon Legislature to prohibit or regulate paying signature gatherers on a per-signature basis if the Oregon legislature finds that paying signature gatherers on a per-signature basis causes fraud or other abuses. This limitation raises serious issues under the First and Fourteenth Amendments to the United States Constitution.

The Oregon Constitution requires an initiative measure "embrace on subject matter and matters properly connected therewith." The purpose of this provision is to prevent confusion when voters go to the polls. We believe Measure 62 appears to combine more than one subject in this initiative and fails the "one subject test" as defined by the Oregon Supreme Court. We believe the Measure to be an unnecessary amendment to the Oregon Constitution. We believe this Measure would clutter the Constitution and, if adopted at all, should be considered as a statute rather than amendment to the Constitution.

We provide this information to help fellow voters in understanding the measure. Our comments are designed only to provide objective and careful constitutional analysis of the measure. Collectively we take no position on the other merits of this measure.

Prof. Leroy Tornquist (Chair), Former Dean Willamette College of Law

Rennard Strickland, Dean University of Oregon Law School

Prof. Robert Misner, Former Dean Willamette College of Law

Prof. Emeritus Chapin Clark, Former Dean University of Oregon Law School

Prof. Maury Holland, Former Dean University of Oregon Law School

Robert Ackerman, Dean Willamette College of Law

David Frohnmayer, Former Dean University of Oregon Law School

(This information furnished by Bob Cannon, Treasurer, The Former Deans Committee.)

(This space purchased for \$300 in accordance with ORS 251.255.)

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ARGUMENT IN OPPOSITION

THE COALITION FOR INITIATIVE RIGHTS OPPOSES MEASURE 62

It Impairs Grass-Roots Use of the Initiative and Referendum

The Coalition for Initiative Rights is a group of volunteers dedicated to protecting the rights of Oregon voters to use the initiative and referendum.

Measure 62 would create a new bureaucracy for the "licensing" of all signature gatherers and directly authorize the Secretary of State to assess penalties of up to \$25,000 per violation against anyone who "provides anything of value to individuals for gathering signatures" without being licensed!

We oppose the creation of new obstacles to use of the initiative and referendum. The big money special interests can easily hire full-time employees to collect signatures. But grass-roots campaigns that try to collect signatures with part-timers will be subject to costly licensing and potentially devastating fines.

Measure 62 also purports to authorize the Legislature to ban per signature payment for signature gathering and do so retroactively. The U.S. Supreme Court has already ruled that such laws violate the First Amendment to the U.S. Constitution.

Besides, the good features of Measure 62 are already existing law. ORS 260.522 already requires all political advertising to be identified as to source and requires disclosure of who authorized it. ORS 260.558 already bans payments to persons for signing or not signing petitions. **Measure 62 just copies the words of these existing statutes.**

Measure 62 would speed up the reporting of contributions and expenditures, but that is not enough to overcome its flaws.

We also oppose Measure 59, which Measure 62 is intended to partly negate. Under the Oregon Supreme Court's analysis in Armatta v. Kitzhaber (June 1998), Measure 62 is probably unconstitutional as involving more than "one amendment" to the Oregon Constitution.

The only way to stop Measure 59 from destroying the Oregon Voters' Pamphlet is to vote against Measure 59.

We urge voters to guard their precious "direct democracy" leverage and vote NO on Measure 62!

Coalition for Initiative Rights
coalition.rights@usa.net
www.teleport.com/~dweezil/cir

(This information furnished by Lloyd Marbet, Coalition For Initiative Rights.)

(This space purchased for \$300 in accordance with ORS 251.255.)

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Measure No. 62

ARGUMENT IN OPPOSITION

MEASURE 62 HAS MAJOR CONSTITUTIONAL PROBLEMS

Why would anyone want to add to the Oregon Constitution several provisions the U.S. Supreme Court and other federal courts have already ruled are unconstitutional?

Measure 62 includes one provision that limits petition signature gathering. The federal courts have already ruled that those limits are unconstitutional. Even if Oregon voters approve it, this provision will ultimately be thrown out in the courts.

Measure 62 includes another provision that prohibits distributing campaign literature without stating who paid for it. The U.S. Supreme Court has already ruled that such a requirement is unconstitutional.

Why place all these unconstitutional provisions in the constitution when everyone knows they will be tossed out in the court later?

Here's why: Those provisions are only there to distract your attention from the one provision the public employee unions are really after. That provision guarantees public employee unions the ability to use public employee time and public buildings, equipment, and supplies to collect their political funds from public employees' paychecks.

Yes, they want to be sure that they can continue to raise money for political campaigns while on the job - at taxpayer expense. They wrote the measure so that when the other provisions are thrown out by the courts the one they really want would remain. Those other provisions are only there to entice you to vote for the measure.

A first-year law student would easily recognize the fatally-flawed drafting of Measure 62. For example, provision 4 of Measure 62 says the purpose of the measure is to disallow what the measure itself does in provision 1. Pretty screwy.

If Measure 62 passes, large parts of it will be thrown out in the courts. The result of that will be even greater voter apathy and discouragement.

Vote NO on Measure 62. You might as well, it will be ruled unconstitutional anyway.

(This information furnished by Bill Sizemore, Executive Director, Oregon Taxpayers United.)

ARGUMENT IN OPPOSITION

I am a public school teacher. I am angry because my union, the Oregon Education Association, used my money to help put Measure 62 on the ballot.

This underhanded measure was written specifically to undo the will of the voters, who are expected to support Measure 59, in the very same election.

My union used my money to trick you into giving them constitutional authority to take money out of my paycheck every month and use it to advance political causes with which I disagree. It's that simple.

I became a teacher because I care about kids and because I want to help them learn. That is why I am in the classroom. The political causes and politicians I choose to support or oppose are my business, not my union's. But the teachers' union drags me into the political arena every month when they use money they took from my paycheck to affect the political process in Oregon.

This is not right. Public school teachers should have the same right as anyone else to support or oppose political candidates or causes we choose.

Thomas Jefferson once said, **"To compel a man to furnish contributions of money for the propagation of opinions which he disbelieves, is sinful and tyrannical."** Jefferson's statement should apply to teachers the same as every other citizen.

Please don't write into the constitution that the public employee unions can take money out of my paycheck and the paychecks of my fellow school teachers to support the unions' political agenda.

They're welcome to their political opinions, but I should be welcome to my own.

Please vote NO on Measure 62.

(This information furnished by Tim Rohrer.)

(This space purchased for \$300 in accordance with ORS 251.255.)

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Measure No. 63

Proposed by initiative petition to be voted on at the General Election, November 3, 1998.

BALLOT TITLE

63 AMENDS CONSTITUTION: MEASURES PROPOSING SUPERMAJORITY VOTING REQUIREMENTS REQUIRE SAME SUPERMAJORITY FOR PASSAGE

RESULT OF "YES" VOTE: "Yes" vote allows passage of greater-than-majority voting requirements only by equally large majority.

RESULT OF "NO" VOTE: "No" vote allows simple majority to pass measures that impose greater-than-majority voting requirements.

SUMMARY: Amends constitution. Measures including a requirement for more than a majority of votes cast by the electorate to approve any change in law or government action would become effective only if approved by at least the same percentage of voters specified in that proposed voting requirement. For example, a measure imposing a 2/3 majority voting requirement to change law would require a 2/3 majority to pass. Applies to initiated, referred measures presented to voters on or after November 3, 1998, including measures on same ballot.

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

TEXT OF MEASURE

DEFENSE OF DEMOCRACY ACT

The following section is added to and made a part of the Constitution of the State of Oregon:

- (1) Any measure that includes any proposed requirement for more than a majority of votes cast by the electorate to approve any change in law or government action shall become effective only if approved by at least the same percentage of voters specified in the proposed voting requirement.
- (2) For the purposes of this section, "measure" includes all initiatives and all measures referred to the voters by the Legislative Assembly.
- (3) The requirements of this section apply to all measures presented to the voters at the November 3, 1998 election and thereafter.
- (4) The purpose of this section is to prevent greater-than-majority voting requirements from being imposed by only a majority of the voters.

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

EXPLANATORY STATEMENT

This measure adds a new section to the Oregon Constitution relating to ballot measures that propose to establish greater-than-majority voting requirements. Currently, the Oregon Constitution allows ballot measures to be passed by majority vote. Under this amendment, any new measure that proposes to require more than a majority of the votes cast to change a law or government action must receive at least that same percentage of votes to become effective. For example, a measure proposing to impose a two-thirds voting requirement would itself require a two-thirds majority to pass. This measure applies to ballot measures starting with the November 1998 general election. This measure states that its purpose is to prevent greater-than-majority voting requirements from being imposed by only a majority of voters.

Committee Members:

Jim Coon
Tim Nesbitt
Jack Kane
Bill Sizemore
Duncan Wyse

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. 63

ARGUMENT IN FAVOR

Secretary of State Asks Oregonians to Vote Yes on Measure 63

Measure 63 is a **simple and fair** measure that will help protect and defend a fundamental principle of Oregon democracy.

That principle is **majority rule**. Measure 63 is necessary and important today because this basic principle is under increasing attack.

For 135 years in Oregon, majority rule applied to every law voted on, and enacted by, legislators and citizens alike.

But since 1994, Oregon's constitution has now been amended on four separate occasions, to override this principle. Each time, some type of "super-majority" voting requirement has been imposed.

In some cases, a 2/3 or 3/5 vote of the Legislature is now required to enact certain laws. In others, a "double majority" of voters -- voter approval plus more than 50% turnout of registered voters -- is now the standard.

While "super-majority" provisions may seem attractive, they set in motion new and often dangerous dynamics. Suddenly, a vocal minority has new powers, able to "veto" the clear will of a majority. Political consultants have a new strategy for "victory": if they can't persuade voters to say "no," they'll try to make them not cast votes. Don't reward the politics of cynicism and apathy. Your vote right now should count more than those who are refusing to participate.

Measure 63 does not prohibit the enactment of additional "super-majority" requirements. Rather, it simply requires advocates of "super majorities" to live by the exact same rules.

If advocates believe a 2/3 vote should be necessary for the Legislature or voters to enact certain laws -- say, approving a budget or passing a school bond -- then such a Constitutional amendment must also be approved by a 2/3 vote.

Measure 63 is simple -- and it's only fair. Help protect democracy in Oregon. Vote yes on Measure 63.

(This information furnished by Phil Keisling.)

(This space purchased for \$300 in accordance with ORS 251.255.)

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ARGUMENT IN FAVOR

Common Cause Asks Oregonians to Vote Yes on Measure #63

Oregon Common Cause believes that Measure #63 is good for Oregon. That's why we are voting yes on Measure #63, and asking our fellow Oregonians to do the same.

Measure #63 means two important things for our political future: fairness and protection.

It returns fairness to Oregon elections by requiring that all ballot measures play by the same rules. If a measure seeks a super-majority requirement to change the laws, it must pass with an equal super-majority of voter support.

It preserves the protection of Oregon's democracy, election laws, initiative process, majority rule and school elections from special interests with a hidden majority.

Measure #63 recognizes that changing a voting requirement to more than fifty percent is a very important decision. So it makes sure that any ballot measure proposing greater than majority requirements meets the same standard of voter approval.

Measure #63 really preserves your opportunity to participate in the democratic process in Oregon. Your support on election day preserves majority rule as a cornerstone of our democracy for future generations of Oregonians and keeps Oregon's election laws the same on all issues.

Vote yes on Measure #63 because it protects the principle of majority rule and returns the ballot measure process to you and me, the citizens of Oregon. We say fair is fair. If you want to mess with democracy, you better play by the same rules.

Please join Common Cause in defending democracy on November 3 by voting yes on Measure #63.

(This information furnished by David Buchanan, Oregon Common Cause.)

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Measure No. 63

ARGUMENT IN FAVOR

A Senior Citizen Supports Measure 63

As a Senior citizens advocate, I have seen much of Oregon's history and care deeply about its future. That's why I am voting yes on Measure 63, and asking my fellow citizens to do the same.

Measure 63 is vital to Oregon because it means a political future of fairness and protection.

How does Measure 63 improve our political process? Most important, it returns fairness to Oregon elections by requiring that any ballot measure play by the same rules. That means if a measure seeks a super-majority requirement to change a law, it must pass with an equal super-majority of voter support. As a senior advocate, I say fair is fair.

Then, it preserves the protection of Oregon's democracy, election laws, initiative process, majority rule and school funding from special interests with hidden agendas. This is so important to our ability as citizen activists of all ages to play the essential role we should in Oregon elections.

Measure 63 also does other important things, all of which defend our opportunity to participate in the democratic process in Oregon. Your support on election day preserves majority rule as a cornerstone of our democracy for future generations of Oregonians and keeps Oregon's election laws the same on all issues. As a senior advocate, I know how important a political legacy is to the future of our state.

And when you vote yes on Measure 63, you're protecting Oregonians from special interests who use deceptive ballot measures to change our voting laws.

What is so valuable about Measure 63 is it recognizes that changing a voting requirement to more than fifty percent is a very important decision. So it makes sure that any ballot measure proposing greater-than-majority voting requirements meets the same standard for voter approval.

I am voting yes on Measure 63 because it protects the principle of majority rule and returns the ballot measure process to you and me, the citizens of Oregon.

Please join me and my senior friends in defending democracy on November 3 by voting yes on Measure 63.

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

(This space purchased for \$300 in accordance with ORS 251.255.)

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ARGUMENT IN FAVOR

The Oregon PTA believes that majority rule and the responsibility and privilege of voting are cornerstones of our democracy.

The Oregon PTA supports Ballot Measure 63 because it is only fair that Ballot Measures that propose changes to voting requirements should have to meet those same requirements.

But now we're seeing more and more proposals to change majority rule through ballot measures.

The Oregon PTA has always believed in fairness in elections and political decision-making. We believe that any ballot measure that tries to establish a greater-than-majority voting requirement should pass only if it meets the same required greater-than-majority standard.

THE OREGON PTA SUPPORTS BALLOT MEASURE 63 BECAUSE IT PRESERVES MAJORITY RULE – A CORNERSTONE OF AMERICAN DEMOCRACY.

(This information furnished by Kathryn Firestone, Vice-President of Legislation, Oregon PTA.)

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Measure No. 63

ARGUMENT IN FAVOR

Oregonians for Tax Fairness Supports Measure 63

Oregonians for Tax Fairness is supporting Measure 63 because it's about two things that are fundamental to our election process: Fairness and Protection.

Measure 63 returns fairness to Oregon elections because it requires any ballot measure to play by the same rules. It requires that a measure seeking a super-majority requirement to change a law must pass with an equal super-majority of voter support.

If that isn't fair, I don't know what is.

Measure 63 also preserves the protection of Oregon's democracy, election laws, initiative process, majority rule and school funding from special interests with hidden agendas. So much of our politics today is misleading, and this is a way to ensure that any ballot measure proposing greater-than-majority voting requirements meets the same standard for voter approval.

Oregon's political history is based on the premise of majority rule. It's been a cornerstone of our democracy, and must remain so for future generations of Oregonians.

Best of all, Measure 63 recognizes that changing a voting requirement to more than fifty percent is a very important decision. Think about it this way: it protects Oregonians from special interests who use deceptive ballot measures to change our voting laws by returning Oregon's election process to its citizens.

Please join Oregonians for Tax Fairness in voting yes on Measure 63.

(This information furnished by Phil Dreyer, Oregonians for Tax Fairness.)

ARGUMENT IN FAVOR

Keep Oregon's Elections Fair, Vote Yes on Measure 63

When we vote on ballot measures, there's only one standard for our decisions. It's called majority rule. It's a good standard for our elections -- and the only one we've ever used in Oregon. We should be extremely careful about changing something as fundamental as majority rule.

That's why, as chief petitioners, we helped draft Measure 63.

Measure 63 is our answer to this threat to majority rule. Measure 63 says simply that any measure which proposes to change majority rule should live by its own rules. If an initiative proposes to establish a two-thirds vote on any issue, it should get two-thirds of the voters to agree. We think that's only fair.

Measure 63 is a good way to protect the integrity of our elections. Special interest lobbyists who draft initiatives to benefit their clients will think long and hard before they try to sneak through changes in our election laws -- once they know they have to live by their own rules.

When it comes to voting on how we vote, let's make sure we keep it fair.

Vote Yes on Measure 63.

(This information furnished by Steven Berman, Drew Heywood.)

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Measure No. 63

ARGUMENT IN FAVOR

Measure 63 = Fairness & Protection

I am voting for Measure 63 because it means two important things to the future of Oregon's elections: **Fairness and Protection.**

First, it ensures **fairness for our elections by requiring that any ballot measure play by the same rules.** That means if a measure seeks a super-majority requirement to change a law, it must pass with an equal super-majority of voter support.

Second, it **preserves the protection of Oregon's democracy.**

How?

It protects election laws.

It protects the initiative process.

It protects majority rule.

It protects school funding from special interests

This is so important to our ability as citizen activists to play the essential role we should in Oregon elections.

The key for me on Measure 63 is it recognizes that changing a voting requirement to more than fifty percent is a very important decision. So it makes sure that any ballot measure proposing greater-than-majority voting requirements meets the same standard for voter approval.

When you vote yes on Measure 63, you're **protecting Oregonians from special interests** who use deceptive ballot measures to change our voting laws, while also **protecting majority rule for school funding decisions in Oregon.**

Voting yes on Measure 63 protects the principle of majority rule and returns the ballot measure process to you and me, the citizens of Oregon. That's only fair.

Please join me in defending democracy on November 3 by voting yes on Measure 63.

(This information furnished by Susan C. Remmers, Oregon Action.)

ARGUMENT IN FAVOR

I live in a small Oregon town. Schools and other public services, like fire and police are very important here. If 65% of my fellow Independence citizens vote yes for a new elementary school, then that school should be built. But some people want to change the rules, so that the school would not be built. Passing Measure 63 will help protect that process.

How would I explain Ballot Measure 63, the Defense of Democracy Act? In some ways it looks like a complex measure, but here's my simple explanation for it:

Measure 63 is really about fairness and playing by the same rules.

We all accept that a basic tenet of democracy is "majority rules." But some people with hidden special agendas have said they want to change that most basic of rules. They say they will eventually put a measure on the ballot to require a two-thirds majority vote to pass money measures.

Here in Independence, we often say 'what's good for the goose is good for the gander.'

Measure 63 is really very simple. It says, if you want a two-thirds majority for money measures, just make sure your measure passed by a two-thirds majority first. If you want measures that need 75% to pass, get 75% of the voters to agree with this concept. Strip away all the rhetoric and half-truths, and Measure 63 is an easy concept to understand.

Remember, "majority rules." That's a concept we learn early in this country. Here in Independence, we also learn early, "what's good for the goose is good for the gander." Fair is fair.

I'm voting YES on Measure 63. Please join me.

(This information furnished by Anthony Douris, American Federation of State, County and Municipal Employees.)

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Measure No. 63

ARGUMENT IN FAVOR

A 'yes' on Measure 63 is a vote for simple democracy.

Measure 63 states that if voters are going to require two-thirds of people to vote to change a law, two-thirds of the voters should have to vote in favor for setting this higher requirement.

Without this change, voters can, with a simple majority, demand that future voters need 2/3 of the vote to change the law. A simple majority should not be able to close the door on future voters. It's mean-spirited and undemocratic.

To lock something up by making the subsequent voting requirement nearly impossible will handcuff future voters and legislators.

Let's keep it simple, a simple majority, and untie the hands of our children and grandchildren. If they don't know how to vote, it's our fault, but let's not take away their right to fashion the government as they please.

(This information furnished by Jason Reynolds, Oregon Consumer League.)

ARGUMENT IN FAVOR

THESE GROUPS SUPPORT MEASURE 63 FOR THE FOLLOWING REASONS

MEASURE 63 THE DEFENSE OF DEMOCRACY ACT IS ABOUT MAINTAINING

FAIRNESS

PROTECTION

DEMOCRACY

VOTE YES ON MEASURE 63

Coalition for a Livable Future
Community Alliance of Tenants
Ecumenical Ministries of Oregon
Eugene-Springfield Solidarity Network
Human Services Coalition
Multnomah County Democratic Central Committee
Oregon Action
Oregon Common Cause
Oregon Consumer League
Oregon Council of Police Associations
Oregon Education Association
Oregon Employees Union/SEIU
Oregon Nurses Association
Oregon PTA
Oregon State Council of Senior Citizens
Oregon State Grange
Oregon State Public Interest Research Group
Oregonians for Tax Fairness
Portland Rainbow Coalition
Rural Organizing Project
Sisters in Portland Impacting Real Issues Together
United Seniors of Oregon
Workers Organizing Committee

(This information furnished by Roger Gray, Oregonians for Open and Fair Elections.)

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Measure No. 63

ARGUMENT IN OPPOSITION

MEASURE 63 UNDERMINES MAJORITY RULE

Measure 63 is a sneaky, back-door attempt to undermine the democratic process, and Oregon's long-standing initiative process.

The whole idea of Oregon's initiative process is to insure that issues important to the majority of Oregonians are put before them in a democratic way.

Measure 63, though, would undo the power of the initiative process and rob the people of their right to enact laws they care about by majority vote.

The sponsors of Measure 53, public employee unions, want to keep law-making power in the hands of politicians. They don't want the people to be able to pass laws.

It's all about control.

Measure 63 is intended to take away from the people the power to be self-governing, and place more of that power in the hands of the public employee unions and the politicians they elect.

Oregon is a special place to live for a lot of reasons. One of those reasons is the right we have to pass laws by a majority vote of the people. Measure 63 takes away a big part of that right. It gives more power to politicians and takes power away from the people. It's a bad idea.

FOR THE SAKE OF DEMOCRACY VOTE NO ON MEASURE 63

(This information furnished by Becky Miller, Executive Assistant, Oregon Taxpayers United.)

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ARGUMENT IN OPPOSITION

MEASURE 63 IS UNDEMOCRATIC

The entire political system of America is based on majority rule.

Measure 63, however, is a blatant attempt to prevent a majority of Oregonians from passing a law. If Measure 63 passes, 60% of Oregon voters could vote for an amendment to the Oregon constitution and it still would not pass.

This measure is really about as anti-democracy as it gets.

Let me give you an example. A measure could be placed on the ballot to make it more difficult to increase taxes. That measure could get 60% of the vote, but it would still not pass. Not if Measure 63 is on the books.

Measure 63 undermines majority rule. It takes from the people the power to pass laws that a majority of Oregonians support.

You also might be interested in knowing that Measure 63 was placed on the ballot by the public employee unions specifically to make it as easy as possible to increase taxes. That alone should make one suspicious.

If Measure 63 passes, there are going to be a lot of upset voters the next time we pass a law and it does not go into effect, even though a majority of voters approved it.

Let's maintain the system of majority rule the founding fathers gave us. It's worked for more than 200 years. Let's give a very big thumbs down to this ill-advised proposal.

Vote NO on Measure 63.

(This information furnished by Becky Miller, Executive Assistant, Oregon Taxpayers United.)

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Measure No. 64

Proposed by initiative petition to be voted on at the General Election, November 3, 1998.

BALLOT TITLE

64 PROHIBITS MANY PRESENT TIMBER HARVEST PRACTICES, IMPOSES MORE RESTRICTIVE REGULATIONS

RESULT OF "YES" VOTE: "Yes" vote adopts restrictions on timber harvest practices, including federal regulation, allows citizen-suit enforcement.

RESULT OF "NO" VOTE: "No" vote retains current regulations concerning timber harvest practices.

SUMMARY: Prohibits many present timber harvest practices, chemical herbicides, pesticides in forest. Limits size of trees that can be harvested. Covers private, state, federal forestlands. Imposes new harvest regulations including federal regulation by classifying forestland waters as "navigable." State Board of Forestry must adopt new timber harvest methods and regulations to meet new requirements. Requires state to submit new forestland water quality plan to federal Environmental Protection Agency, seek approval before permitting logging. Authorizes citizens suits to enforce new harvest restrictions or other provisions of measure.

ESTIMATE OF FINANCIAL IMPACT: State revenues are estimated to decrease \$25,000,000 per year. This estimate assumes a 60% harvest reduction in western Oregon and a 65% harvest reduction in eastern Oregon. These estimated decreases apply to private, local and state lands.

Current state expenditures are estimated to decrease by \$25,000,000 because of the revenue loss. Major annual state expenditure reductions would occur in forest management, fire protection, and regulation, timber tax revenue and administration, and Common School Fund forest land management.

Also, added regulations required by this measure would increase the need for ongoing state government expenditures above current requirements by \$5,000,000 per year. One-time state expenditures of \$1,400,000 would be required.

Revenues to schools are estimated to decrease by \$33,200,000 a year. County and special district revenues are estimated to decrease by \$7,800,000 per year.

Revenues that contribute to the Common School Fund will be reduced by \$8,700,000 primarily due to an estimated 84% decrease in harvest on Common School Fund Trust lands. This, in turn, will mean reduced earnings on the Common School Fund principal for distribution to schools.

TEXT OF MEASURE

AN ACT BEFORE THE PEOPLE OF OREGON

TO PROMOTE SUSTAINABLE, LABOR INTENSIVE FOREST PRACTICES AND PROTECT FOREST ECOSYSTEMS BY RESTRICTING CLEARCUT LOGGING AND USE OF CHEMICAL HERBICIDES AND PESTICIDES ON FORESTLANDS OF THE STATE, AMENDING ORS 527.610-527.992.

FINDINGS

[1] Clearcut logging in Oregon is an unsustainable forest practice, incompatible with long-term forest productivity and detrimental to fish, wildlife, water quality and the sustained yield of high-quality wood products.

[2] Clearcut logging substantially increases the likelihood of large landslides and severe flooding. These human-caused disturbances have been shown to result in loss of wildlife habitat, personal property, and human life.

[3] Clearcut logging displaces thousands of forest products jobs by requiring machine-intensive technologies and discouraging investment in highly skilled labor.

[4] Chemical herbicide and pesticide use on forestlands of Oregon is an ecologically destructive forest practice which unnecessarily puts humans, fish, and wildlife at risk of toxic exposure, destroys the nutrient and organic content of forest soils, and threatens the health and safety of forest products workers.

[5] Clearcutting and the use of chemical herbicides and pesticides in forest operations has resulted in serious degradation of Oregon's surface and ground water supplies by increasing sedimentation and turbidity, adversely altering the chemical composition of such waters, introducing toxic pollutants, and killing aquatic organisms.

[6] Labor-intensive alternatives to herbicide and pesticide use on Oregon's forestlands have and will continue to create thousands of new job opportunities in ecologically sustainable forest management.

Be it enacted by the People of the State of Oregon:

Section I: Restriction of Clearcutting, Herbicide, and Pesticide Use on Oregon's Forestlands

[1] That, in order to safeguard the long-term productivity of our forests, maintain clean water, support viable populations of fish and wildlife, provide for biological diversity, protect economic opportunities available to forest dependent communities, and maximize the labor and skills of our forest products workforce, clearcutting shall no longer be a lawful forest practice on federal, state, and private forestlands in Oregon.

[2] That, in order to preserve the genetic diversity of native tree species and to enhance the ecological health of Oregon's forestlands, it shall no longer be a lawful forest practice on federal, state, and private forestlands in Oregon to harvest a tree that exceeds a measurement of 30 inches diameter at breast height.

[3] That, in order to maintain the productive potential of forest soils and eliminate unnecessary risks to humans, fish, and wildlife from contamination of air, soils, and waters of the State, use of chemical herbicides and pesticides on forestlands shall no longer be a lawful forest practice in Oregon.

[4] That, one year from enactment of this Act, the Board of Forestry shall, for each of the forest communities found in the State of Oregon, prescribe a list of lawful timber harvesting methods which:

- a. do not involve clearcutting as defined by subsection (6) of this Section.
- b. do not involve use of chemical herbicides or pesticides for regeneration of forest cover or protection of forest health.
- c. maintain or maximize development of sufficient numbers of large, live trees, standing dead trees, and large, downed logs to provide habitat for species dependent upon the structural and compositional diversity such stands provide on at least 50% of each harvest unit.
- d. prohibit on-site burning of slashing.
- e. minimize the use of heavy equipment and roads to prevent soil compaction and erosion.
- f. maximize the potential for natural regeneration of native tree species.
- g. maximize the replanting of a diversity of native tree species.
- h. encourage the use of highly skilled forest management staff in planning, implementation, and monitoring of forest operations.

No timber harvesting in Oregon shall, upon adoption of final timber harvest methods by the Board, be inconsistent with such methods.

[5] That, until the Board prescribes lawful timber harvest practices pursuant to subsection (4) of this Section, no timberland owner or operator shall conduct timber harvest operations which result in lands being clearcut on any acre of forestland in the State.

Measure No. 64

[6] That, for the purposes of this Act, clearcut shall be defined as:

any harvest unit in western Oregon that leaves on any acre of the unit fewer than 70 well-distributed trees that measure at least 11 inches diameter at breast height or that leaves less than 120 square feet of basal area. In eastern Oregon, a clearcut means any harvest unit which leaves on any acre of the unit fewer than 60 well-distributed trees that measure at least 10 inches diameter at breast height or that leaves less than 80 square feet of basal area. For the purposes of this subsection, no tree shall be counted unless the top one-third of the bole of the tree supports a green, live crown. For the purposes of computing basal area, trees larger than 20 inches diameter at breast height shall be considered 20 inch trees.

[7] That, no timber harvest operation in the State shall be commenced until filing of a notice and written plan. Notice and written plans shall document compliance with provisions of this Act, in addition to all other substantive requirements of law.

[8] That, provisions of this Section shall supplement or replace, where appropriate, requirements of the Oregon Forest Practices Act, ORS 527.410-527.770, 527.990(1), 527.992.

[9] That, for purposes of this Act, all waters of the State where timber harvest occurs or could potentially occur shall be deemed navigable waters which, without the action proposed by this Act, cannot reasonably be expected to attain or maintain applicable water quality standards or the nonpoint source goals and requirements of the Federal Water Pollution Control Act (33 USC 1329).

[10] That, requirements of this Section shall supplement Oregon's Water Quality Management Plan for nonpoint source water pollution on forestlands provided in OAR Chapter 340, Division 41, and shall supplement the Best Management Practices identified by the Board pursuant to ORS 527.765 for meeting water quality standards set by the Federal Water Pollution Prevention Act, (33 U.S.C. 1329).

[11] That, the Governor and State agencies shall promptly modify existing management programs to conform with the requirements of this Act, and shall promptly seek approval from the Administrator of the United States Environmental Protection Agency (EPA) for the modified nonpoint source water pollution program.

[12] That, prior to approval by the EPA Administrator, nothing shall diminish the force and effect of the requirements of this Act.

Section II: Severability

If any provision of this Act, or the application of that provision to any person or circumstance, is held invalid, the remainder of this Act, or the application of that provision to persons or circumstances other than those as to which it is held invalid, is not affected thereby.

Section III: Citizen Suit Provision

Any citizen of the United States may bring suit in State court to enforce any provision of this Act, and shall not be liable for attorney fees, damages, or any other financial penalties unless grounds for the suit have been determined to be of a frivolous nature by the court of jurisdiction. Citizens who prevail in such suits shall be awarded attorney fees and any other damages or expenses incurred in the preparation of legal documents, expert testimony, participation in administrative appeals or other administrative processes, and all other reasonable costs associated with necessary legal actions, as determined by the court of jurisdiction.

EXPLANATORY STATEMENT

This measure amends Oregon law by imposing new restrictions on management of private, state and federal forest lands in Oregon. The principal requirements of the measure are:

- Prohibits clearcutting as defined in this measure, which requires leaving, on each acre in western Oregon, no fewer than 70 well-distributed trees of at least 11 inches in diameter and 120 square feet of basal area,* and no fewer than 60 such well-distributed trees and 80 square feet of basal area* on each acre in eastern Oregon. A tree is not counted unless the top one-third of the bole of the tree supports a green, live crown. Any tree that is more than 20 inches in diameter is counted as a 20-inch tree for purposes of computing basal area;
- Prohibits the harvest of any trees more than 30 inches in diameter; and
- Prohibits the use of chemical herbicides and other pesticides for regeneration of forest cover or for protection of forest health.

In order to implement the measure, one year from enactment, the Board of Forestry is required to prescribe timber harvest methods that conform with the requirements noted above, and that also: (a) provide habitat for species dependent on structural and compositional diversity on at least 50 percent of each harvest unit; (b) prohibit the on-site burning of slash; (c) minimize use of heavy equipment and roads; (d) maximize natural regeneration and replanting of a diversity of native tree species; and (e) encourage the use of highly skilled forest management staff in planning, implementing and monitoring forest operations.

The measure expands existing written plan requirements to all timber harvest operations.

For purposes of this measure, any waters of the state where timber harvest occurs or could occur are deemed navigable waters, thereby subject to the water quality standards and requirements of the federal Water Pollution Control Act and the federal Water Pollution Prevention Act.

The state must modify its existing water quality management programs to be consistent with this measure and request approval of the modifications from the United States Environmental Protection Agency.

The measure allows any United States citizen to sue in state court to enforce the requirements of the measure. The citizen plaintiff is not liable for attorney fees, damages, or penalties unless the court finds the action frivolous. If the citizen plaintiff prevails, the court is required to award attorney fees, expenses, and any other costs and damages to the citizen plaintiff.

*Basal area is the cross-sectional area of the tree 4.5 feet above the ground. For example, the cross-sectional area of an 11-inch tree is 0.66 square feet.

Committee Members:

Gary Kutcher
James Musumeci
John Beuter
Howard Sohn
Kathleen Beaufait

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. 64

ARGUMENT IN FAVOR

CONSERVE OREGON'S HERITAGE Vote YES on Ballot Measure 64!

Sadly, **Oregon continues to suffer** from massive clearcutting of our native forests. Dozens of native species of fish, including **coho salmon and steelhead**, may not survive the latest onslaught of forest destruction.

A broad panel of scientists empowered to investigate threats to native fish, plants and wildlife have called for an **end to further destruction of Oregon's native forests and wildlife**. Yet, **clearcutting on private, state and federal forests in Oregon continues at a drastic pace**.

There is a better way to manage Oregon's forests. Forward-thinking Oregonians who care about conserving the beauty of Oregon, have shown that **wood products can be produced without needlessly destroying our forests**.

Foresters using **SELECTIVE LOGGING** have proven that we can achieve a **WIN-WIN SOLUTION** by **ECONOMICALLY PRODUCING FOREST PRODUCTS WHILE KEEPING OUR FORESTS HEALTHY**. They have learned to do so **WITHOUT THE USE OF DANGEROUS AND DESTRUCTIVE PRACTICES** like clearcutting or the use of toxic chemicals.

Oregonians do NOT have to decide between jobs and the environment. This fall, Oregonians can choose to have forestry jobs AND healthy forests by voting YES on Ballot Measure 64.

By passing Measure 64, we can provide protection for **clean drinking water, abundant fish and wildlife, unsurpassed recreational opportunities AND support a sustainable forest products industry**. Oregon voters can choose to maintain—and pass on to future generations—the quality of life that we cherish. We can promote safe jobs in the woods AND healthy forests to work in. **We can conserve and restore what we love best about Oregon—OUR NATIVE FORESTS!**

OREGONIANS CAN CONSERVE OREGON'S MAGNIFICENT OLD GROWTH FORESTS FOR OUR CHILDREN TO ENJOY.

Thousands of Oregonians helped put Measure 64 on the ballot. We are tired of seeing hillside after hillside devastated by the outmoded practice of clearcut logging. We know that selective logging works. **We know that in order for Oregon to avoid massive soil erosion, mudslides and flooding, we must maintain and restore our native forests.**

Ballot Measure 64 allows Oregonians to place stronger requirements on logging and to prohibit outmoded forest practices, like clearcutting. **STUDIES HAVE SHOWN THAT SELECTIVE LOGGING PRODUCES MORE JOBS THAN CLEARCUTTING AND IS HEALTHIER FOR OREGON'S FORESTS AND WILDLIFE.**

YOU CAN SUPPORT SUSTAINABLE FORESTRY AND HELP CONSERVE OREGON'S THREATENED AND ENDANGERED FISH AND WILDLIFE.

Vote "YES" on Ballot Measure 64!

(This information furnished by Gary A. Kutcher, Oregonians for Labor Intensive Forest Economics.)

(This space purchased for \$300 in accordance with ORS 251.255.)

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ARGUMENT IN FAVOR

Over 100 Members of the U.S. Congress Want to Ban Clearcutting

5 U.S. Senators and over 100 U.S. Representatives support legislation in the U.S. Congress, the Act to Save America's Forests, which would ban clearcutting on all the National Forests.

Senator Robert Torricelli, Congressional sponsor of the Act to Save America's Forests wrote:

"Roadbuilding and clear-cutting destroys the delicate fabric of plant and animal life found in the forests. The devastating result is species extinction, soil erosion, flooding, declining water quality, and mudslides. In many states, the last runs of wild trout and salmon, so important to our recreational and commercial fishing industries are also threatened, as are the last wild grizzly bears and 1,000 year-old Douglas fir trees.

"To stop this destruction and reestablish the priorities of the Forest Service—from destroying the public's resources to protecting our natural forest resources—I have introduced the Act to Save America's Forests. This legislation would ban clear-cutting in all federally owned forests and prohibit all logging on 17 million acres of Ancient Forests and other designated areas...

"As the world's leader in protecting the environment, it is the duty of the United States to set an example by preserving the last vestiges of our historic forest resources. As one of the wealthiest nations on earth, how can we call upon developing countries to preserve their rainforests when we cannot protect the last fraction of our own forest heritage? We should lead the world by example, not embarrass ourselves with hypocrisy." (*The Record*, New Jersey, July 13, 1997)

To end clearcutting on our National Forests, tell your U.S. Representative and U.S. Senators Ron Wyden and Gordon Smith to **SUPPORT THE ACT TO SAVE AMERICA'S FORESTS.**

To end clearcutting in Oregon's forests, VOTE YES ON BALLOT 64.

The national coalition leading the campaign to pass the Act to Save America's Forests is:

Save America's Forests
4 Library Court, SE
Washington, DC 20003
www.saveamericasforests.org

The Oregon organization promoting YES on BALLOT 64 is:

OLIFE
454 Willamette St., #211
Eugene, OR 97401

(This information furnished by Carl Ross, Executive Director, Save America's Forests.)

(This space purchased for \$300 in accordance with ORS 251.255.)

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Measure No. 64

ARGUMENT IN FAVOR

HERBICIDES POLLUTE OUR WATER

How we manage our forest affects our water, health, fish, wildlife, air quality, flood and landslide prevention, recreation, and more. All these are essentials of Life!

Our Northwest forests are some of the richest ecosystems in the world—rich in what Robert Costanza and colleagues define as “free ecologic services provided by nature” or “natural capital.” (*Nature*, magazine, 5/15/97) The authors estimate the world value of these natural assets at 3 TRILLION DOLLARS, or twice the gross world product. We tend to think that a dead tree is worth more than a live one. **It is not; deforestation is expensive.**

For example, every time a log truck emerges from a clearcut, leaving an ugly scar on the land and silt in our waterways, the salmon are diminished.

Forests filter water, ancient forests most perfectly, **saving millions of dollars in treatment.** Portland's Bull Run watershed has been protected by an Act of Congress for this reason.

When the assault of clearcutting is compounded by the shocking abuse of herbicide “treatment,” **water, fish animals and people all stand to be sickened.** Many of these herbicides can cause cancer, birth defects, mutations, neurological damage, hormone disruption and/or contamination of breast milk. (Although DDT was banned in 1972, it was still found five years later in all 1500 samples of breast milk tested in a 1977 EPA study.)

There is no new water. It is continuously recycled through various stages of the hydrologic cycle. When groundwater is contaminated, it may never be cleaned up. Like our bloodstream, the oceans, rivers and streams are Earth's arteries, veins and capillaries, carrying nourishment (and poison?) to every cell.

When Secretary of State Phil Keisling was a reporter for the *Willamette Week*, he wrote a six-part expose of herbicide use in Oregon called “The Spraying of Oregon.” (12/3/79 through 1/14/80) He concluded that the questionable safety of herbicides rests with the politicians and the voters. This ballot Measure gives us a chance to assume that responsibility.

Vote Yes on Measure 64!

For life,

Barbara Kelley, Director
Save Our ecoSystems, Inc. (SOS)

(This information furnished by Barbara Kelley, Save Our ecoSystems (SOS).)

(This space purchased for \$300 in accordance with ORS 251.255.)

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ARGUMENT IN FAVOR

We need to be aware of the fact that we “all live downstream,” and that chemical poisons we use in our forests eventually make their way into our topsoil and drinking water and thus into our bodies. **Already, according to the Oregon Department of Environmental Quality, over one half of Oregon's streams are too polluted to support aquatic life!** We can not afford to wait while the cumulative effects of these chemicals in our earth, water and bodies continues to take their toll.

After an area has been clearcut, the replanting of trees is accompanied by the application of chemical herbicides to suppress competing vegetation. As soil erodes, these toxins enter the watershed, streams and rivers, where they contribute to the destruction of native fish. The chemical poisons become lodged in the topsoil of farms and hence in the foods that we eat. **They also pollute our reservoirs, and thus our drinking water, since significant amounts of these chemicals evade the best efforts of our water treatment systems.**

If these herbicides are dangerous, then why is their widespread use allowed? Unfortunately, even after studies demonstrate that these substances are hazardous to humans, the Environmental Protection Agency still allows their use if the benefits of such use outweighs the “economic, social and environmental costs.”

Forest Service studies have shown that manual methods of managing competing vegetation are at least as effective as chemical means, are environmentally viable, and of course, provide jobs in our forests.

If you place a frog in boiling water, it will immediately jump out. If, however, the frog is put in cool water which is then slowly brought to a boil, the frog will not notice the change and will remain until it boils to death. **Even though we as individuals may not notice personal symptoms of environmental poisoning, we can read the early warning signs and save ourselves before it is too late.**

“Civilization exists by geological consent, subject to change without notice.”

--Will Durant

(This information furnished by Gavin McComas, Sundance Natural Foods.)

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Measure No. 64

ARGUMENT IN FAVOR

MEASURE 64 STIMULATES ECONOMIC DIVERSITY

Has anyone calculated how many jobs would be gained by the passage of Measure 64? Oregon has already started to shift from a monolithic economy, dependent upon timber, to a healthier, more diverse economy. The economic picture shifts continually, like a kaleidoscope, as some businesses fail and new ones start up.

Enterprising Oregonians have started and sustained businesses requiring an intact environment such as wilderness expeditions, environmental camps, country inns and restaurants, wildlife photography, river guiding, and more.

Imagine the thrill of children from the inner city on seeing herons feeding their young high in the trees or salmon spawning in a wild scenic river. They don't want to see our ugly clearcuts.

Tourism is now Oregon's third largest industry and is closing in on second.

Other related jobs on the increase: brush control to replace toxic herbicides, the recycling of paper and the manufacture of recycled papers and paper products, greeting cards and calendars printed on recycled paper, the list goes on...

We are sure to hear that less clearcutting will mean less tax money for education. It is bad policy that extracts funding for schools from clearcutting, selling our children's birthright (healthy forests) to the highest bidder.

With Measure 64, selective logging will continue to fund education and will result in healthier, more sustainable forest.

Another source: fundraising for schools could be the province of non-profit organizations that would give tax write-offs for donations for education.

Secretary of the Interior Bruce Babbitt reported that **"fully a quarter of the world's wild mammals are now considered threatened with extinction."** He stated that we face **"a looming catastrophe of almost biblical proportions,"** and that **"habitat loss and degradation are primarily responsible of this threat."** (Internet, 10/3/96)

Additionally, nearly 34,000 ferns and seed producing species of plants now face extinction, according to the World Conservation Union.

Ask any schoolchild if s/he wants her or his education supported by habitat destruction. Please vote for their futures, and ours.

Vote YES on 64!

For life,

Barbara Kelley
Save Our ecoSystems (SOS)

(This information furnished by Barbara Kelley, Save Our ecoSystems (SOS).)

ARGUMENT IN FAVOR

PROMOTE SUSTAINABLE FORESTRY SUPPORT MEASURE 64

Once a big family was given a farm. The Giver said, "Take care of this place and it will take care of you." This farm had everything: fertile fields and forests, clear lakes and rivers. The people loved their farm, worked hard, and made a decent living. They fished, cut trees to build homes and boats, and planted crops, keeping some fields and forests fallow--for the future.

Years went by. The times changed. Everything became faster. Cars, machines, communications, business. Everyone hurried. The children's children were impatient and wanted gold. Now.

"Let us get our gold. Time is dead. There may be no future." They plowed all the fields. They cut all the trees, selling the crops and logs to people far across the sea. They received gold. Weather became fickle--dust storms, floods and drought. Fields and forests that had held the soil and water in the ground were gone. The river ran muddy and fish died. The people went to the store with their gold but there was little food, fish, water or wood left.

"Let us plant some food and trees," they said, and they did. Seeds shriveled in the ground and the saplings were eaten by starving animals. The grandchildren tried again. Floods washed their efforts away. Soon nothing was left to eat. Nothing was left to cut. A little girl suggested, "Let's make gold soup... We have plenty of that!"

Scientist Carl Sagan wrote, "It is perilous and foolhardy for the average citizen to remain ignorant about global warming, ...ozone depletion, air pollution, toxic and radioactive wastes, acid rain, topsoil erosion, ...deforestation, ...How can we affect national policy--or even make intelligent decisions in our own lives--if we don't grasp the underlying issues?"

Consider bettering our forest practices and returning more jobs to the forest.

Please vote YES on Measure 64,

MG Hudson

(This information furnished by M. G. Hudson, Oregonians for Labor Intensive Forest Economics.)

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Measure No. 64

ARGUMENT IN FAVOR

**NUCLEAR POWER
DEVELOPED
DURING THE 1950'S**

**DDT
USED EXTENSIVELY
DURING THE 1950'S**

**RAW INDUSTRIAL WASTE
DUMPED INTO RIVERS
DURING THE 1950'S**

**BLACK AMERICANS
DENIED CIVIL RIGHTS
DURING THE 1950'S**

**FEDERAL AID FOR NATIVE AMERICANS
TERMINATED
DURING THE 1950'S**

**HUNDREDS OF FISH-KILLING DAMS
BUILT
DURING THE 1950'S**

**CLEARCUT LOGGING
DEVELOPED
DURING THE 1950'S**

**CLEARCUTTING IS NOT
STATE-OF-THE-ART
FOREST SCIENCE**

**VOTE YES
ON BALLOT MEASURE 64**

(This information furnished by Richard I. Bowden, Oregonians for Labor Intensive Forest Economics.)

ARGUMENT IN FAVOR

We can not sit by and wait for the timber corporations to modify their practices. Our public lands are being cut, and 97% of the cutting is clearcutting. People are outraged and surprised when I tell them state law requires that we leave only two trees standing per acre. Many Oregonians are under the impression that clearcutting has stopped. Don't believe the lies.

The timber corporations have alarmed forest product workers by saying Measure 64 will put the timber industry out of business. On the contrary, Measure 64 is about sustainable forestry. Selective logging is labor intensive. While clearcutting provides only one job for every 550 acres, selective logging provides one job per 25 acres.

If we are going to acknowledge the importance of logging in our state's economy, we also need to acknowledge the damaging effects the practice of clearcutting has played. Deforestation is a key factor in the decline of wild native salmon in the Pacific Northwest. Clearcutting is a major cause of soil erosion and turbidity, which in turn, cover and suffocate salmon eggs. Chemical herbicides and pesticides in our watersheds are another major factor in the decline of our native fish.

The timber corporations need to own up to their role in the loss of 72,000 fishing jobs in this region, over the past 30 years. Clearly, the issue for the timber corporations is not sustainable jobs for Oregonians. The issue is cash to line their pocket books.

If the timber corporations were truly concerned about the economy of our state, they would voluntarily stop exporting our raw logs. They would voluntarily stop the clearcutting, in favor of responsible, sustainable logging. They are not. It is our responsibility as the citizens of Oregon, to take control of our beautiful and valuable natural resources. Vote Yes on 64.

(This information furnished by Jill Krymkowski.)

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Measure No. 64

ARGUMENT IN FAVOR

God's beauty is for sale in Oregon. Industrial logging has become the norm, and God's forests pay the price. I have postponed my personal goal of studying environmental law to fight for Oregon's beautiful natural heritage; our forests and our fish. We must all join in the fight to end the decimation of our land.

The Oregon Forest Practices Act was passed in 1971, before the advent of the scientific evidence linking landslides to irresponsible forest practices. This outdated legislation only requires leaving two trees standing per acre, be they dead or alive. That's it. Two trees. Appropriately, 94% of all landslides in Oregon are directly linked to this practice of clearcut logging.

Measure 64 requires leaving 60-70 well-distributed trees per acre. This will keep the root systems intact, holding the soil in place, thereby relieving the conscience of the logging industry for the adverse effects that landslides cause; i.e. human death and destruction of private property. Eroded soil covers salmon eggs, ultimately suffocating them, and aiding in the decline of our fishing industry.

Another important factor in the decline of Oregon's signature fish is the indiscriminate use of herbicides and pesticides on our forested lands. These chemicals wind up in our streams, causing salmon to move more sluggishly, making them more susceptible to predators. These chemicals have also been found in every watershed in Oregon. We drink those chemicals. "Fewer than 10% of the approximately 70,000 chemicals now in commercial use have been tested for their potential adverse effects on the nervous system and only a handful have been evaluated thoroughly, according to the National Research Council" (*Bodies in Protest: Environmental Illness and the Struggle over Medical Knowledge*, 1997). A healthy forest needs no chemical sprays. A healthy forest is not a Douglas Fir farm. A healthy forest needs no chemicals, and neither does a healthy person.

Vote Yes on 64. It is the clearcut alternative.

(This information furnished by Faith Baitland.)

ARGUMENT IN FAVOR

I support the Sustainable Forestry Initiative (Measure 64) because I see that it is a way for us to get a message through to a timber industry that has been irresponsible in its forest practices and unresponsive to feedback to that effect. When corporations work in our state, they have a responsibility to serve our community -- not just their shareholders and customers. This state is our home, and when the timber industry is turning our forests into desert as well as eliminating good jobs (not only within the timber industry itself, but also in the fishing and tourism industries) it is time for us to send a clear message of discontent and a specific plan for reform. See for yourself that Measure 64 fits the bill on both counts.

I have spent three and a half months going door to door organizing and raising thousands of dollars for Measure 64 and helping collect 99,420 signatures to get it on the ballot. I have seen firsthand that the issue of clearcutting is one of the most visible symptoms of what has happened to our community as we've lost touch with our responsibilities as stewards of the environment and leaders for social justice. We need to overcome the misinformation and reclaim these responsibilities to keep the short-sighted, money-hungry few from destroying our lands and sabotaging the availability of decent, honorable work. We need to take a stand for speaking and having our voices heard.

It's been difficult to get the straight story on the effects of current logging practices, and harder to have dissenting feedback considered seriously. I strongly encourage you to find out for yourself how we have been mislead, and then make some noise with letters to the editor, street art, and talking up the issue. Each of us counts.

(This information furnished by Matthew Pflantzbaum.)

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Measure No. 64

ARGUMENT IN FAVOR

The first time I saw a clearcut I was driving to the Oregon coast. I was appalled at the destruction. The Pacific Northwest's richly diverse forests are being devastated by the irresponsible practice of clearcut logging, creating big profits for the timber corporations with no regard for the effects everybody suffers. Clearcutting depletes our soil, contributes to landslides, degrades water quality with unsafe pesticides, and destroys habitats of endangered species.

The timber corporations have not created sustainable employment for Oregon's timber workers. They blame environmental concerns for employment decline, when realistically more jobs are lost to raw log exports and the automation of new mills. According to the Oregon State Department of Employment, advances in technology cost a direct work force reduction of 13,800 jobs from 1980 to 1988, while output grew by almost 20%. Some claim they work for forest health, when really they work for forest wealth.

Another mistruth is that timber corporation's replant "forests" after a clearcut. Timber corporations replace diverse forests with over planted monoculture Douglas Fir tree farms. A tree farm is not a forest; it is intended to be clearcut and replanted again and again for maximum profit, yielding low quality wood. Overplanting forces as many as 900 trees per acre to compete for the nutrients nature provided for 300 trees per acre. This depletes and overworks the soil, causing more erosion. Trees planted at the same time grow at the same rate, resulting in 100% canopy above the forest, creating a biological desert on the forest floor where nothing grows. This is not a forest. This is not a sustainable logging practice. This is profit.

Ballot measure 64 creates a sustainable forest through selective logging techniques. It insures the move to responsible logging, protecting the 3% remaining old growth, and bans the use of unsafe pesticides. This is not too much to ask. Enough damage has been done at everyone's expense.

VOTE YES ON 64!

(This information furnished by Jenn Rawling.)

(This space purchased for \$300 in accordance with ORS 251.255.)

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ARGUMENT IN FAVOR

BALLOT MEASURE 64 WILL HAVE A POSITIVE IMPACT ON THE ECONOMY AND THE ENVIRONMENT!

The Estimate of Financial Impact prepared by the State of Oregon for Ballot Measure 64 is inaccurate and incomplete. The State's financial estimate makes the following unrealistic assumptions:

- * it grossly underestimates the rate of harvest under Measure 64
- * it fails to consider positive price effects that will add to State revenues
- * it fails to disclose cost savings associated with Measure 64's improved forest practices
- * it fails to account for productivity gains associated with improved forest practices
- * it fails to account for increased income tax revenues resulting from more labor intensive forest practices produced by Measure 64
- * it fails to account for increases in tax revenues associated with higher rural property values and increased tourism receipts from Measure 64

Assumptions regarding the rate of harvest—There is no credible basis for the Department of Forestry's assumptions that result in a predicted 60-65% reduction in harvest volume. With favorable prices, harvesters will simply increase the acreage selectively logged to get equal timber volume. **Revenues to Oregon schools and counties should remain about the same.**

There is NO basis for the Department of Forestry's assumption that the measure prohibits thinning. Measure 64 actually promotes thinning and selective logging as alternatives to clear cutting. The measure DOES NOT EXCLUDE "clumping" of leave trees, leaving adequate small openings to facilitate natural regeneration of trees.

The State's analysis fails to account for significant cost savings associated with more responsible forest practices required by Measure 64—Clearcutting passes on huge externalized costs to the public to restore the environmental damage to roadways, clean water supplies, watershed condition, and fish. The worst stream conditions in Oregon are found in heavily logged areas, while the best stream conditions are in wilderness streams or lands using selective logging techniques like those required under Measure 64.

The 1996 storms affected areas that have been subject to very high levels of logging and roadbuilding in recent decades, particularly the 1980s. The results of clearcutting have been devastating. **Federal, state and county governments had to pay millions of dollars to clear roads of mudslides and debris from clearcuts.**

By eliminating clearcutting and chemical herbicide use, Measure 64 will significantly reduce expenditures by federal, state, and municipal agencies related to water quality management, fisheries restoration, reservoir dredging, and other costs associated with repairing ecological damage. The State's economic analysis of Measure 64 completely overlooks these cost savings.

Many individuals, municipalities and businesses suffered financially because of clearcut landslides. For example, the city of Salem, also located in Oregon, had to spend \$700,000 on temporary pretreatment facility, and \$200,000 treating turbid water and implementing water-use restrictions when high levels of turbidity from cutover watersheds shut their water delivery down. Private industry suffered as well. Mitsubishi Corporation, which relies on pure water for its processes, spent over \$2 million when the city's water system shut down.

(This information furnished by John Talberth, Director, Forest Guardians.)

(This space purchased for \$300 in accordance with ORS 251.255.)

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Measure No. 64

ARGUMENT IN FAVOR

OREGON: DEFENDING OUR LIBERTY

Our children and grandchildren have a right to "life, liberty, and the pursuit of happiness." Does this not include clean air, pure water, and fertile soil? Healthy forests, rivers, and streams guarantee essential rights for future generations of Americans.

How much longer will we allow the timber industry to steal our forests and watersheds at taxpayers' expense? A few corporations and property owners are depriving us of our property rights: the right to sources of clean water, protection from flooding, and quality of life. And, the right to fishing, hunting, and camping in Oregon's living forests and wilderness.

A majority of Oregonians are paying for the profits of the corporate timber minority:

- Paying with a decline in property values.
- Paying with higher proportional taxes, landslide and flood insurance costs.
- Paying through lost fisheries and recreation,
- And, sometimes, paying with their lives.

How much more desecration can we tolerate? Even the experts cannot predict the probability (let alone the certainty) that our species will survive current levels of environmental destruction.

LIKE BIG TOBACCO, BIG TIMBER HAS SOLD US A PACK OF LIES

They told us:

- They would be forced out of business if we banned the wigwam burner.
- Logging has nothing to do with erosion, flooding or landslides.
- They are planting six trees for every one that they cut.
- Exporting raw logs is good for Oregon's economy.
- They are cutting sustainably.
- It's a renewable resource.
- Clearcutting is necessary.
- They never cut and run.
- They care about jobs.

NONE OF THESE IS TRUE!

Measure 64 is not perfect but it's a step in the right direction. We can always improve it later. We'll be back with another bill. A stronger bill. But if we fail to protect ourselves now from further devastation, we will lose something irreplaceable in the interim. We will lose another piece of our future.

Save our constitutional rights, and the rights of our children. Vote yes on 64.

(This information furnished by Tim Hermach, Native Forest Council.)

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ARGUMENT IN FAVOR

The Oregon Sierra Club notes the following facts as reasons to vote for Measure 64:

- Mudslides and landslides in early 1997 occurred mainly under or in clearcut or overcut slopes. Those slides caused six deaths, injured others, and caused millions of dollars in damage. Studies have pointed out that land is much more likely to slide in areas overcut or clearcut.
- Clearcutting is allowable and commonly practiced by timber extraction corporations under current Oregon law on state and private lands.
- Clearcut slopes erode, the silt from them killing young salmon, damaging salmon streams, and threatening drinking water supplies as well as diminishing the productivity of forest soils.
- Current Oregon forest law has not been upgraded or reformed in several decades. With knowledge gained about mud and landslides, declining salmon runs and a federal mandate to protect our salmon, and a need for clean, reliable drinking water. Measure 64 is a good first step to accomplish these goals.
- Measure 64 is an initiative which proposes to reform existing state forestry law. It is not a state constitutional amendment, and may be amended or changed by the state legislature. This is noteworthy as various economic objections to Measure 64 have been noted, and some changes in this initiative may be necessary in the interest of economic justice and the continuing knowledge being gained from scientific monitoring of our forest, streams, salmon populations, and quality of our drinking water.

The Sierra Club has endorsed Measure 64 as its protections for Oregon's forests, salmon runs, drinking water, and human life are timely and appropriate proposals in the public interest of all citizens of Oregon.

(This information furnished by George B. Hutchinson, Oregon Sierra Club.)

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Measure No. 64

ARGUMENT IN FAVOR

LOGGING PUBLIC LANDS DESTROYS WILDLIFE CLEARCUTS ALSO IMPACT RECREATION OPPORTUNITIES

In the Diamond Lake Ranger District of the Umpqua National Forest, 10,000 log trucks of public timber is being sold at bargain prices, much of it from Roadless Areas that Oregonians use for recreation. The Umpqua National Forest is selling 48 million board feet of timber (that's approximately 10,000 logging trucks) as part of the Upper North and Warm Springs Timber Sales. Similar, giant logging operations are going on across public lands in Oregon.

This particular area contains numerous roadless areas over 1,000 acres, in close proximity to one another. These roadless areas are near the wilderness areas of the Oregon Cascade Recreation Area, Mt. Thielsen Wilderness, Mt. Bailey roadless area and Crater Lake National Park, all popular recreation destinations in the Umpqua National Forest.

If the Forest Service succeeds, every one of these small but significant roadless areas will be gone in just a few years. The two proposals just released, Warm Springs and Upper North timber sales, will log within the Upper Mountain Meadows, Calapooya Ridge, Dread and Terror Ridge, and White Mule Creek roadless areas.

Logging will occur right over two recreational hiking trails, trail #1461 on Dread and Terror ridge, and trail #1442 that climbs up the Calapooya ridge. Another area will be logged next to the North Umpqua hiking trail, the most popular trail on the forest.

Both Warm Springs and Upper North timber sales log within Critical Habitat for the Northern Spotted Owl, effecting numerous owl nesting sites. The sales will also degrade habitat for the American Martin and Pileated Woodpeckers, indicator species for old-growth habitat. But what the Forest Service doesn't want to admit is the impact on the Wolverine.

The wolverine is a very rare, State of Oregon Threatened Species, and VERY SENSITIVE TO HUMAN DISTURBANCE. In the winter of 1997, a Wolverine den was discovered within the Mt. Thielsen wilderness, next to the timber sale project areas. On March 23, 1998, an Oregon Department of Fish and Wildlife Biologist, wrote: "This is the second year of helicopter den surveys for wolverine on the Umpqua National Forest. Last year we were successful in locating tracks and a den in the Mt. Thielsen Wilderness the first week in March.... This year we found wolverine type tracks but no den was located..." However, "just west/northwest of Mt. Thielsen" tracks were discovered, and the biologists were "sure they were wolverine." The entire Warm Springs timber sale area is likely within the home range of this wolverine.

This is the beginning of the end for these rare roadless areas and the many species of wildlife that live there. These are PUBLIC LANDS PLANNED FOR CLEARCUTTING. These pristine lands are likely to be completely logged within just a couple of decades.

IT'S TIME TO PROTECT THE LAST OF OUR SCENIC LANDS AND THE WILDLIFE THAT DEPEND ON THEM FOR HABITAT.

CONSERVE OREGON'S FORESTS AND WILDLIFE!

VOTE "YES" ON MEASURE 64!

(This information furnished by Matthew Watkins, Oregonians for Labor Intensive Forest Economics.)

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ARGUMENT IN FAVOR

Weed tree? A weed is an unwanted plant in a garden or a field even if it tastes good or has beautiful flowers. Madrone or dogwood or oak as weeds? A forest doesn't have weed trees because it isn't a garden or a field. But the idea of weed tree does go with clearcutting, the deliberate destruction of forest.

Clearcutting takes out everything. It strip mines the mountains for trees—bulldozing, burning, poisoning. Just get out what is immediately wanted and clear the land for tree plantation. Not reforestation, but tree plantationing—with all the hazards of a single species crop, and with the extermination of other species that may or may not become wanted in the future. It devastates the forest and the food web in the soil. It gets rid of the forest and forest workers' jobs. It has produced immediate short term economic gain for a few at the expense of the long term economic and biological health of the rest of us.

One example. The Pacific Yew was a weed tree. The wood was valued only by builders of wooden yachts. They would try to salvage a tree or two before it was cut and burned as slash. Then somebody found that the bark has a compound that is effective in treating cancer. The frog was kissed. Pacific Yew, weed tree, became a valuable resource. Lesson: Forests have frogs. Clearcuts don't.

Measure 64 will change the way forest products are obtained and used so that Oregon's forest will again become a selectively cut, living mix that will preserve forests, jobs, and health. It will extend to forest lands the provisions of existing federal and state water quality laws that have been applied to urban, industrial, and farm land for decades to protect water quality there and for downstream users. It will make a better life for all Oregonians.

Vote yes on measure 64. Your grandchildren will thank you.

(This information furnished by Colin King, Corvallis Organic Gardening Club.)

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Measure No. 64

ARGUMENT IN FAVOR

Each year our summer vacation takes us to a lake for a few days of living by the fire, of watching the wild birds and of paddling across the still water at dawn. How full of life is the lake: trout leap for insects, osprey hover and dive for fish, fishermen and women cast in the falling light of dusk. Reassuring is the great blue heron, prehistoric and majestic, in its flight over the marshes. We Oregonians seek nature as an unguent to our plastic lives whether it is hiking in a wilderness area, strolling in the city park or planting in our backyard garden.

Traveling through Oregon also requires passage through some of the most ruined and blasted landscapes in the country. That these lands are public or private does not matter. The practice of clearcutting uniformly scars and wounds the land from which I must avert my eyes, like the sight of a maggot-filled gash on a dying dog. Recently a family from France vacationing in the United States asked me what was this scene? Had there been a violent, catastrophic storm? This couldn't have been wrought intentionally? A clearcut does startle the sensibilities when economics aren't the driving mentality.

It is my hope, if this bill passes, the non-toxic, environmentally sound program will replicate what I have seen in places like Vermont, where you can drive hours at a time and never see one hillside stripped for the timber harvest. Forest land is more than tree farms. A forest is an ecosystem providing habitat for birds, insects, mammals - the web of mutual dependence that is life itself. The land sustains us in so many ways. It provides food, shelter and recreation, yes, but it revives and teaches us as well. It lives in our consciousness as what we are truly part of. Let selective cutting and it's valuable, life sustaining properties be the foundation for the next century of Oregon history.

(This information furnished by Kimberly Kauffman.)

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ARGUMENT IN FAVOR

The Green Party of Oregon supports and endorses Ballot Measure #64.

This ballot measure will help guarantee a future for our forests, and the forest industry.

The present timber harvest practices are contributing to the extinction of the logging industry itself, as well as a multitude of species, including salmon, the contamination of our drinking water, and the destruction of ancient forests which have been evolving for thousands of years. For too long short-term profit gains for the logging industry have outweighed long-term effects for us all.

A well researched and comprehensive sustainable system needs to be implemented and we believe measure 64 is that system.

Clear-cutting and chemical spraying destroys our quality of life as well as the forest creatures lives. Destroying the last and most magnificent ancient forests in our country is akin to killing ourselves. The diversity of life in the old-growth forests is astounding and of boundless benefit to us. A single tree in the ancient forest may shelter as many as 1,500 invertebrates. These forests may hold the clue to an important scientific discovery because of the vast storehouse of genetic information that have evolved for millions of years. They also help regulate the earth's climate and protect watersheds.

A single acre of temperate forest gives off more than 6 tons of oxygen every year. Common sense tells us it's important to save these forests from destruction.

Time is of the essence. Don't expect the legislators to come up with a sustainable plan. There is too much pressure from the logging industry.

Sustainable forestry is profitable, and is the only way to ensure a future for us and for the forest products industry.

The time is now. Help save Oregon's beautiful forest and our quality of life! Beware of slick ads with misinformation against this measure! Listen to your heart and do what's right.

Vote YES on 64!

(This information furnished by Pam Driscoll, Green Party of Oregon.)

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Measure No. 64

ARGUMENT IN FAVOR

The word "PROFIT" has been replaced by the word "GREED". Big business keeps getting bigger and it's "GREEDY NEED FOR "MORE" is ever expanding. When will it end? Just when is enough? Is it necessary to destroy everything to make a buck?...forests, animals, birds, plant life, water ways, our health....just so some 'OUT OF FOCUS GREEDY GROUP' can keep expanding it's need for "MORE"? MORE MONEY, MORE POWER.....MORE, MORE, MORE.

And so, after it's all over and the "GREEDY ONES" die what can they take with them? (nothing) On the other hand when they die what will they leave? (something?) It apparently doesn't matter that they will leave a planet in very serious trouble. A planet that, with intelligent careful planning, could have supported the 'PROFIT' necessary for the needs of the ever expanding population...But it cannot support the "GREED".!!! Wake up.....Grow up.....Pull your act together! Look up the words "SHARE, CARE, ENOUGH, PATIENCE, RESPECT, HONOR, HONESTY (ESPECIALLY HONESTY) in the Dictionary.

Remember....."ONLY A MAD DOG WOULD FOUL IT'S OWN BED" And since we only have ONE planet to foul.....THEN WHAT?

(This information furnished by Doak Roberts, Oregonians for Labor Intensive Forest Economics.)

ARGUMENT IN FAVOR

CLEARCUTTING IS BAD FOR RECREATION AND TOURISM.

SUPPORT BALLOT MEASURE 64 FOR HEALTHY FORESTS AND A HEALTHY ECONOMY

Tourism employs more people than does the timber industry. **In 1996 travelers in Oregon spent over \$4.5 billion, a 36% increase since 1991.** Although Oregon ranks just 30th among the 50 states in state park acreage, Oregon ranks fifth nationally in day-use attendance at state parks. Also, the number of out-of-state visitors has increased 46% since 1991, and Oregon has the highest ratio of visitors per state park acre. **We don't need more clearcuts, we need more parks and recreation opportunities.**

It's been estimated that by the year 2000, hunting, fishing, and recreation will provide 32 times more revenue and 37 times more jobs in national forests than logging will. **Yet logging takes a larger share of federal expenditures!**

At the same time that unprecedented numbers of people want to experience wilderness, wilderness is shrinking. **Currently, in Oregon, less than 5% of our old growth forests are still standing, approximately half of what we had 10 years ago.** The devastation continues daily as logging companies are subsidized by taxpayer money to clearcut public lands.

Each year, the U.S. Forest Service loses hundreds of millions of dollars in its timber program. Not only are trees being sold below cost, but also the Forest Service typically reimburses timber companies for building logging roads. Let's stop these taxpayer subsidies for wealthy corporations.

According to a 1995 study by Voice of the Environment (VOTE), "More than **\$100 million** worth of public's trees are **stolen** every year. Yet despite repeated reprimands from Congress, the glare of negative press and an out cry from the environmental community, the Forest Service has failed miserably to reduce timber theft, according to several U.S. Forest Service employees."

THE COMBINATION OF TIMBER THEFT AND CLEARCUTTING IS NOT ONLY DESTROYING OREGON'S FORESTS, IT IS ALSO THREATENING VITAL INDUSTRIES--LIKE TOURISM, RECREATION AND FISHING--AT THE COST OF TAXPAYERS MONEY.

Measure 64 will insure the health of our forests, the prosperity of the industries dependent on our natural resources and a future with old growth forests for everyone to enjoy.

VOTE YES ON MEASURE 64!

(This information furnished by Trisha Dehen, Oregonians for Labor Intensive Forest Economics.)

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Measure No. 64

ARGUMENT IN OPPOSITION

Position of the Oregon Society of American Foresters Ballot Measure 64

The Oregon Society of American Foresters strongly opposes Measure 64. It is unneeded, excessive and, in large part, contrary to the interests of Oregonians.

The 1,200 Oregon Society of American Foresters members include the field foresters, researchers, administrators and educators who help manage the 29.5 million acres of public and private forests in Oregon. We work for federal, state or local governments; for universities; for small and large landowners; and for small business and large corporations. We hold a variety of professional viewpoints, but our opposition to Measure 64 is virtually unanimous.

We oppose Measure 64 because it:

- Prescribes only one management regime for all forests. The science of forestry requires a wide range of options for managing forests in order to meet the varied objectives of landowners, society's need for wood products, wildlife habitat requirements and a healthy environment.
- Takes away all incentive to invest in forestry. Sustainable forestry must be a forestry that is economically viable, ecologically feasible, and socially acceptable.
- Dramatically reduces the productivity of Oregon's forests, whether measured by timber output or species diversity and does not sustain forests in the long term.
- Restricts the natural resource professional's ability to manage for healthy and productive ecosystems. The single management regime proposed does not recognize that ecosystems are dynamic and varied, not homogenous.

The Oregon Society of American Foresters believes that active professional management of Oregon's forests can produce the forest products, fish, wildlife, clean water, and healthy environment that Oregonians desire. Measure 64 is an irresponsible and excessive proposal that moves Oregon away from, not toward, sustainable forestry practices.

For more information, contact us at <http://www.forestry.org> or at 4033 SW Canyon Road, Portland, OR 97221.

(This information furnished by Julie Stangell, Chair, Oregon Society of American Foresters.)

ARGUMENT IN OPPOSITION

My family has managed forestland in southern Oregon since the mid 1940s using selective cutting on a sustained-yield basis. These 48,000 acres in the Lakeview area have recently been audited by the leading international forest overview agency (Scientific Certification Systems) and are certified as a well-managed forest. Along with other serious flaws, ballot measure 64 doesn't have the flexibility for the wide variety of forestlands in the state and is incompatible with the independent audit process.

Clearcut doesn't mean what you think: The meaning of the word clearcut as defined in this measure is very different from the one commonly understood. Most people visualize a clearcut as an area of land mostly or entirely cleared of trees. According to subsection 6 of this measure, an acre of land west of the Cascades having 69 trees greater than 11 inches in diameter is considered a clearcut. East of the Cascades it's 59 trees greater than 10 inches in diameter. In practice, acreage with even more trees can fall into this category because of the basal (cross-sectional) area requirements. There are areas of forestland in Oregon where the soil and climate won't support the minimum density required by this measure, yet such land can still ecologically yield timber in smaller quantities.

Trained forester judgment is lost: The east- and west-side stocking levels, as defined in section 6, are arbitrary. The forest density supportable on an acre of land is dependent on soil type and quality, terrain, micro-climate, and tree specie mix. Only by understanding the specific characteristics of a location can a trained forester determine how best to manage it for biodiversity and timber production. It is senseless to lump all the land in the state into two categories because doing that ignores the variety and diversity of Oregon's many forests.

(continued)

(This information furnished by Truman Collins Jr., Collins Pine Company.)

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Measure No. 64

ARGUMENT IN OPPOSITION

Incentive to cut larger trees: Measure 64 bans cutting trees 30 inches or larger in diameter. It also disallows counting trees larger than 20 inches for their full basal area. This will result in an incentive to cut trees after they reach 20 inches but before they reach 30 even if it is to the benefit of both the ecosystem and the landowner to let them grow.

Punishes environmentally responsible landowners: This measure applies to privately owned land as well as public. It is unfair to outlaw the harvest of any tree over 30 inches because it penalizes those who have managed their land ecologically. Modern environmental forestry practice, particularly in pine forests, involves harvesting trees as they reach old age when they are often over this size limit. If this measure passes, ecologically motivated landowners will have that investment taken away from them and will be discouraged from letting trees age in the future.

Applicable areas not clearly defined: Although required tree density per acre is clearly spelled out, how the boundaries of an acre are determined is not. There are many ways to partition an irregular piece of land into acre-sized chunks. Since this measure provides for lawsuits against owners not following its requirements, it is important that they be able to determine if they are in compliance. Even if clarified, all the trees in an area would have to be measured before any could be cut, resulting in time-consuming, unnecessary work.

Labor and safety problems: Measure 64 suggests that its passage would effect an increase in skilled labor due to a reduction in automation. The reverse is likely true along with a marked decrease in safety. Before the availability of machinery, maiming injuries were relatively common among workers preparing logs for transport. While it may seem appealing to employ more people and use fewer machines, it would be more costly and more workers would be put at risk for injury.

(This information furnished by Truman Collins Jr., Collins Pine Company.)

ARGUMENT IN OPPOSITION

Measure 64 is bad for Oregon's forests. This measure is not designed to enhance the sustainability of Oregon's forest. This measure will not lead to healthy forest ecosystems. It will only take the care and nurturing of our forests from scientists and trained professional foresters and transfer it into the court system.

Forests are unique, no two are alike. Many have differences which can be quite apparent or quite subtle. Differences in soils, species mix, topography, and climatic conditions can have varying degrees of impact upon any forest. It takes trained, experienced professionals to scientifically analyze conditions within any forest to determine how it should be managed. Sustainable forestry is the goal, the methods used to achieve that goal must be based upon scientific analysis, not legislation. Arbitrary standards ignore the uniqueness and individual characteristics of a forest. The number of trees required for a sustainable forest on one acre may be decidedly different on another. Sound science should determine this, not legislation.

Measure 64 does not allow the flexibility to properly care for the forest. A case in point would be when a forest is attacked by a bug infestation. A landowner, attempting to stop bug damage by harvesting the affected trees (as a surgeon might perform surgery to remove a cancer to save a life) could end up with fewer trees than prescribed in Measure 64, thus violating the law and risking loss of the forest. Sound science should determine what the landowner does, not legislation.

Measure 64 is not good for the people nor the forests of Oregon. It will not insure proper forest management, it will only add more regulation. Keep the care of the forests the responsibility of properly trained resource professionals. Use science, not legislation to conserve Oregon's precious forest resource.

Vote NO on Measure 64

(This information furnished by Lee Fledderjohann, Forester; Ken Kendrick, Forester.)

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Measure No. 64

ARGUMENT IN OPPOSITION

OREGON WOMEN FOR AGRICULTURE

Oregon Women for Agriculture is an all-volunteer group of Oregonians dedicated to educating ourselves and the public about the value of farming and ranching to the economy and the environment.

We strongly oppose Measure 64, the Anti-Logging measure on the November 1998 ballot for the following reasons:

1. The measure is an attempt at micro-management that has no place in public policy or state law. Its forest management provisions and requirements do not constitute responsible stewardship of the land and forests.
2. The unsound forestry practices outlined in the measure would actually cause harm to our forests.
3. The measure's requirements clearly constitute a taking of private property with no compensation.
4. The measure, if approved, would devastate the Oregon timber industry, decrease school funding and cause serious damage to all other segments of the Oregon economy.
5. The measure, if approved, would further damage timber families by taking away their right to log timber from family-owned lands.

We believe, and history shows, that free markets and protection of private property rights are the best way to preserve our land and forests.

We believe that our land and forests are best managed by those who are trained in forest and land management and whose livelihoods depend on that management.

We urge voters to vote no on this radical, unworkable, expensive, and useless measure.

OREGON WOMEN FOR AGRICULTURE

Working together to communicate the story of today's agriculture.

P.O. Box 481 - Dayton Oregon 97114 - 503-243-FARM
(243-3276)

(This information furnished by Jo McIntyre, Oregon Women for Agriculture.)

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ARGUMENT IN OPPOSITION

The Former Deans Committee

We believe some provisions of Measure 64 raise serious issues under the Supremacy Clause of the United States Constitution. States are limited by the United States Constitution from enacting laws in conflict with Federal laws. This Measure pertains to forest practices and water quality standards on a state wide basis.

To the extent Measure 64 changes, limits, or attempts to supersede federal laws pertaining to the forest practices on Federal lands and water quality standards, the measure may not be enforceable under the United States Constitution.

Additionally, Measure 64 is broadly worded, and the precise application of the measure would have to await court action. Thus, we believe the application of this Measure would be unpredictable. If this Measure passed there would be substantial litigation concerning the constitutionality of the Measure.

We provide this information to help fellow voters in understanding this measure. Our comments are designed only to provide objective and careful constitutional analysis of the measure. Collectively we take no position on the other merits of this measure.

Prof. Leroy Tornquist (Chair), Former Dean Willamette College of Law

Rennard Strickland, Dean University of Oregon Law School

Prof. Robert Misner, Former Dean Willamette College of Law

Prof. Emeritus Chapin Clark, Former Dean University of Oregon Law School

Prof. Maury Holland, Former Dean University of Oregon Law School

Robert Ackerman, Dean Willamette College of Law

David Frohnmayer, Former Dean University of Oregon Law School

(This information furnished by Bob Cannon, Treasurer, The Former Deans Committee.)

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Measure No. 64

ARGUMENT IN OPPOSITION

The Oregon State Grange Asks You to Vote NO on Measure 64

The Oregon State Grange is the largest grassroots, rural-based fraternal organization in Oregon and has been active in protecting Oregon for 125 years.

Grange members have always advocated good stewardship of our natural resources. However, Grangers recognize that good stewardship includes the wise use of our renewable resources, such as our forests.

Measure 64 is Bad Management for Oregon's Forests

Every year, Oregon landowners spend millions of dollars in improving the health of their forest and woodlands. Habitat for wildlife is created and maintained, watersheds are protected, and our economy benefits. Measure 64 will end these benefits.

Oregon already has some of the strongest laws in the Nation on forest management practices. Measure 64 will remove many of the benefits of these existing laws.

Measure 64 is Poor Stewardship of Our Forests

Federal and State Forests will be affected by Measure 64, and so will all private forests and woodlands regardless of size. Oregonians have depended on our forests for recreation, building materials, and jobs.

Measure 64 will stop us from protecting our Oregon forests for our children. The future of Oregon requires common sense protection of our natural resources, not radical measures.

Measure 64 Will Hurt Oregon

Read Measure 64 and you will agree with the 24,000 plus members of the Oregon State Grange and **vote "NO" on Measure 64.**

(This information furnished by Edward L. Luttrell, Oregon State Grange.)

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ARGUMENT IN OPPOSITION

Measure 64 will take away the incentive to invest in sustainable forest management on private lands.

In 1921, David T. Mason opened one of the first Pacific Northwest forestry consulting firms. He became an early and vigorous proponent of sustainable forest management. At his urging, a number of far-sighted private timberland owners made long-term investments to ensure that Oregonians would enjoy the benefits of a second generation of productive forests.

Forest investments differ from other investments in that they typically take a very long time to mature. A decision to plant new trees, for example, means investing money today that will not be repaid for fifty years. Long-term forestry investments on private property only make sense if the landowner has some certainty that the timber will be available for harvest when it matures. By limiting future timber management opportunities, Measure 64 removes that certainty, and private timberland owners will have no incentive to make the investments needed to support sustainable forest management.

In short, Measure 64 would take away the economic certainty, the management flexibility and the financial incentives required to practice sustainable forest management.

Seventy-seven years after David T. Mason first began practicing forestry, we at Mason, Bruce & Girard, Inc. remain proud advocates of sustainable, scientific forest management. We will vote NO on Measure 64, and urge you to do the same.

(This information furnished by Glenn A. Zane, Mark L. Rasmussen, David R. Cox, Kenneth M. Vroman, Bradford R. Seaberg; Mason, Bruce & Girard, Inc.)

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Measure No. 64

ARGUMENT IN OPPOSITION

VOTE NO ON MEASURE 64

Measure 64 is an attempt by radical extremists to destroy the wood products industry of Oregon. Measure 64 means more lost jobs and poor forest health. Here's why:

Measure 64 is more than a ban on clearcutting. It's a ban on almost all timber harvesting in Oregon

- No tree over 30 inches in diameter could be cut, even if it's dead.
- On average, no tree could be cut if it is further than 25 feet from another tree.

Measure 64 will keep private property owners from logging even one acre

- The ban applies equally to both public and private lands regardless of how small the acreage.
- The ban will cost Oregon's private landowners \$1.93 billion a year in lost income and property value.

Measure 64 will cripple Oregon's economy

- Timber harvests in Oregon will drop more than 60 percent.
- At least 28,000 Oregonians will lose their jobs.
- The cost to Oregon's economy will exceed \$1.6 billion a year.

Measure 64 bans the use of pesticides for any reason

- Oregonians will not be able to use pesticides in their forests even if there is a major epidemic of disease or insects - no exceptions.
- Wild fires will increase with more dead and dying trees to feed on.

Measure 64 will rob landowners of their private property rights

- All rivers and streams within forests, even streams that only run a few months out of the year, will be open to the public regardless of their location on private property.

Measure 64 will encourage endless lawsuits against private landowners

- Everyone is encouraged to sue private landowners for any reason because they will be immune from paying attorney fees or damages if they lose.
- Private landowners have no similar protection and will have to pay attorney fees and damages if a lawsuit is successful.

Measure 64 is bad for Oregon's citizens and bad for Oregon's environment

(This information furnished by Brad J. Harper, State Coordinator & Legal Counsel, Oregon Lands Coalition.)

ARGUMENT IN OPPOSITION

Ed Schroeder
Oregon State Forester, retired
Chief Forester, Tillamook Burn
Rehabilitation Project

I've devoted my life to improving Oregon's forestlands and I'm proud of the role I played as State Forester overseeing the restoration of the Tillamook Burn, Oregon's most catastrophic wildfire. We mobilized an entire generation of young Oregonians to embrace the forests. We all can be proud of our accomplishment.

That's why I'm urging you to join me in voting NO on Measure 64.

Measure 64 poses a serious threat to the health of Oregon's forests and our economy. Harvest reductions caused by **the measure would cost 28,000 Oregonians their timber industry jobs** - nearly half of all those employed in the industry today. It is poor forest management that would undo all the good things the people of Oregon have done over the years.

One reason I am gravely concerned about Measure 64 is its ban on cutting any tree in the state that is over 30 inches in diameter, **even if it is diseased or dead.** It would impose a single statewide forestry formula, ignoring Oregon's tremendous diversity of sites, soils and conditions.

Measure 64 would take forest practices out of the hands of scientists, professional foresters and wildlife biologists and put them in the hands of bureaucrats and the courts.

In the name of banning clear cutting, Measure 64 actually bans much more.

It would ban the use of pesticides - even in cases of major forest epidemics or insect attacks. Tragically, it would allow forests to be devoured by insects that eat and kill trees, or destroyed by diseases that can be controlled. Moreover, banning the harvest of dead trees and brush-clearing pesticides would increase the size and intensity of wildfires.

The Tillamook Burn taught an earlier generation the price Oregon pays for poor forest management that increases fire danger.

Measure 64 is a virtual ban on all timber harvesting. More than 28,000 forest industry workers - men and women who have devoted their lives to nurturing and protecting Oregon's forest - would lose their jobs. Families who carefully have managed their forest lands for generations would suddenly be left with nothing.

That's not good for our forest lands and certainly not good for our state. **For the sake of Oregon's forests, I urge you to vote NO on Measure 64.**

(This information furnished by Ed Schroeder.)

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Measure No. 64

ARGUMENT IN OPPOSITION

The Oregon Small Woodlands Association is a non-profit organization with thousands of private landowner members who own and manage small tracts of forestland in Oregon. We strongly urge a NO vote on Measure 64.

According to the Oregon State University Extension Service, **43% of private forestland in Oregon is owned not by the big timber corporations, but instead by 166,000 individual private family woodland owners.**

Measure 64 is simply too extreme. It's not just a ban on clearcutting. It's actually a **ban on almost all timber harvesting** in Oregon. Measure 64 will destroy the life-long investments and savings of thousands of small private woodland owners in Oregon.

After years of investing in their property—working hard to plant trees, enhance wildlife habitat and protect water quality, **Measure 64 would make it impossible for family woodland owners to manage their own private property**—wiping out decades of personal sacrifice and hard work.

Measure 64 would allow outsiders to dictate what Oregon landowners can and cannot do on their own private property.

Measure 64 invites and encourages any person in the United States to file lawsuits against private family forestland owners. It makes it easy for those who sue to collect. But even if an Oregon small private woodland owner wins in court, that family likely would not be reimbursed even for their defense costs. **That's wrong! That's unfair.**

While we believe initial assessments are far too low—state officials estimate **harvests in Oregon will be reduced by a massive 60% to 65%.** That's too extreme. The measure 64 bullet shot at the timber industry by extreme preservationists will mortally wound tens of thousands of Oregon small woodland owner families.

The Oregon Small Woodlands Association urges you to vote

NO on Ballot Measure 64.

John Rounds, President
Oregon Small Woodlands Association

(This information furnished by John Rounds, President, Oregon Small Woodlands Association.)

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ARGUMENT IN OPPOSITION

Irv Fletcher
Oregon AFL/CIO

As representatives of Oregon's working men and women, the Oregon AFL/CIO strongly encourages you to vote NO on Measure 64.

Measure 64 is an extreme initiative that would hurt our economy and threaten the health of Oregon forests. It would hurt the working families of this state by taking away tens of thousands of jobs.

Measure 64 actually is a ban on almost all timber harvesting in Oregon, not just clearcutting.

Under the measure, state officials estimate harvests in western Oregon would be cut by 60 percent. In eastern Oregon, harvest would drop by 65 percent.

These harvest reductions would cost more than 28,000 Oregonians their forest industry jobs.

As a result of Measure 64, the economic struggles rural Oregon has been enduring for much of the past decade would get even worse. Since 1980, 213 sawmills and panel plants in Oregon have been closed permanently. If Measure 64 passes, even more would close.

The men and women who have devoted their lives to protecting and nurturing Oregon's forests would be left jobless.

But the consequences of Measure 64 would be felt in every community. Experts estimate the measure would cost Oregon's economy \$1.6 billion dollars per year in lost payroll alone. That's money that will no longer be circulated at grocery stores, shopping centers or gas stations. Some families would miss their mortgage payments and risk losing their homes.

Unfortunately, the economic devastation caused by Measure 64 also would force many of Oregon's working families to pack up and move somewhere else in hopes of putting their lives back together.

Measure 64 takes forestry practices out of the hands of scientists, professional foresters and wildlife biologists and puts them in the hands of bureaucrats. Under the measure, pesticides could not ever be used in Oregon forests, even in times of a major insect epidemic. This would threaten the health of Oregon forestlands.

The consequences of Measure 64 are extreme. It would ruin the lives of tens of thousands of working men and women and hurt the state's economy. Vote NO on Measure 64.

(This information furnished by Irvin H. Fletcher, President, Oregon AFL-CIO.)

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Measure No. 64

ARGUMENT IN OPPOSITION

Measure 64 directly attacks Oregon's economy, school funding and the livelihood of thousands of men and women.

The proponents of this ill-conceived measure obviously have no idea or care about forest science. They apparently don't care that Measure 64 would have a terrible impact on the health of Oregon's forests and would reduce funding for education by \$42 million a year.

Measure 64 basically is a ban on almost all timber harvesting in Oregon, not just clearcutting. It virtually would put the entire forest industry out of business. A state analysis determined that harvests in western Oregon would be reduced by 60 percent. Harvests in eastern Oregon would be cut by 65 percent ... and that's just a beginning.

Those harvest reductions caused by Measure 64 would cause more than 28,000 Oregonians to lose their forest industry jobs. This measure impacts all of Oregon, particularly rural Oregon.

The statistics are staggering. Measure 64 would cost Oregon's economy \$1.6 billion per year in lost income. State officials estimate state and local governments -- including schools -- would lose \$74 million per year in tax revenue. That doesn't include the income taxes that would be lost.

The ripple effect of this measure also will negatively affect the broad business community and all who are employed therein. Under the measure, an additional 31,000 Oregon jobs outside the forest industry would be lost. For example: banking, insurance, auto sales, retailing, communications, and manufacturers, all would be hit hard by Measure 64.

This measure richly deserves a strong **NO on 64** vote from all voters throughout the state.

Submitted by:

Richard M. Butrick
President
Associated Oregon Industries

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

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ARGUMENT IN OPPOSITION

**John Rossner – Farmer and President
Oregon Farm Bureau**

More than 100,000 families in Oregon own forest lands and Measure 64 could change their lives.

Please vote NO on Measure 64.

Measure 64 takes away from private landowners their rights to cut and sell trees they have been growing on their land for decades.

The measure would prohibit these families from ever harvesting most of their timber which would cost them **\$1.93 billion a year and cost Oregon's economy \$1.6 billion a year in lost personal income.** Taking personal property without compensation is wrong.

They have worked hard to tend their forests and keep them healthy. For many families the forests are their life blood. For others, they are savings for college or retirement.

Measure 64 ignores the good forest practices already in place. We are already protecting Oregon's forests with stringent laws through Oregon's Forest Practices Act. Banning responsible forest practices risks harming the health and productivity of our forests.

Oregon forests would be in danger if Measure 64 passed. It takes forestry practices out of the hands of scientists, professional foresters and wildlife biologists and puts them in the hands of bureaucrats and the courts.

Pesticide use would be completely banned even in the case of a major infestation in which bugs are killing the forests.

Banning pesticides would increase the risk of wild fires. Dead and diseased trees couldn't be harvested and slash from harvests couldn't be burned on site. These factors increase the danger of forest fires by increasing fuel loading. In addition, the dramatic reduction in timber harvest revenues sharply reduces funding that landowners pay for fighting forest fires.

As if the loss of control of their land wasn't enough, Measure 64 actually encourages activists to file enforcement suits. Anyone, anywhere in the United States could bring a suit against a private land owner to enforce the measure and would not have to pay attorney fees -- even if he or she loses. **It's unfair and it's lopsided.**

Measure 64 is unnecessary and has no benefit for Oregon.

Vote NO on Measure 64.

(This information furnished by John Rossner, President, Oregon Farm Bureau.)

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Measure No. 64

ARGUMENT IN OPPOSITION

Neil Goldschmidt
Former Governor

As governor I worked to restore Oregon's fisheries and to keep Oregon's forest lands healthy. Creation of the watershed enhancement program, support for the volunteer led Salmon Trout Enhancement Program, passage of a new State Forestry Act mandating improved logging practices near streams and rivers were all things I was proud to have a part in.

I was just as proud of our effort, by overwhelming statewide ballot, to stop exporting logs from state owned lands to foreign countries.

There remains much to be done and current efforts by our Governor, legislature, public and private land owners will bring enormous resources to bear on opportunities to restore our fisheries.

Measure 64 masquerades as a supporter of that effort. But it is not.

Measure 64 would force harvest reductions of 60% in western Oregon.

Measure 64 would force harvest reductions of 65% east of the Cascades

Measure 64 would mostly take control of the private land of more than 100,000 citizens.

Measure 64 would cost 28,000 of our fellow citizens their jobs.

Measure 64 would cost Oregon's treasury over \$200 million annually - funds needed for our local schools.

After these extreme invasive measures on state and private land, which ignore the existing restrictions on logging and requirements for re-forestation, and ignore the best environmental forestry research in the world, what does Measure 64 guarantee about the quality of our forests or the restoration of our fisheries?

Nothing. To the contrary, it would reduce forest diversity and sustainability of Oregon forests.

There is a better way for Oregonians - a way that doesn't put our neighbors out of work, doesn't destroy natural resource values or harm our ability to support our schools. Let's continue working with our scientists, foresters, and grass roots community leadership - with one another - to build our watersheds & fisheries back to health. It's the Oregon way.

Vote No on Measure 64 - its bad news for Oregon.

(This information furnished by Governor Neil Goldschmidt.)

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ARGUMENT IN OPPOSITION

Governor Vic Atiyeh

I am concerned about the impact Measure 64 would have on our state. **I urge you to vote NO.**

Measure 64 has serious economic consequences for Oregon. State officials estimate Measure 64 would force harvest reductions of 60 percent in western Oregon and 65 percent east of the Cascades.

The dramatic drop in harvests would cause more the 28,000 Oregonians who work in the forest products industry to lose their jobs. In addition, more than 100,000 families would lose control of the land they worked so hard to tend.

The measure would cost Oregon's economy:

- **\$1.6 billion a year** in personal income
- **\$127 million a year** in Oregon income taxes
- **\$74 million a year** in Oregon harvest taxes which includes **\$42 million** for schools

Measure 64 is portrayed as a ban on clearcutting by its proponents and the media. That seriously oversimplifies the scope and complexity of the measure and seriously understates its impact.

The measure goes far beyond merely prohibiting clearcutting. **Measure 64 is actually a ban on almost all timber harvesting**, including thinnings and salvage harvesting.

Additionally, **Measure 64 ignores what already is being done, including existing regulatory and voluntary protection.**

Oregon timber land is subject to state forest practices laws, regulations and monitoring. Already, forest land owners participate in Oregon's Coastal Salmon Restoration Initiative. Several land owners have developed Habitat Conservation Plans approved by federal agencies as a long-term commitment to protect and develop habitat for a wide variety of species.

There is no reason to believe Measure 64 would benefit forests, forest workers or our state, as purported by its proponents. To the contrary, it would certainly be harmful because its restrictions would reduce forest diversity, timber supplies and the sustainability of Oregon's valuable forest resources in the long run.

As governor, I worked hard to keep Oregon's economy and forest lands healthy. Measure 64 would hurt Oregon. **Vote NO on Measure 64.**

(This information furnished by Governor Vic Atiyeh.)

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Measure No. 64

ARGUMENT IN OPPOSITION

We need experienced foresters managing and guiding Oregon's forests. Measure 64 will NOT do the job. That's why I am opposed and asking you to review this bill carefully and then vote no.

Protection for rivers and streams, wildlife habitat and scenic buffers of trees along our highways has already been enacted into law by previous legislation.

Measure 64 goes too far. It reduces timber harvests in Oregon and would be a real hardship on desperately needed revenues for schools. Oregon schools would lose \$42 million in direct revenue including losses to the Common School Fund.

Measure 64 goes far beyond dealing with clearcutting. It would also ban many of the responsible practices that have helped make Oregon forests among the healthiest and most productive in the world.

Furthermore, this measure absolutely prohibits the cutting of any tree over 30 inches in diameter on any acre of land in Oregon, even those trees that are diseased.

I do not like the leeway measure in Measure 64 which permits any person living anywhere in the United States to file lawsuits in Oregon courts against a timber land owner without the risk of paying attorney fees.

Measure 64 ignores the wisdom accrued through many years of experience managing forestlands. It would ban the use of some tools used to benefit the growth of trees.

I'm really concerned about the damage Measure 64 would do. Please vote NO.

Bob Straub
Former Oregon State Governor

(This information furnished by Bob Straub, Former Governor, Oregon.)

ARGUMENT IN OPPOSITION

**Woodworkers District Lodge 1
International Association of Machinists
and Aerospace Workers**

As representatives of Woodworkers District Lodge 1, International Association of Machinists and Aerospace Workers who have devoted their lives to protecting and nurturing Oregon's forests, we are asking you to **vote NO on Measure 64.**

Measure 64 would cost more than 28,000 Oregonians their forest industry jobs. The measure would have its greatest negative impact on rural Oregon.

We know all too well how much it hurts Oregon's timber-dependent communities when an extreme initiative like Measure 64 is enacted. Since 1980, 213 sawmills and panel plants in Oregon have been closed permanently. Measure 64 would be the nail in the coffin for many of these communities.

More mills and plants would close. 28,000 men and women would lose their jobs. Thousands of Oregon families would be left to wonder how they would put their lives back together.

Oregon's timber-dependent communities would not be the only areas of the state to feel the pain inflicted by Measure 64. **Every Oregon community would feel it.** An examination of the economic impact of the measure revealed Oregon's economy would lose \$1.6 billion dollars per year in lost payroll alone.

Measure 64 actually is a ban on almost all timber harvesting in Oregon, not just clearcutting.

State officials estimate harvests in western Oregon would be cut by 60 percent. In eastern Oregon, harvests would drop by 65 percent. And those estimates are low.

Measure 64 also would threaten the health of Oregon's forestlands. Under the measure, **pesticides could not ever be used in Oregon forests**, even in times of a major insect epidemic or emergency. It may sound impossible, but it's true. Measure 64 would make it illegal to fight back an insect epidemic with pesticides.

Measure 64 is an extreme initiative that would hurt our economy and threaten the health of Oregon forests. It would hurt the working families of this state by taking away tens of thousands of jobs.

Vote NO on Measure 64.

Chuck Macrae, President
Woodworkers District Lodge 1, IAM and AW

(This information furnished by Chuck Macrae, Woodworkers District Lodge 1, IAM and AW.)

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Measure No. 64

ARGUMENT IN OPPOSITION

How you vote on Measure 64 will dictate whether tens of thousands of Oregon workers will keep their jobs and the state's forests will remain healthy and vibrant, or almost all timber harvesting in Oregon will be banned forever.

Presented as a ban on clearcutting, Measure 64 actually bans much more. It's an extreme plan that would prohibit many of the responsible forest practices that protect and nurture the health and productivity of the forests.

Measure 64's definition of a clearcut is so broad that almost all timber harvesting in Oregon, not just clearcutting, would be banned. State officials estimate harvests in Western Oregon will be reduced by 60 percent. In eastern Oregon, harvests would drop by 65 percent. And those estimates are conservative.

Harvest reductions caused by Measure 64 would have a devastating impact on Oregon's economy and working families. It would cost more than 28,000 Oregonians their forest industry jobs -- about half of those employed in the industry today. All told, Measure 64 would cost Oregon's economy \$1.6 billion per year in lost personal income.

The greatest negative economic impact would hit rural Oregon. Our rural communities would have to absorb the economic and emotional strain experienced by tens of thousand out-of-work families.

Additionally, Measure 64 would also threaten the health of Oregon forests by banning the responsible use of pesticides and prohibiting the harvest of any tree over 30 inches in diameter on any single acre of land, even if it's diseased or dead. As a result, insect epidemics would go unchecked and forest fires would increase in both size and intensity.

That's right, Measure 64 would dictate what private landowners can do and not do on their own property. It lets government bureaucrats come in and take away from private landowners the right to cut and sell trees they have been growing on their land for decades.

Take a careful look at Measure 64 -- and join us by voting NO and encouraging others to do the same.

Tim Wigley
President, Oregon Forest Industries Council

(This information furnished by Tim Wigley, Oregon Forest Industries Council.)

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ARGUMENT IN OPPOSITION

Terry Witt and Paulette Pyle,
Oregonians for Food and Shelter

Oregon forests are among the healthiest and most productive in the world thanks in part to the responsible use of pesticides. This is a technology we proudly play a role in and have knowledge about. Measure 64 bans all pesticide use on all forestland in Oregon.

"Pesticide" is an umbrella term covering any product used to control insects, vegetation, diseases, rodents or other pests. It even includes disinfectants and mosquito repellents. Banning use of these important tools will have serious consequences for all Oregonians, not just foresters.

Anyone who has traveled across Santiam Pass has seen how devastating an insect attack like the spruce budworm or pine beetle can be. Imagine what Oregon would look like if pesticides could no longer be used to control insect epidemics, tree diseases or invasive and poisonous weeds? Measure 64 takes these safeguards away from forestland managers, both public and private.

While many benefits will be lost if forest pesticides are banned, two that directly affect human lives should be mentioned. First, dead or dying trees from insects and disease create a heavy fuel load in forests. This promotes massive fires resulting in loss of property and lives. Second, utility rights-of-ways, like telephone and electric lines, depend on herbicides to maintain service access through forestlands. Lose these lifelines and again we lose lives.

Insects don't know the difference between forests, farms and your backyard. To them they're all food. With more than half of Oregon's land classified as forests, banning insecticide use will also provide safe harbor for pests like the Japanese beetle or Asian gypsy moth. These insects can plague a state, attacking private property from forests, to crops in rural agriculture, to roses and grass in residential areas.

A ban on pesticides doesn't make economic, environmental or common sense. **We urge you to vote no on Measure 64 -- it's senseless and extreme.**

(This information furnished by Terry Witt, Paulette Pyle; Oregonians for Food and Shelter.)

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Measure No. 64

ARGUMENT IN OPPOSITION

OREGON'S FAMILY-OWNED FOREST BUSINESSES URGE OREGONIANS TO VOTE NO ON BALLOT MEASURE 64!

The measure actually is a ban on almost all timber harvesting in Oregon, not just clearcutting; even on all private forest land.

State officials estimate harvests in western Oregon will initially be cut by 60 percent. In eastern Oregon, harvests will drop by 65 percent. And those estimates are conservative. Eventually, timber harvest in Oregon would approach zero.

Unnecessary: Oregon's industry operates under strict regulations. The Forest Practices Act limits the size of clearcuts and requires that trees be left to protect rivers and streams, supply wildlife habitat and provide buffers for highways. The Act also requires that the remaining harvested area is quickly reforested with at least 200 young trees per acre. **Oregon's forests are well-protected.**

Extreme: Measure 64 would define prime forests as clearcuts that couldn't ever be harvested. It also would:

- Cost more than 28,000 Oregonians their forest industry jobs;
- Ban forever the use of forest pesticides, even in the event of insect epidemics or emergencies;
- Absolutely prohibit the harvest of any tree over 30" in diameter on any acre of forest land in Oregon, even if it's diseased or dead;
- Allow any person in the United States to bring a lawsuit to enforce any provision of Measure 64 and generally not be liable for attorney fees; and
- Prohibit the type of clearing harvests that provide habitat for a healthy deer and elk population.

Vote "NO" to keep Oregon's forests healthy, productive and sustainable!

This statement has been endorsed by these family-owned Oregon forest businesses:

Bond Starker, Starker Forests, Inc. Corvallis
 Larry and Nat Giustina, Giustina Land & Timber, Eugene
 Dan Giustina, Giustina Resources, Eugene
 Howard Sohn, Lone Rock Timber Co., Roseburg
 Aaron and Marie Jones, Seneca Jones Timber, Eugene
 Paul Cole, Rosboro Lumber, Springfield
 Gordon Culbertson, Rosboro Lumber Springfield
 Dan Dutton, Stimson Lumber Forest Grove/Portland
 John Shelk, Ochoco Lumber Company, Prineville
 Steve Swanson, Swanson Superior, Glendale/Noti
 J.H. Gonyea II, Timber Products, Springfield
 Joe Gonyea III, Timber Products, Springfield
 Phil and Don-Lee Davidson, Davidson Ind., Mapleton
 Lew Krauss, Rough & Ready Lumber Co., Cave Junction
 Lynn Herbert, Herbert Lumber, Riddle
 Donna Wooley, Eagle's View Management Co., Eugene

(This information furnished by B. Bond Starker, Starker Forests, Inc.)

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ARGUMENT IN OPPOSITION

You've never clear-cut anything. No one in your family works in the timber industry and you can go for months without seeing a 2 by 4. You don't know a Douglas Fir from a Japanese Maple, and don't really care. So why should you vote against Measure 64?

BECAUSE YOU DON'T HAVE TO WORK IN THE WOODS TO BE HURT BY MEASURE 64.

The measure absolutely prohibits cutting any tree over 30 inches in diameter on any single acre of land in Oregon, even if it's diseased or dead. Any tree, including that one that keeps threatening to blow down onto your garage. Or the one that is standing right where your new bedroom or deck would go. Or the one next to the road that the county needs to remove to put in a sidewalk.

Measure 64 actually is a ban on almost all timber harvesting in Oregon, not just clearcutting. State officials estimate harvests in western Oregon will be cut by 60 percent. In eastern Oregon, harvests will drop by 65 percent. And those estimates are conservative. If Measure 64 passes, Oregon will have to import most of its wood products from another country because we could no longer harvest and replant Oregon forests.

Importing lumber would cost you more money. It would cost more when you remodel your house, rents would be higher for the apartment your son or daughter will be moving into, and costs for construction of houses, schools, stores and offices will increase.

The measure requires that 70 11-inch diameter trees be left on every single acre (60 10-inch trees in eastern Oregon). In other words, before the highway department could widen a road, they'd have to figure out how to leave the necessary number of trees. The power company wouldn't be able to run its lines through the forests unless it could leave the minimum number of trees untouched.

And forget about any more farmland being created. Measure 64 essentially would prohibit taking the trees off so that crops could be planted.

The measure encourages the use of farmland for development. Active farms are about the only land in Oregon without trees. If Measure 64 passes, those active farms will be the first place to consider for new development, since there is no realistic way to clear land for housing while leaving 70 11-inch diameter trees on every acre (60 10-inch trees in eastern Oregon).

In a war, it's called collateral damage when innocent non-combatants are killed or wounded. Measure 64 will cause collateral damage in every part of Oregon.

Vote NO on Measure 64.

(This information furnished by Jon Chandler, Oregon Building Industry Association.)

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Measure No. 64

ARGUMENT IN OPPOSITION

The Oregon Chapter of the Association of Consulting Foresters of America urges you to vote "NO" on Measure 64. The Association is a national organization dedicated to promoting high professional and ethical standards in the management of forest lands. We find Measure 64 to be contrary to the prudent practice of forestry for the following reasons:

Measure 64 actually is a ban on almost all timber harvest methods, not just clearcutting. The measure's definition of clearcutting is so broad that methods such as shelterwood, group selection, sanitation salvage, and in many cases, thinning would be prohibited. These techniques all allow sunlight to reach the forest floor so that tree species with high light requirements, such as Douglas-fir and ponderosa pine, can reproduce. In addition, they often are used to slow insect and disease infestations. The ban will result in a severe decline in the health and productivity of Oregon's forests.

Measure 64 bans sound forest management practices that maintain forest health and productivity. Under this measure, for example, proven, safe chemical pesticides could not be used in Oregon's forests, even in an emergency. Farmers and homeowners use these tools to control damaging pests. However, Measure 64 would ban their use on forest lands to control outbreaks of harmful insects or to control weeds that compete with tree seedlings.

Measure 64 will stifle investment in forestry. The inability to use techniques that allow for growth of new trees and that control harmful insects and diseases will reduce incentive to invest in forestry. About 37 percent of Oregon's forest lands are privately owned. Of the private land, about one third is managed by small, non-industrial landowners. Without the prospect of adequate future returns, private owners will be unable to fund practices that protect and renew the forest.

As professional foresters, our goal is to safeguard the long-term productivity of Oregon's forests. Measure 64 will do just the opposite.

(This information furnished by Jerry Witter, Oregon Chapter, Association of Consulting Foresters of America, Inc.)

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ARGUMENT IN OPPOSITION

**Doug Caffall, President and CEO, Caffall Brothers Forest Products
President, Pacific Rim Trade Association
Rolf Glerum, Executive Director, Pacific Rim Trade Association**

Pacific Rim Trade Association is a Portland-based organization whose members are engaged in the export of forest products and agricultural commodities to the Pacific Rim. Our membership includes large and small timber companies, tree farmers, stevedoring and towboat operations, shipping companies, labor unions and other entities related to this vital segment of Oregon's economy.

So what is a trade association doing speaking out in opposition to Ballot Measure 64?

Oregonians are fair-minded people. We have a well-deserved reputation nationwide for our practical, middle-of-the-road approach to business and politics, healthcare and education, the environment and the workplace, and most other activities that involve our people.

Any reasonable person would have to agree that Ballot Measure 64 is simply not fair.

We'll leave it up to others more closely aligned with the timber industry to argue the more technical aspects of this measure. We would like, instead, to focus on two extremely important, but easily overlooked, provisions of Ballot Measure 64, and show how grossly unfair these provisions are.

1. **Private landowners would lose the right to manage their property for the greatest good.** No tree farmer in his right mind would intentionally injure, abuse or neglect the trees he harvests to make a living. The healthier they are when they are cut, the higher price they will command, and the more likely it will be that the farmer will replant and reinvest for the future. Measure 64 would dictate almost completely how a privately owned forest is to be managed. **This is simply not fair.**
2. **Oregon tree farmers can be sued by any other person in the U.S. to enforce this measure,** and not have to risk paying attorney fees -- even if he or she loses...but those sued can't recover the costs of defending themselves -- even when they win the case. **This is simply not fair.**

PLEASE JOIN US AND OTHER FAIR-MINDED OREGONIANS IN VOTING NO ON BALLOT MEASURE 64.

Pacific Rim Trade Association
526 NW Marlborough
Portland, OR 97210
(503) 241-4259
Rolf Glerum, Ex. Dir.

(This information furnished by Doug Caffall, President, Rolf Glerum, Executive Director; Pacific Rim Trade Association.)

(This space purchased for \$300 in accordance with ORS 251.255.)

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Measure No. 64

ARGUMENT IN OPPOSITION

Measure 64 is an initiative that prohibits most forest practices and goes well beyond banning clear-cutting. Its severe restrictions on the number of trees harvested, ban on removing trees over 30", and lawsuit provision are bad for the environment and bad for Oregon's economy. On private lands in Oregon, about 8 billion board feet are over 30". Trees in this category are valued at \$4 billion dollars, an appalling loss for private timber owners. Under 64, only 16% of the total non-federal timberland in eastern Oregon would be available for harvest. In western Oregon, about 24% would be available. Its passage will further reduce state and local government revenue, costing them a loss of \$75 million/year, when county offices are already burdened with reduced staffs and shortened hours. Measure 64 goes far beyond banning what one normally thinks of as a clear-cut. By its definition, a clear-cut is any harvest in eastern Oregon that leaves fewer than 60 trees that measure 10" on any acre. In some eastern Oregon sites, timbered stands in this condition would actually be overstocked. It bans the use of all pesticides. No matter how dreadful the insect infestation, no use of pesticides would be allowed. Under Measure 64, anyone, living anywhere, could sue a timberland owner and risk nothing. Even if the claimant loses, he/she will not have to pay attorney or court fees. The landowner risks everything and cannot recover the cost of defending themselves, even if they win the case.

Not many people like the look of a recent clear-cut, but Measure 64 goes far beyond banning them. The size of clear-cuts is already regulated by the Oregon Forest Practices Act, and replanting is required within two years. Measure 64 will harm the health of our forests and valued resources such as fish, wildlife habitat, and water quality. Thousands of Oregonians will lose their jobs if this measure passes, resulting in even higher unemployment in rural areas. Vote No on 64.

PAID FOR BY WALLOWA COUNTY CHAMBER OF COMMERCE
PO BOX 427
ENTERPRISE, OR 97828

(This information furnished by Eve Sheehy, Wallowa County Chamber of Commerce.)

ARGUMENT IN OPPOSITION

"In the first place, then, men should guard against the beginning of change, and in the second place they should not rely upon the political devices invented only to deceive the people, for they are proved by experience to be useless."

Aristotle, *POLITICS*, circa 320 b.c.

It has long been my observation that the best silviculture mimics nature as closely as possible. Thousands of acres of planted forests are indistinguishable in appearance, structure and composition from natural forest.

For the past decade in Western Oregon, we have been using what are called new forestry techniques. In a typical clearcut plenty of defective trees, snags and rotting logs remain for wildlife habitat.

One of the most objectionable results of a ban on clearcutting would be the adverse effects it would have on wildlife habitat. According to the requirements of this deceptive proposal, which is actually an attempt to stop all logging, only a small percentage of a stand would be eligible for harvest.

In fact, on a typical second growth stand, a forester would probably be able to make only one entry. On some stands no entry would be permitted, perhaps forever.

On those stands that could be entered, forest managers would have to partially cut 10 times the area of a single clearcut to get the same volume of timber. The first trees cut would be the defective trees, snags, windfalls and the suppressed trees. In effect, managers would be forced to remove all the best wildlife habitat, only from a much larger area.

Whereas on a clearcut, the best wildlife habitat is retained as an essential part of the composition of the new forest.

Robert Mahaffy
1987 Oregon Tree Farmer of the Year

(This information furnished by Robert Mahaffy.)

(This space purchased for \$300 in accordance with ORS 251.255.)

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Measure No. 64

ARGUMENT IN OPPOSITION

Vote "No" on Measure 64

Oregon has the strongest Forest Practice Act of any place in the World! To commercially cut even one tree. . . you must get a permit from the State Forester. . . you will need that permit number when you sell that tree. . . you are required to do everything according to regulations. One of the strongest rules is, "it must be replanted" within two years. The State Forester monitors and enforces these rules. The slanderous charges about "cut and run" have not been true for many years now.

Douglas fir is the finest framing lumber in the world. It is the most desirable and brings a higher price than most other wood. Oregon is the best place in the world to grow Douglas fir. Douglas fir will not grow in the shade of other trees. Clear cutting is a vital tool in managing Douglas fir. We can grow a good merchantable crop of Douglas fir in 40 to 70 years, depending on the site. This is a very short time in the history of the world. Very much of our timber growing land is not suited for anything else.

The very base core of our economy starts with the "land" and what the "land" produces. . . agriculture, farming, cattle, mining, and timber. As valuable as "tees" are, it is the "land" that is forever. How we "manage" that land to "produce" is vital to our economy. The federal government owns or controls over 50% of Oregon land. The State of Oregon owns another 5% of Oregon. That means that less than 40% of Oregon is private property. With the Federal lands "producing" very little toward our economy, and the State lands cutting way back on their support of our economy, we are relying far more on private property. . . or if you will. . . 40% of our land to provide revenue enough to run Oregon! This measure will be a death blow to private land owners who are managing timber growth.

Now. . . I am 71 years old. . . and no matter what you do, I earned enough from managing timber to live on until I die. But you young people out there. . . this is your future. How are you going to make a living? You are the ones who should be hostile! Get out there and vote!

Dan Kirkpatrick
4880 Shinglehouse Road
Coos Bay, Oregon 97420

(This information furnished by Dan Kirkpatrick.)

(This space purchased for \$300 in accordance with ORS 251.255.)

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ARGUMENT IN OPPOSITION

VOTE NO ON MEASURE 64

Measure 64 is wrong for Oregon. Claiming to restrict clearcutting and the use of herbicides and pesticides on forestlands, Measure 64 is really about taking away landowner rights and stopping timber harvesting on private lands. Measure 64:

- Prohibits the cutting of any tree over 30 inches and prohibits harvesting under a defined level of stocking. This means that 60% or more of the timber that could now be harvested in Oregon would no longer be harvestable.
- Prohibits the use of pesticides and herbicides on forestlands in Oregon. Currently, herbicides and pesticides are used sparingly as a management tool. In Western Oregon, herbicides are used for brush abatement. In Eastern Oregon, herbicides are used to fight invasion of noxious weeds into forestland. Eliminating the use of herbicides and pesticides prohibits landowners from effectively managing their timber.
- Deems all waters where timber harvest occurs or could potentially occur as navigable waters. While attempting to ensure the measure's requirements will apply to harvest on federal lands, it legalizes access of private land to anyone staying within the legal confines of the stream. In simple terms, Measure 64 legalizes trespass.
- Requires State agencies to seek approval of their management programs from the EPA for nonpoint source water pollution. This means that all timber harvesting and cattle grazing on private land in Oregon would come under the control of the Federal government.

Measure 64 takes forest management out of the hands of private landowners and professional foresters and puts it in the hands of bureaucrats. Brush and noxious weeds could not be cleared with herbicides. Logging slash could not be burned on site. Dead, damaged and diseased trees could not be harvested. These factors increase the danger of forest fires and contribute to an overall decline in forest health. Keep the management of Oregon's forest where it belongs, in the hands of the landowners and professional foresters. **Vote no on Measure 64.**

James Todd, Resource Manager
Woodward Companies, Prineville, Oregon

(This information furnished by James Todd, Resource Manager, Woodward Companies, Prineville, Oregon.)

(This space purchased for \$300 in accordance with ORS 251.255.)

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Measure No. 64

ARGUMENT IN OPPOSITION

Stan Bunn and Margaret Carter

Measure 64 would hurt Oregon's public schools.

Timber harvests and forest land taxes supply more than \$125 million a year for Oregon local governments and schools. This measure risks cutting that revenue in half.

According to the official Estimate of Financial Impact from the Office of the Secretary of State, revenues to schools are estimated to decrease by more than \$33 million per year. Additionally, revenues that contribute to the Common School Fund would be reduced by \$8.7 million.

Our top priority is working to ensure that every public school student in Oregon has access to a top quality education. We cannot support a measure that cuts millions in funding for schools at a time when we are committed to raising academic standards.

####

(This information furnished by Representative Margaret Carter and Stan Bunn.)

(This space purchased for \$300 in accordance with ORS 251.255.)

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Measure No. 65

Proposed by initiative petition to be voted on at the General Election, November 3, 1998.

BALLOT TITLE

65 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 specified number of 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 is not approved, state agency may adopt new rule on same issue, but legislative review is required.

ESTIMATE OF FINANCIAL IMPACT: 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 and 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 upon the filing of a petition with the Secretary of State that has been signed by a number of qualified voters equal to two percent of the total number of votes cast for all candidates for Governor at the election at which a Governor was elected for a term of four years next preceding the filing of the petition. A petition filed under the provisions of this subsection shall specify the specific administrative rule or rules that the Legislative Assembly is required to review.

(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 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 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.

(4)(a) Disapproval of a rule or part of a rule under subsection (3) of this section does not prevent a state agency from thereafter adopting another administrative 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 a bill approving the administrative rule or rules. The bill shall be introduced at the next following regular session of the Legislative Assembly after the effective date of the rule. If the 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 administrative 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) Any person may seek judicial review of a determination made by the President of the Senate on 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 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 or 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 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.

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

Measure No. 65

EXPLANATORY STATEMENT

This measure would amend the Oregon Constitution to create a review and approval process of state agency administrative rules by the Legislative Assembly. Currently, no such process exists. This process is triggered when a petition signed by a specified number of qualified voters is filed with the Secretary of State.

Administrative rules are rules and regulations adopted by state agencies, boards and commissions that generally have the full force and effect of law.

The number of qualified voters who must sign the petition is equal to two percent of the total number of votes cast for all candidates for Governor at the last gubernatorial election. The petition must specify the administrative rule or rules that the Legislative Assembly is required to review.

Upon being notified by the Secretary of State that a petition meeting the requirements of the measure has been filed, the President of the Senate must prepare a bill that would approve the administrative rule or rules specified in the petition. The President of the Senate must then introduce that bill at the next following regular session of the Legislative Assembly. If the petition is filed with the Secretary of State during a regular session, the bill must be introduced at the next following regular session.

After the introduction of the bill, the Legislative Assembly may amend the bill to approve only part of a specified rule. If the petition specifies more than one rule, the bill may be amended to approve fewer than all of the specified rules. Any rule or part of a rule that is not approved by the passage of a bill has no further force or effect after the session is adjourned.

Disapproval of a rule under the measure does not prevent an agency from adopting another rule pertaining to the same issue. However, if the agency does adopt another rule addressing the same issue, the President of the Senate must introduce a bill for approval of the new rule. Once again, the new rule will have no further force or effect after the end of the legislative session in which the bill is introduced if the bill is not passed. If the new rule or any part of the new rule once again fails to gain approval, the measure requires that any rule adopted thereafter by a state agency to address the same issue that was the subject of the disapproved rule must be approved by the Legislative Assembly before the rule can take effect. The measure authorizes judicial review of the question whether a new rule addresses the same issue that was the subject of a previously disapproved rule. The measure directs courts to interpret a new rule in favor of a finding that it addresses the same issue as a disapproved rule.

The measure provides that bills introduced under the measure's provisions are subject to veto by the Governor, and that any such veto may be over-ridden in the same manner provided for other bills.

Committee Members:

Larry George
David Hunnicutt
Ron Cease
Professor Bill Funk
Professor Jim Huffman

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.)

ARGUMENT IN FAVOR

Did You Know That Unelected Government Officials Can:

- * Raise fees and 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 65.

Measure 65 is About Citizen Involvement

Measure 65 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 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 65 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 65

Vote Yes for More Citizen Involvement

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

Administrative rules are rules and regulations adopted by state agencies, boards and commissions that generally have the full force and effect of law. The number of qualified voters who must sign the petition is equal to two percent of the total number of votes cast for all candidates for Governor at the last gubernatorial election. The petition must specify the administrative rule or rules that the Legislative Assembly is required to review. Upon being notified by the Secretary of State that a petition meeting the requirements of the measure has been filed, the President of the Senate must prepare a bill that would approve the administrative rule or rules specified in the petition. The President of the Senate must then introduce that bill at the next following regular session of the Legislative Assembly. If the petition is filed with the Secretary of State during a regular session, the bill must be introduced at the next following regular session. After the introduction of the bill, the Legislative Assembly may amend the bill to approve only part of a specified rule. If the petition specifies more than one rule, the bill may be amended to approve fewer than all of the specified rules. Any rule or part of a rule that is not approved by the passage of a bill has no further force or effect after the session is adjourned. Disapproval of a rule under the measure does not prevent an agency from adopting another rule pertaining to the same issue. However, if the agency does adopt another rule addressing the same issue, the President of the Senate must introduce a bill for approval of the new rule. Once again, the new rule will have no further force or effect after the end of the legislative session in which the bill is introduced if the bill is not passed. If the new rule or any part of the new rule once again fails to gain approval, the measure requires that any rule adopted thereafter by a state agency to address the same issue that was the subject of the disapproved rule must be approved by the Legislative Assembly before the rule can take effect. The measure authorizes judicial review of the question whether a new rule addresses the same issue that was the subject of a previously disapproved rule. The measure directs courts to interpret a new rule in favor of a finding that it addresses the same issue as a disapproved rule. The measure provides that bills introduced under the measure's provisions are subject to veto by the Governor, and that any such veto may be over-ridden in the same manner provided for other bills.

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Measure No. 65

ARGUMENT IN FAVOR

VOTE YES FOR CITIZEN INVOLVEMENT

Vote Yes on Measure 65:

- * Accountability and Openness in State Government
- * Citizen Involvement
- * Reduce The Influence of Special Interests

What is Measure 65?

Simply stated, Measure 65 is a citizen involvement issue.

Numerous boards, commissions, and other state agencies can create administrative rules (laws) without the review and approval of our elected legislators. Measure 65 creates an initiative process which allows citizens to force their elected representatives to review state agencies' administrative rules.

What are Administrative Rules?

Administrative rules are laws passed by non-elected state agencies. They have the same force and effect as state laws passed by our elected officials. State agencies can impose regulations, raise fees (taxes), and levy fines through administrative rules.

Currently, there is no process for citizens to challenge administrative rules or to require elected officials to review and approve them. Ballot Measure 65 corrects this problem.

Why do we need Measure 65?

Over the last 30 years, state agencies have begun using administrative rules, not to implement actions of the legislature, but rather to create public policy themselves.

In contrast to the legislative system that is safeguarded by checks and balances, state agencies are empowered to adopt and implement administrative rules and regulations that have the full effect of law, as if adopted by the Legislature, but without review by the elected officials.

If you have any questions concerning Measure 65 please feel free to call Citizens For Accountability In Administrative Rules at (503) 620-0258.

(This information furnished by Lawrence B. George, Citizens for Accountability In Administrative Rules.)

(This space purchased for \$300 in accordance with ORS 251.255.)

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ARGUMENT IN FAVOR

FROM:

Senator Thomas Wilde - Democrat
Senator Bill Fisher - Republican

We are from different political parties, different parts of the state, represent very different constituencies, and have very different views on a number of issues.

However, both of us believe that Measure 65 is important to every Oregonian.

Whether you are Democrat, Republican, Independent, or a member of another party, having access to state government is vital.

Measure 65 gives more power to the voters, because it allows voters to require the legislature to review new laws adopted by state agencies. Measure 65 makes both the legislature and state agencies more accountable to the people of Oregon.

Measure 65 is not a partisan issue, it is about good government.

Only Voters Can Change This Process.

Measure 65 gives the citizens more power in state government, therefore Measure 65 must be a "constitutional amendment."

We strongly respect the integrity of Oregon's Constitution, and upon our thorough review, we believe Measure 65 deserves your support.

We urge you to vote yes and support Measure 65.

Sincerely,

Senator Thomas Wilde
Democrat
Portland

Senator Bill Fisher
Republican
Roseburg

(This information furnished by Senator Thomas Wilde (D - Portland), Senator Bill Fisher (R - Roseburg).)

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Measure No. 65

ARGUMENT IN FAVOR

The Oregon State Grange Asks You To Vote Yes On Measure 65.

The Oregon State Grange is the largest grassroots, rural-based fraternal organization in the state with 245 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 65.

No matter what issues you care about, the environment, education, or crime and punishment, Measure 65 gives average Oregonians more power through 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 passed by non-elected state bureaucrats who work in state agencies. Currently no process exists for citizens to petition their state government to change administrative rules. **Measure 65 corrects this problem.**

Measure 65 will require the Legislature to review "administrative rules" when citizens disagree with the actions of bureaucrats and then take action.

Measure 65 is about giving you more say over what happens in Salem. The Oregon State Grange urges your **"Yes" vote on Measure 65.**

(This information furnished by Edward L. Luttrell, Oregon State Grange.)

(This space purchased for \$300 in accordance with ORS 251.255.)

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ARGUMENT IN FAVOR

Help Protect The Family Farm Vote Yes on Measure 65

Measure 65 will help small farmers have a voice in state government, a voice we do not currently have.

Measure 65 creates a process that should already be the law and that most other states already adopted.

Measure 65 will help in several important ways:

- 1) Measure 65 would make state government more accountable to Oregonians
- 2) Measure 65 would counteract special interests' and lobbyists' influence
- 3) Measure 65 would open-up state government

Administrative rules are laws, just like those laws passed by a majority of our state senators, state representative, and eventually approved by the governor, except for one important requirement: 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 65 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 65 will help fix this problem.

Lane County Farm Bureau urges you to vote Yes on Measure 65.

(This information furnished by Lafona Jensen, Lane County Farm Bureau Federation.)

(This space purchased for \$300 in accordance with ORS 251.255.)

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Measure No. 65

ARGUMENT IN FAVOR

FROM THE DESK OF STATE SENATOR GARY GEORGE

Dear Voter:

Measure 65 will fix a serious problem in our state government.

All too often we hear outrageous (but true) stories about problems with state government -- problems which illustrate a simple lack of common sense from government bureaucracies.

In fact, most of the calls I receive are from Oregonians seeking help solving problems they have with state agencies and bureaucratic administrative rules. Unfortunately, state legislators, like myself, are seldom able to effectively change these situations. Why? Because the problems are caused by **"administrative rules."** Literally thousands of these rules are created each year by the agencies themselves, and they **have the power of law.**

Measure 65 will empower citizens by giving Oregonians an effective tool to streamline state government by cleaning up or getting rid of the rules that create unnecessary problems.

Measure 65 will:

- **Give more power to the voter**
- **Make state agencies and legislators more accountable to the people**
- **Restore the "checks and balances" in state government**
- **Streamline state government**

Please join me in voting "Yes" on Measure 65.

Sincerely,

Gary George
State Senate, District 2

(This information furnished by Gary George, State Senator District 2.)

(This space purchased for \$300 in accordance with ORS 251.255.)

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ARGUMENT IN FAVOR

Vote Yes for Quality Education Vote Yes for Ballot Measure 65

"Oregonians For Excellence In Education" was formed to be an advocate for constructive educational reform. Our goal is to allow parents to have more involvement in their child's education.

Measure 65 would give parents and local communities a stronger voice as Oregon reforms its educational system.

With the passage of Ballot Measure 5 in 1990, a greater portion of education funding now comes from the state, while local school districts have less control over how children are educated.

Measure 65 gives parents and local districts a tool to regain some local control of education lost with the passage of Measure 5.

Measure 65 simply creates a process where parents can be heard. Measure 65 is a constructive and positive way to actualize "excellence in education."

Measure 65 is important for our state's educational future and that is why we are asking you to vote yes on Measure 65.

(This information furnished by Richard Meinhard, Oregonians for Excellence in Education.)

(This space purchased for \$300 in accordance with ORS 251.255.)

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Measure No. 65

ARGUMENT IN FAVOR

Don't Let Special Interests Mislead You

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

Measure 65 gives power back to the citizens

Measure 65 can save the taxpayers money

Measure 65 restores the checks and balances in state government

Measure 65 breaks the partisan "log-jam" in state government

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

Special interests know that Measure 65 would break their monopoly on state agency lawmaking. If you hear outrageous claims against Measure 65, remember, special interests have a great deal to lose when we allow and encourage **citizen involvement** in state government.

Please Vote Yes for Citizen Involvement
Please Vote Yes on Measure 65.

(This information furnished by Kay Finney.)

ARGUMENT IN FAVOR

VOTE YES ON BALLOT MEASURE 65

Citizens for Accountability in Administrative Rules asks you to Vote Yes on Ballot Measure 65.

BALLOT MEASURE 65 WAS CAREFULLY PREPARED AND REVIEWED BY BOTH PRIVATE AND GOVERNMENT ATTORNEYS

Ballot Measure 65 was drafted and prepared jointly by both private and government attorneys. It was carefully reviewed for compliance with both the United States and Oregon Constitutions. Ballot Measure 65 complies with both the United States and Oregon Constitutions.

Other groups may argue that Ballot Measure 65 is unconstitutional. They have no legal authority to back those claims. Their claims may be interesting to talk about in law school, but they have no bearing in the real world.

IF YOU DISAGREE WITH A MEASURE, JUST COME OUT AND SAY IT

Other groups may claim that Ballot Measure 65 "clutters up" the Oregon Constitution. This is silly.

Ballot Measure 65 is an amendment to the Oregon Constitution because that is the only place that the Measure could be located. It did not fit anywhere else.

We all respect the Oregon Constitution, and do not amend it lightly. Ballot Measure 65 will amend the Constitution in the same section where Oregonians reserve the right to challenge laws passed by our state legislature. **All Measure 65 asks is that average Oregonians be given the same right to challenge rules passed by unelected state government officials.**

If you want additional information on Ballot Measure 65, please call (503) 620-0258. We will be happy to answer all questions which you have about the Measure, including any legal questions.

(This information furnished by Dave Hunnicutt, Citizens For Accountability In Administrative Rules.)

(This space purchased for \$300 in accordance with ORS 251.255.)

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Measure No. 65

ARGUMENT IN FAVOR

I'll bet that you didn't know that people who weren't elected can write laws in Oregon. Until recently, I didn't know it, either.

Administrative rules are laws written by unelected bureaucrats. These unaccountable bureaucrats sit in their offices and make up laws, and Oregonians have no recourse to challenge those laws. We can't vote the bureaucrats out. We can't refer the laws to the voters. We can't even demand that the Legislature intervene.

The private lives of Oregonians have become increasingly governed by administrative rule — rules that regulate everything from the kind of health care our insurance will pay for to the kinds of plants we can put in our yards.

Every healthy society recognizes the need for rules to protect its citizens' freedoms and safety. But on those occasions when government gets carried away and becomes overly-intrusive, Oregonians deserve to have some way of challenging those rules.

When unelected bureaucrats wrote rules that hindered parents from reviewing the curriculum being taught in the children's schools, parents had no way to force another look at those rules.

When unelected bureaucrats wrote rules that said the Oregon Health Plan might pay for sex change operations, but not for tonsillectomies, the public had no recourse.

Measure 65 is one of the most important government reforms we can make. It makes even unelected bureaucrats accountable to the citizens. It gives the citizens a process whereby they may force the Legislature to vote up or down on administrative rules.

Measure 65 is needed to protect the private lives and freedoms of Oregonians. Please vote YES on Measure 65.

(This information furnished by Becky Miller, Executive Assistant, Oregon Taxpayers United.)

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ARGUMENT IN OPPOSITION

The Former Deans Committee

We believe Measure 65 raises serious issues under the Oregon Constitution and Fourteenth Amendment to the United States Constitution. This Measure proposes to establish a Constitutional initiative process for review of Administrative Rules. Administrative Rules are made after the Legislature adopts a statute. Many times the Legislature does not have time or expertise to draft details of a statute, so the Legislature gives this authority to a State Board, Commission or Department to carry out the intention of the Legislature.

This proposal allows for an initiative petition to refer an Administrative Rule to the Oregon Legislature. If the Legislature, for any reason, takes no vote concerning the Administrative Rule during the legislative Session, the Administrative Rule is repealed. We believe the measure raises serious concerns under the Fourteenth Amendment to the United States Constitution for it may allow a small group of petitioners to frustrate the implementation of a statute.

We believe the Measure to be an unnecessary amendment to the Oregon Constitution. We believe this Measure would clutter the Constitution, and, if adopted at all, should be considered as a statute rather than amendment to the Constitution.

We provide this information to help fellow voters in understanding this measure. Our comments are designed only to provide objective and careful constitutional analysis of the measure. Collectively we take no position on the other merits of this measure.

Prof. Leroy Tornquist (Chair), Former Dean Willamette College of Law

Rennard Strickland, Dean University of Oregon Law School

Prof. Robert Misner, Former Dean Willamette College of Law

Prof. Emeritus Chapin Clark, Former Dean University of Oregon Law School

Prof. Maury Holland, Former Dean University of Oregon Law School

Robert Ackerman, Dean Willamette College of Law

David Frohnmayer, Former Dean University of Oregon Law School

(This information furnished by Bob Cannon, Treasurer, The Former Deans Committee.)

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Measure No. 65

ARGUMENT IN OPPOSITION

WHAT COULD MEASURE 65 DO?

RUIN THE OREGON WE LOVE!

Oregon has the nation's strongest program to plan its growth. It protects farmland and forest lands. It stops urban sprawl. It helps guarantee public beaches and makes building affordable housing easier. All these statewide planning goals are administrative rules. (The Legislature itself decided to use rules instead of laws to assure good planning.) Measure 65 would make it easy for a small group of extremist to repeal these goals without a vote of the people or action by the Legislature.

MEASURE 65 ALLOWS A TINY, UNDEMOCRATIC, MINORITY TO OVERRULE THE MAJORITY OF VOTERS, WITHOUT AN ELECTION OR ANY ACTION BY THE LEGISLATURE.

The opponents of planning for growth tried to repeal Oregon's land use planning program by initiative three times and were decisively defeated each time. If Measure 65 passes, it would require only 25,000 people and a single State Senate Committee Chairman to repeal the planning goals that are the heart of the planning program.

MEASURE 65 WAS WRITTEN BY AN EXTREMIST ORGANIZATION THAT HAS NEVER BEEN ALE TO CONVINCE THE LEGISLATURE OR COURTS TO OVERTURN THE PLANNING RULES AND LAWS IT OPPOSES.

Oregonians In Action is working to weaken Oregon's land use planning laws. They tried to persuade the Legislature and Supreme Court to weaken, abolish, or invalidate land use planning rules and they failed. Now they are trying to create a special way to overturn all of the rules without a vote of the people, action by the Legislature or review by the courts.

LOVE OREGON? VOTE NO ON 65

Jackson County Citizens League
Friends of Linn County
Oregon Shores Conservation Coalition
Friends of Eugene
1000 Friends of Oregon
Friends of Yamhill County
Hood River Valley Residents Committee
Alliance for Responsible Land Use in Deschutes County

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

ARGUMENT IN OPPOSITION

THE UNDERSIGNED FARMERS, RANCHERS AND TREE FARMERS RESPECTFULLY ASK OUR FELLOW OREGONIANS TO VOTE NO ON MEASURE 65 TO PROTECT OREGON'S FARMLANDS, RANCH LANDS, AND FOREST LANDS AND TO ALLOW US TO CONTINUE TO GROW FOOD, RAISE LIVESTOCK AND PRODUCE WOOD.

We are Oregonians who make our living by growing crops, livestock and timber. Oregon's land use planning rules are what has protected our land from urban sprawl and from rural homesite development. These laws has been essential to maintaining the basic livelihood of thousands of Oregon families who earn their living in agriculture and timber.

The sponsor of Measure 65 have made it very clear that they intend to use the Measure to weaken or repeal the rules that protect farm, range and forest lands.

Please vote no on Measure 65.

Bob & Ken Bailey
Cherries
Wasco County

Barb Iverson
Horticultural Products
Clackamas Counties

Sydney & Richard Blaine
Pears, Cherries, Apples & Cattle
Hood River County

Lois and Clif Kenagy
Row Crops
Benton County

Judson & Diana Parsons
Pears, Timber
Jackson & Marion Counties

Ambrose & Susan McAuliffe
Cattle & Calves
Klamath County

Donald Logan
Christmas Trees, Hay, Timber
Washington County

David & Diana Lett
Wine Grapes
Marion County

Gary L. Harris
Onion & Carrot Seeds
Jefferson County

Ron R. Olson
Grass Seed, Garlic, Mint
Jefferson County

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

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

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Measure No. 65

ARGUMENT IN OPPOSITION

American Association of Retired Persons (AARP), Planned Parenthood, the Oregon State Council of Senior Citizens and others who care about health care say:

MEASURE 65 COULD BE HAZARDOUS TO YOUR HEALTH

There is a lot the supporters of Measure 65 won't tell you. Perhaps they are just interested in avoiding some of the rules they don't like. But in doing that, they will destroy a system that is absolutely critical for a 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 for that: these rules must be developed by professionals in health care, public health and other specialties. But if Measure 65 passes, anyone can try to overturn rules such as:

- Communicable Disease Control in Day Care Facilities
- Rabies Control
- Which Diseases Must be Reported and to Whom
- Restaurant or Food Pushcart Inspections
- Tuberculosis Screening and Control
- Immunization Requirement
- Public 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 religious or 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 an individual and their doctor.

This is not a scare tactic: Measure 65 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 neighbors.
Vote NO on Measure 65**

James A. Davis, Oregon State Council of Senior Citizens
Marion Esty, American Association of Retired Persons (AARP)
Mary Nolan, Planned Parenthood of the Columbia Willamette

(This information furnished by James A Davis, OR State Council of Senior Citizens.)

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ARGUMENT IN OPPOSITION

From the desk of John A. Kitzhaber, M.D.

Dear Oregon Voter:

I am writing to ask you to oppose Measure 65--an unnecessary and burdensome measure which is really just a back-handed assault on Oregon's quality of life. Measure 65, like Measure 27 which we overwhelmingly defeated in 1996 by more than 70 percent, would allow the rejection of administrative rules. These rules are vital tools to protect kids, provide for clean air and water, preserve farm land, prevent sprawl and protect health and safety.

Let me cite a few examples of the kinds of rules which would be at risk:

- Rules which allow us to protect abused children
- Rules which set standards for clean air and clean drinking water
- Statewide planning rules which allow us to protect our beaches, manage growth and preserve farm and forest land by establishing urban growth boundaries
- Statewide health and safety rules which protect workers at the worksite
- Statewide building codes which protect the safety of our homes and commercial building

If passed, Measure 65 would allow any special interest which can pay to collect about 25,000 signatures (less than 1.3% of voters) to place any of these rules in jeopardy. Then, if the legislature simply fails to act on these rules they are rejected. That is not the right way to challenge rules implementing democratically passed legislation.

We all know how easy it is for a single powerful committee chair or a special interest to block a measure from even being considered. As I stated in 1996, that's not accountable. The legislature already has oversight over agency rulemaking. If the legislature doesn't like a rule, it can change or clarify a statute so the agency must correct its regulations.

Oregon faces many challenges in the coming year: juvenile crime prevention, education, managing growth. Let's focus on meeting these challenges instead of this unnecessary measure.

Please join me in voting no on Measure 65.

Sincerely,

John A. Kitzhaber, M.D.

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

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Measure No. 65

ARGUMENT IN OPPOSITION

Oregon's Business Community Urges You to Vote NO on 65

As members of Oregon's business community, we are proud of our role in 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.

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, Boards and Commissions that have expertise in their respective area. And there is a process for us to work with those officials as rules are drafted. We may not always agree with them. But there is also a process to appeal. Most important, the system is stable and predictable.

Without that stability, it could be difficult – or nearly impossible – to manage our businesses. And it's precisely that stability which Measure 65 would destroy. It is a threat to every Oregon business, those who are employed by them and those who depend on our products and services.

Imagine playing a game where the rules changed whenever someone decided they didn't like them. Imagine having to make massive investment decisions based on rules that could be put in limbo for almost two years. It would create an intolerable mess. It would also turn Oregon from a state with an attractive business environment and strong economy into a place in which any prudent person would have serious concerns about locating a business.

Whatever the proponents thought Measure 65 would do, it will harm Oregon's economy. We urge you to defeat this measure.

Vote NO on 65.

Bad for Business. Bad for Oregon.

Fred Miller, Senior Vice President
Portland General Electric

Ron E. Timpe Chairman, President and CEO
Standard Insurance Company

(This information furnished by Fred D. Miller, Portland General Electric.)

ARGUMENT IN OPPOSITION

STATEMENT IN OPPOSITION BY FORMER OREGON APPELLATE JUDGES

MEASURE 65 IS UNNECESSARY: COURTS CAN ALREADY TEST RULES FOR COMPLIANCE WITH LAWS PASSED BY THE LEGISLATURE

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.

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.

THE LEGISLATURE CAN ALREADY REPEAL OR AMEND AGENCY RULES

Anyone can ask the Legislature to repeal or amend any rule that departs from the Legislature's policies, without collecting 24,000 signatures.

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

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

Hans Linde
Justice
Oregon Supreme Court
1979-1990

Betty Roberts
Justice
Oregon Supreme Court
1982-1986

Jacob Tanzer
Justice
Oregon Supreme Court
1980-1983

(This information furnished by Robert Liberty.)

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Measure No. 65

ARGUMENT IN OPPOSITION

The Oregon Environmental Council
Urges You to Vote NO on Ballot Measure 65

With Measure 65 a few wealthy special interests are threatening Oregon's clean air and water. They think that developers and polluters shouldn't have to play by the same rules as the rest of us. Seventy five percent of Oregonians rejected a similar measure in 1996, but these special interests are at it again. Here is what's at stake:

Clean Water - Measure 65 threatens Oregon's rules that implement the Clean Water Act and Safe Drinking Water Act, limiting the pollution allowed into our rivers, streams, and even our household tap water. Under Measure 65, polluters could simply exempt themselves from these rules, taking us back to the days when our rivers flowed with raw sewage and toxic waste. Rules adopted to protect Oregon's declining runs of salmon and steelhead would be likely targets for repeal, as well.

Clean Air - Oregon's rules implementing the federal Clean Air Act and other clean air programs have successfully reduced field burning, toxic industrial emissions, and summer smog that can cause asthma, lung disease, and cancer. Under Measure 65, massive field burning could quickly return, along with a toxic stew of other pollutants like mercury, dioxin, and lead.

Clear Thinking - Oregon's rules to protect the environment are the result of years of research, thoughtful negotiation among all stakeholders, and public meetings. Measure 65 would allow any well-funded group with a bone to pick to destroy all that hard work and shift these decisions from experts to politicians. Throwing problems back to our citizen legislators, who already have over 3,000 bills to review when they meet every other year, will add nothing but delay, confusion and bad law.

Measure 65 is a back-door attempt to let special interests re-write the rules that protect Oregon's clean air, clean water, and quality of life for their own private benefit.

Don't let them do it! Please vote no on Measure 65.

This message furnished by the Oregon Environmental Council and is supported by the Oregon League of Conservation Voters.

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

(This space purchased for \$300 in accordance with ORS 251.255.)

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ARGUMENT IN OPPOSITION

A MESSAGE FROM OREGON LEAGUE OF WOMEN VOTERS

Measure 65: A Recipe for Legislative Chaos

The Oregon League of Women Voters is dedicated to making sure our political process is open, fair and effective. For that reason, we urge Oregonians to vote NO on Measure 65.

The time and resources of the legislature are already strained by efforts to deal with the critical issues facing Oregon, such as education, public safety and others. Measure 65 would make it easy for groups or individuals to literally paralyze the legislative process by referring large numbers of administrative rules.

There are good reasons that we have an administrative rules system. Please Vote NO on Measure 65.

A MESSAGE FROM OREGON PUBLIC EMPLOYEES UNION AND AMERICAN ASSOCIATION OF UNIVERSITY WOMEN

Measure 65: Unnecessary and Dangerous

Oregon's administrative rules system is based on a sound principle: those with expertise in an issue should make the rule governing it. And there is nothing wrong with improving it.

But Measure 65 doesn't seek to improve the system: it will destroy it. That poses a serious threat to Oregonians.

Any organization or individual, no matter how extreme, can put any rule into the hands of politicians to decide. That means politicians deciding technical, detailed rules about:

- How your medical doctor treats you.
- Whether water is safe for you to drink.
- Building and fire safety codes.
- The curriculum of your local schools.
- What textbooks your children are allowed to use.
- What kind of medicines can be prescribed for you.

This is just a sample of rules that could be decided by politicians in the legislature instead of experts.

The people who put Measure 65 on the ballot may only be trying to take control of Oregon's land use planning system. But whether or not it's their intention, their measure is reckless, and a recipe for legislative chaos. It is a bad idea that would be an even worse reality.

VOTE NO ON MEASURE 65

(This information furnished by Alice M. Bartelt, Oregon - American Association of University Women; Paula Krane, League of Women Voters of Oregon.)

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Measure No. 65

ARGUMENT IN OPPOSITION

HUMAN SERVICES COALITION OF OREGON OPPOSES MEASURE 65

MEASURE 65 ENDANGERS CITIZEN PROTECTIONS

Many Oregon rules exist because citizens have asked their legislators for laws that protect abused children, safeguard the developmentally disabled, provide services to the mentally ill, expand health care services to the working poor, establish patients' rights and create standards for child care. If any of these or other rules receive the required number of signatures under Measure 65 and the legislature fails to act, the rule implementing the law loses its force and effect. Inaction by the legislature could also mean inaction by the state in protecting and serving our most vulnerable citizens.

MEASURE 65 DISCOURAGES CITIZEN INVOLVEMENT

Oregon has a history of citizen involvement in its rule making process. There are public notices and hearings with opportunity for written comments. Also many agencies have citizen boards and commissions that are responsible for adopting the rules. History demonstrates that this citizen involvement does result in rule modification. Measure 65 could well encourage special interests who don't want a rule to wait and channel their energies into petition gathering rather than reshaping the rules during the adoption process.

MEASURE 65 DISTORTS SEPARATION OF POWERS

Measure 65 doesn't meet the tests for constitutional integrity. It doesn't distribute power among the branches of state government with equity. Rather legislators are being placed in the position of being micro-manager. Oregon law currently provides for court challenges if a rule is thought to violate legislative intent. And if the legislature believes a rule is inappropriate, it can change the enabling statute.

CURRENT LAW DISTRIBUTES POWER WITH EQUITY PLEASE VOTE NO ON MEASURE 65

(This information furnished by Ellen C. Lowe, Human Services Coalition of Oregon.)

(This space purchased for \$300 in accordance with ORS 251.255.)

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Measure No. 66

Proposed by initiative petition to be voted on at the General Election, November 3, 1998.

BALLOT TITLE

66 AMENDS CONSTITUTION: DEDICATES SOME LOTTERY FUNDING TO PARKS, BEACHES; HABITAT, WATERSHED PROTECTION

RESULT OF "YES" VOTE: "Yes" vote dedicates 15 percent lottery funding to parks, beaches; salmon, wildlife habitat, watershed protection.

RESULT OF "NO" VOTE: "No" vote retains system restricting state lottery funding to job creation, economic development, public education.

SUMMARY: Amends constitution: State lottery proceeds currently limited to job creation, economic development, public education. Measure dedicates 15 percent of net lottery proceeds to new fund for parks, beaches; salmon, wildlife habitat, watershed protection. Dedicates half of fund to create, maintain state parks, ocean shores, public beach access areas, historic sites, recreation areas. Dedicates other half for single agency to administer funds to protect native salmon, wildlife habitat, watersheds, using at least 65 percent for capital expenditures. Requires biennial audits, voter renewal in 2014. Other provisions.

ESTIMATE OF FINANCIAL IMPACT: An estimated \$46.2 million of state lottery proceeds will be directed each year to parks and natural resources until the year 2014, when there is an automatic revote. Currently the Oregon legislature allocates those funds to a variety of programs including, but not limited to, education, economic and community development, natural resources and transportation. This estimate is based on 1999-2001 projections of lottery proceeds.

TEXT OF MEASURE

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

PARAGRAPH 1. Section 4, Article XV of the Constitution of the State of Oregon, is amended, and the Constitution of the State of Oregon is amended by creating new sections 4a and 4b to be added to and made a part of Article XV, such sections 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 organization 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 following purposes: creating jobs, furthering economic development, [or] financing public education in Oregon or restoring and

protecting Oregon's parks, beaches, watersheds and critical fish and wildlife habitats.

(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 operations 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 Director shall implement and operate a State Lottery pursuant to the rules, and under the guidance, of the Commission. 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.

(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. 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 turnover 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 following public purposes: creating jobs, furthering economic development, [or] financing public education in Oregon or restoring and protecting Oregon's parks, beaches, watersheds and critical fish and wildlife habitats. Effective July 1, 1997, 15% 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.

(5) Effective July 1, 1999, 15% of the net proceeds from the State Lottery shall be deposited in a parks and natural resources fund created by the Legislative Assembly. Of the moneys in the parks and natural resources fund, 50%

Measure No. 66

shall be distributed for the public purpose of financing the protection, repair, operation, and creation of state parks, ocean shore and public beach access areas, historic sites and recreation areas, and 50% shall be distributed for the public purpose of financing the restoration and protection of native salmonid populations, watersheds, fish and wildlife habitats and water quality in Oregon. The Legislative Assembly shall not limit expenditures from the parks and natural resources fund. The Legislative Assembly may appropriate other moneys or revenue to the parks and natural resources fund.

[(5)] (6) Only one State Lottery operation shall be permitted in the State.

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

SECTION 4a. Any state agency that receives moneys from the parks and natural resources fund established under section 4 of this Article for the public purpose of financing the protection, repair, operation, creation and development of state parks, ocean shores and public beach access areas, historic sites and recreation areas shall have the authority to use the moneys for the following purposes:

(1) Maintain, construct, improve, develop, manage and operate state park and recreation facilities, programs and areas.

(2) Acquire real property, or interest therein, deemed necessary for the creation and operation of state parks, ocean shores public beach access areas, recreation and historic sites or because of natural, scenic, cultural, historic and recreational values.

(3) Operate grant programs for local government entities deemed necessary to accomplish the public purposes of the parks and natural resources fund established under section 4 of this Article.

SECTION 4b. Moneys disbursed for the public purpose of financing the restoration and protection of wild salmonid populations, watersheds, fish and wildlife habitats and water quality from the fund established under Section 4 of this Article shall be administered by one state agency. At least 65% of the moneys will be used for capital expenditures. These moneys, including grants, shall be used for all of the following purposes:

(1) Watershed, fish and wildlife, and riparian and other native species, habitat conservation activities, including but not limited to planning, coordination, assessment, implementation, restoration, inventory, information management and monitoring activities.

(2) Watershed and riparian education efforts.

(3) The development and implementation of watershed and water quality enhancement plans.

(4) Entering into agreements to obtain from willing owners determinate interests in lands and waters that protect watershed resources, including but not limited to fee simple interests in land, leases of land or conservation easements.

(6) Enforcement of fish and wildlife and habitat protection laws and regulations.

SECTION 4c. Any state agency that receives moneys from the parks and natural resources fund established under section 4 of this Article shall secure an independent audit, pursuant to section 2, Article VI of this Constitution, to measure the financial integrity, effectiveness and performance of the agency receiving such moneys. Each agency shall submit the audit to the Legislative Assembly as part of a biennial report to the Legislative Assembly.

SECTION 5a. The Legislative Assembly shall submit to a vote of the people at the November 2014 general elections the question of continuation of this amendment. This Section is repealed on January 1, 2015.

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

EXPLANATORY STATEMENT

Ballot Measure 66 amends the Oregon Constitution to allow money from the State Lottery to be used for restoring and protecting Oregon's parks, beaches, watersheds and critical fish and wildlife habitat.

Currently, lottery money may be used only for creating jobs, furthering economic development and financing public education in Oregon.

This measure requires that 15 percent of net proceeds from the State Lottery be deposited in a newly-created parks and natural resources fund. The money in the fund will be divided equally with half of the money spent for creating, protecting and operating state parks, ocean shore and other natural recreation areas and half of the money spent for restoring and protecting native salmon runs, watersheds, water quality and fish and wildlife habitat.

The money for state parks and other natural recreation areas may be allocated and spent by a variety of state and local agencies. However, the measure requires that the money for restoring and protecting native salmon runs, watersheds, water quality and fish and wildlife habitat must be administered by a single state agency. That state agency must spend at least 65 percent of the money available to the agency for capital expenditures.

The state agencies that administer or receive money from the parks and natural resources fund are directed by this measure to spend the money for specified activities, including but not limited to creating and improving state parks, providing grants to local government for parks and natural resource programs, assessing, managing and monitoring habitat conservation activities, implementing watershed and water quality improvement plans, obtaining interest in private property from willing owners to protect watersheds, and for enforcing fish and wildlife and habitat protection laws.

The Legislative Assembly may not limit expenditures from the parks and natural resources fund, under this measure.

Periodic audits of the effectiveness and performance of agencies receiving money from the parks and natural resources fund are required.

The measure requires the legislature to submit to a vote of the people at the November 2014 general election the question of keeping the provisions of this measure in the Oregon Constitution.

Committee Members:

Pat Amedeo**
Patricia McCaig**
Harold Haugen*
Mike McArthur*
Jim Ross

Appointed by:

Secretary of State
Secretary of State
Secretary of State
Secretary of State
Members of the Committee

*Member dissents (does not concur with explanatory statement)

**Proponents of measure appointed by Secretary of State because chief petitioners did not make appointments by deadline.

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

Measure No. 66

ARGUMENT IN FAVOR

For many years, we Oregonians have been creating parks and open spaces - protecting places that inspire and enrich our lives. Parks, wild and scenic rivers, trails and greenways have fostered a set of values that we treasure as Oregonians: appreciation of the outdoors, caring for our natural and cultural heritage, providing opportunities for personal challenge and adventure, conserving our environment, and bringing together families and communities to foster mutual understanding and respect.

These values, these benefits, are not trivial additions to the course of our lives. If the gates of every park, beach and boat launch were closed, if families were unable to use a favorite picnic grove or campground, we would as a state feel an overwhelming sense that an essential part of our lives was being lost.

Recreation and parks are essential to quality of life. Parks are significant economic generators - they attract businesses to the state as prime economic development and relocation magnets. And, of course, parks are major attractions that draw tourism, one of Oregon's top industries. Parks, open space and natural areas are essential to ecological survival. Outdoor recreation is one of the best approaches to environmental education - a key to long term sustainability.

As Oregon's economy has boomed, support for our natural heritage has stagnated since 1980 when gasoline tax revenues were discontinued for state parks funding. Now, our parks system is in distress. Critical repairs and vital operations have been delayed or discontinued for many parks.

Measure 66 does not create a new tax, but shares our existing lottery resources to fund the repair and restoration of our parks and to prevent closures. Measure 66 will also help restore threatened fish runs, protect wildlife habitat and improve water quality in our rivers and streams--all things that make Oregon one of the last great places.

Vote YES on Measure 66 to protect our parks and wildlife!

(This information furnished by Frank Jagodnik, Executive Director, Oregon Recreation & Park Association.)

(This space purchased for \$300 in accordance with ORS 251.255.)

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ARGUMENT IN FAVOR

It is time for us to protect Oregon's legacy.

Oregon has a great history of bold action to save our natural heritage. From Oswald West claiming our beaches as a treasure belonging to all Oregonians in 1914, to Tom McCall and other leaders passing the bottle bill, land use planning and cleaning up the Willamette River in the 60's and 70's, Oregonians have risen to the challenge.

Today, we need to rise to perhaps the greatest challenge of all.

Our state parks, our fish and wildlife and the watersheds and waterways we all depend on are in trouble. A combination of the pressures of growth and a lack of adequate investment, has brought us near a point of no return. We haven't opened a new park or campground in 28 years, and 65 of the ones we have are threatened with closure. Fish and wildlife are becoming threatened and endangered at an alarming rate; while 30,000 miles of Oregon streams and rivers, including the Willamette, are polluted or degraded.

These are some of the reasons we have joined the Campaign for Parks and Salmon, and are urging our fellow Oregonians to vote Yes on Ballot Measure 66. We believe the measure's dedication of 15% of the lottery is fair, accountable and will make a tremendous difference. And it will not increase taxes of any kind.

But beyond the specific problems, and the details of the solution Measure 66 provides are far more basic questions:

- Will we honor the legacy entrusted to us by those who came before us?
- Will we pass that legacy to our children and grandchildren?
- Will we protect the things that make Oregon special?

Earlier we said that it is time to protect Oregon's legacy. In fact, it is past time. Please join us in voting Yes on Ballot Measure 66.

Senator Mark Hatfield

Governor Neil Goldschmidt

(This information furnished by Patricia McCaig, Friends of Parks and Salmon.)

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Measure No. 66

ARGUMENT IN FAVOR

MESSAGE TO VOTERS

As the Chief Petitioners of Measure 66 we are proud to have worked together with over 144,000 Oregonians who signed our initiative to put this measure on the November ballot. Like so many of you, we are committed to preserving Oregon's unique qualities. This measure provides an excellent and rare opportunity to do so. **Measure 66 provides a dedicated source of funding for the repair, maintenance and operation of our state parks, and the protection of our water quality, fish and wildlife habitat.** This measure does not call for any new taxes; it does require an independent audit every two years, and in 15 years the measure will be returned to you, the voters, to decide if it should continue.

The measure sets aside 15% of lottery proceeds to:

- Prevent the possible closure of state parks;
- Make urgent repairs to deteriorating parks and improve maintenance;
- Improve and maintain access to ocean beaches;
- Acquire and protect critical fish and wildlife habitat, new park land, and beach access;
- Protect and improve water quality;
- Reduce illegal hunting, fishing and poaching by restoring cuts to Oregon State Police Fish and Wildlife officers;
- Increase educational and recreational opportunities.

Measure 66 provides an opportunity to leave a legacy to our children and grandchildren: and Oregon with clean, safe and open parks; public beaches with convenient access; clean air and water; and healthy and abundant fish and wildlife. We hope that you will join us in supporting Measure 66.

Brian Booth
State Parks Commission, Former Chair

L.L. "Stub" Stewart
Parks Commissioner

Geoff Pampush
Oregon Trout, Director

(This information furnished by Patricia McCaig, Friends of Parks and Salmon.)

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ARGUMENT IN FAVOR

What does the Parks and Salmon measure do?

If passed, the measure will:

- Prevent the closure of state parks;
- Make urgent repairs to deteriorating parks and improve maintenance;
- Improve and maintain access to ocean beaches;
- Acquire and protect critical fish and wildlife habitat and/or new park land;
- Reduce illegal hunting, fishing and poaching by restoring cuts to Oregon State Police Fish and Wildlife Officers;
- Protect and improve water quality;
- Increase educational and recreational opportunities.

Where does the money to do this come from?

The Oregon Lottery. The Parks and Salmon measure dedicates 15% of lottery proceeds, approximately 1% of the state budget, to the purposes outlined above.

How much will the measure raise?

Using current estimates, the measure will raise between \$35 - \$45 million a year.

How will the money be distributed?

- Half the money (the part dedicated to parks) will be distributed and overseen by the Oregon Parks Commission.
- Half the money (the part dedicated to fish, wildlife and water quality) will be distributed through grants to non-profit organizations, watershed councils, local governments, local park providers, soil and water conservation districts, and others involved in fish and wildlife habitat protection.

What accountability is there for how the money is spent?

The measure requires an independent audit every two years. Additionally, voter approval will be required again in 15 years.

(This information furnished by Patricia McCaig, Friends of Parks and Salmon.)

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Measure No. 66

ARGUMENT IN FAVOR

TEN GOOD REASONS TO SUPPORT MEASURE 66:

1. Public ocean beaches and beach access.
2. Improved park facilities.
3. New parks to preserve scenic places and provide recreation.
4. Hiking, biking and horseback trails.
5. Access for fishing, boating, canoeing and windsurfing.
6. Historic sites and lighthouses.
7. Protected fish and wildlife habitat.
8. Camping sites and picnic areas.
9. Wildlife viewing areas.
10. Clean streams.

**HELP SAVE THE BEST OF OREGON
FOR FUTURE GENERATIONS**

PLEASE VOTE YES ON MEASURE 66

Brian Booth
Gwyneth Gamble Booth
Portland

(This information furnished by Brian Booth, Gwyneth Gamble Booth.)

ARGUMENT IN FAVOR

During my time as Oregon's State Park Director, from 1964 to 1992, the Oregon Legislature acted to eliminate dedicated state support for Oregon's parks. As a result of a 1980 ballot referral, state parks stopped receiving money from the gas tax and state funding virtually disappeared.

Although the Legislature promised general fund replacement dollars, the money was never allocated and today state parks receive just one tenth of one percent of the state budget. As a result of this lack of funding Oregon's parks are suffering.

The following illustrate a few examples of how parks are being effected:

- We haven't added a new campground in 30 years;
- We haven't added a significant new park in 28 years;
- We have over 110 million dollars in deferred maintenance needs;
- We have been forced to impose new day use fees in a number of parks over the last 10 years;
- Many of our park facilities are 30 to 40 years old and are faced with dry rot, leaky sewers, and corroded electrical systems.

In Central Oregon, where I live, many state parks are in need of additional resources for basic maintenance and repairs.

- Smith Rock State Park: Improve trail system for climbers.
- LaPine State Recreation Area: Complete renovation of campground and day use areas;
- Deschutes River Recreation Area: Repair river recreation access areas and repair river trail system;
- The Cove Palisades State Park: Renovate and add camping areas to reduce over-crowding.

With up to 65 state parks on the brink of closure and over 41 million visitors each year, it's time to make the investment necessary to preserve Oregon's Parks.

Dave Talbot
Former Oregon State Parks Director
Chair, State Parks Trust

(This information furnished by David G. Talbot, Oregon State Parks Trust.)

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Measure No. 66

ARGUMENT IN FAVOR

MEASURE 66 PROTECTS OUR WATER QUALITY

Oregon is the last great place in the lower 48 states where salmon are still caught downtown in our largest city. It's a place where anyone can experience the quiet solitude of a free flowing river within a 30 minute drive. It's a place where salmon are as much a part of our history and culture as our forests or Mt. Hood.

But for those statements to remain true, we must act now. And the best thing we can do is to pass Measure 66.

Measure 66: Preserving our Rivers, Streams and Watersheds

Oregon has approximately 100,000 miles of river. Right now, nearly 30,000 miles are polluted. The good news is that we know how to solve the problem. Small, strategic investment -- one watershed at a time -- can reverse this trend. There is no question that we can clean up our water.

The only question is, are we willing to do it? Passing Measure 66 will provide the desperately needed funds to make it happen.

Measure 66: Protecting Our Fish

Our native salmon, trout and steelhead are in trouble through their entire range in Oregon. That is not only an ecological crisis, it is an economic one as well. Oregon's commercial and sport-fishing industry forms the livelihood of thousands of Oregonians. Beyond that, the survival of our native fish is much like the "canary in the coal mine" the extinction of a salmon run is an indicator of things to come.

Once again, there are many things we can do to stop the destruction of the fish and wildlife that are so much a part of Oregon's identity. But Measure 66 is the only thing on the horizon that offers a way to accomplish it.

PROTECT OUR WATER. SAVE OUR FISH. VOTE YES ON 66!

(This information furnished by Jason O. McKain, Oregon Trout.)

ARGUMENT IN FAVOR

POTENTIAL PROJECTS

OREGON COAST

Measure 66 provides a source of funding -- 15% of the lottery -- for the repair, maintenance and operation of our parks; and the protection of our water quality, fish and wildlife habitat. Local parks and communities are eligible to apply for grants. Following is a partial list of projects eligible for funding if Measure 66 passes.

- BEVERLY BEACH: Repair and maintenance; improve recreational opportunities.
- DEVIL'S PUNCH BOWL STATE NATURAL AREA: Repair and maintenance; improve recreational opportunities.
- FOGARTY CREEK STATE RECREATION AREA: Repair and maintenance.
- FORT STEVENS: Repair and maintenance.
- GLENEDEN BEACH STATE RECREATION SITE: Repair and maintenance.
- JESSIE M. HONEYMAN: Repair and maintenance; improve recreational opportunities.
- LOST CREEK STATE RECREATION SITE: Repair and maintenance.
- OREGON COAST TRAIL: Acquisition.
- SOUTH BEACH STATE PARK: Acquisition.
- TIERRA DEL MARK, CAPE BLANCO, SISTERS ROCK, YOAKUM POINT, SOUTH BEACH, FLORAS LAKE: Acquisition.
- YACHATS STATE RECREATION AREA: Repair and maintenance.
- YAQUINA BAY STATE RECREATION SITE: Repair and maintenance.

For additional projects in your area please contact the Campaign for Parks & Salmon at 503-279-8343.

(This information furnished by Patricia McCaig, Friends of Parks and Salmon.)

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Measure No. 66

ARGUMENT IN FAVOR

POTENTIAL PROJECTS MULTNOMAH COUNTY

Measure 66 provides a source of funding – 15% of the lottery -- for the repair, maintenance and operation of our parks; and the protection of our water quality, fish and wildlife habitat. Local parks and communities are eligible to apply for grants. Following is a partial list of projects eligible for funding if Measure 66 passes.

- BLUE LAKE PARK (local park): Improve recreational opportunities.
- BROUGHTON BEACH (local park): Improve recreational opportunities.
- CROWN POINT/VISTA HOUSE (Columbia Gorge): Improve recreational access; acquisition; repair and maintenance.
- LEWIS AND CLARK: Repair & maintenance; improve recreational opportunities.
- OXBOW REGIONAL PARK (local park): Improve recreational opportunities.
- ROOSTER ROCK STATE PARK: Repair & maintenance.
- SAUVIE ISLAND: Protect & restore fish and wildlife habitat.
- TRYON CREEK: Repair & maintenance; improve recreational opportunities.
- TUALATIN RIVER (local park): Improve recreational opportunities.
- WILLAMETTE ISLAND LANDING: Create recreational access.

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ARGUMENT IN FAVOR

POTENTIAL PROJECTS WASHINGTON COUNTY

Measure 66 provides a source of funding – 15% of the lottery -- for the repair, maintenance and operation of our parks; and the protection of our water quality, fish and wildlife habitat. Local parks and communities are eligible to apply for grants. Following is a partial list of projects eligible for funding if Measure 66 passes.

- BANKS-VERNONIA: Repair & maintenance.
- BROWNS FERRY PARK (local park): Improve recreational opportunities; acquisition.
- CHERRY GROVE: Protect and restore fish & wildlife.
- GALES CREEK: Protect and restore fish & wildlife habitat.
- HAGG LAKE (local park): Improve recreational opportunities; protect and restore fish & wildlife habitat.
- HAZLEBROOK/JURGENS PARK (local park): Improve recreational opportunities.
- METZGER PARK (local park): Improve recreational opportunities.
- TUALATIN RIVER (local park): Improve recreational opportunities; acquisition.
- TUALATIN RIVER GREENWAY (local park): Acquisition.
- TUALATIN RIVER NATIONAL WILDLIFE REFUGE: Protect and restore fish & wildlife habitat; acquisition.

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Measure No. 66

ARGUMENT IN FAVOR

POTENTIAL PROJECTS

CLACKAMAS COUNTY

Measure 66 provides a source of funding — 15% of the lottery — for the repair, maintenance and operation of our parks; and the protection of our water quality, fish and wildlife habitat. Local parks and communities are eligible to apply for grants. Following is a partial list of projects eligible for funding if Measure 66 passes.

- CLEAR CREEK: Protect & restore fish and wildlife habitat.
- COOKS BUTTE PARK, WALUGA PARK, FREEPONS PARK, IRON MOUNTAIN (local parks) Protect & restore fish and wildlife habitat; improve recreational opportunities.
- KELLOGG LAKE/WILLAMETTE RIVERFRONT (local park): Create recreational access.
- MARY S. YOUNG BUFFER PROPERTIES: Create recreational access.
- MAUD WILLIAMSON: Repair & maintenance; improve recreational opportunities.
- MILO McIVER: Repair & maintenance; improve recreational opportunities.
- MOLALLA RIVER STATE PARK: Repair & maintenance; improve recreational opportunities.
- PARK PLACE PARK (local park): Improve recreational opportunities.
- SPRINGBROOK CREEK: Protect & restore fish and wildlife habitat.
- WILLAMETTE GREENWAY (between Lake Oswego and West Linn): Acquisition.
- WILLAMETTE MERIDIAN LANDING: Create recreational access.

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ARGUMENT IN FAVOR

POTENTIAL PROJECTS

MARION COUNTY

Measure 66 provides a source of funding — 15% of the lottery — for the repair, maintenance and operation of our parks; and the protection of our water quality, fish and wildlife habitat. Local parks and communities are eligible to apply for grants. Following is a partial list of projects eligible for funding if Measure 66 passes.

- CHAMPOEG STATE PARK: Repair & maintenance; improve recreational opportunities.
- DETROIT LAKE STATE PARK: Repair & maintenance.
- ELDRIDGE BAR LANDING: Repair & maintenance; create recreational access.
- HALL'S FERRY ACCESS: Create recreational access.
- NORTH SANTIAM STATE REST AREA: Repair & maintenance.
- SIDNEY LANDING ACCESS: Protect and restore fish & wildlife habitat.
- SILVER FALLS STATE PARK: Repair & maintenance; improve recreational opportunities; acquisition.
- WILLAMETTE MISSION STATE PARK: Repair & maintenance; improve recreational opportunities; protect & restore fish & wildlife habitat.

For additional projects in your area please contact the Campaign for Parks & Salmon at 503-279-8343.

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Measure No. 66

ARGUMENT IN FAVOR

POTENTIAL PROJECTS

LANE COUNTY

Measure 66 provides a source of funding – 15% of the lottery -- for the repair, maintenance and operation of our parks; and the protection of our water quality, fish and wildlife habitat. Local parks and communities are eligible to apply for grants. Following is a partial list of projects eligible for funding if Measure 66 passes.

- BAKER PARK (local park): Repair & maintenance; improve recreational opportunities.
- CARL G. WASHBURNE MEMORIAL STATE PARK: Repair & maintenance; create recreational opportunities.
- ELIJAH BRISTOW: Repair & maintenance; improve recreational opportunities. Protect & restore fish and wildlife habitat.
- FERN RIDGE WILDLIFE AREA: Protect & restore fish & wildlife habitat.
- HECETA HEAD LIGHTHOUSE: Repair & maintenance; improve recreational opportunities.
- HOWARD BUFORD RECREATION AREA (local park): Protect and restore fish & wildlife habitat; create recreational opportunities.
- JESSIE M. HONEYMAN: Repair & maintenance; improve recreational opportunities.
- MCKENZIE RIVER: Protect and restore fish & wildlife habitat.
- RICHARDSON PARK (local park): Improve recreational opportunities
- STONEFIELD BEACH: Repair & maintenance; improve recreational opportunities.
- JASPER PARK: Create recreational opportunities.

For additional projects in your area please contact the Campaign for Parks & Salmon at 503-279-8343.

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ARGUMENT IN FAVOR

POTENTIAL PROJECTS

JACKSON COUNTY

Measure 66 provides a source of funding – 15% of the lottery -- for the repair, maintenance and operation of our parks; and the protection of our water quality, fish and wildlife habitat. Local parks and communities are eligible to apply for grants. Following is a partial list of projects eligible for funding if Measure 66 passes.

- CASEY STATE RECREATION SITE: Repair & maintenance; improve recreational opportunities.
- EMIGRANT LAKE & UPPER ROGUE REGIONAL & CENTRAL BUCKLEY (local park): Improve recreational opportunities.
- GIVAN PARK (local park): Acquisition; improve recreational opportunities.
- JOSEPH H. STEWART STATE RECREATION AREA: Repair & maintenance.
- PROSPECT STATE SCENIC VIEWPOINT: Repair & maintenance.
- ROGUE RIVER VALLEY: Protect and restore fish & wildlife habitat.
- TOU VELLE STATE RECREATION SITE: Repair & maintenance.
- UPPER ROGUE REGIONAL PARK (local park): Repair & maintenance; acquisition.
- VALLEY OF THE ROGUE: Repair & maintenance.

For additional projects in your area please contact the Campaign for Parks & Salmon at 503-279-8343.

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Measure No. 66

ARGUMENT IN FAVOR

A message from The Nature Conservancy:

VOTE YES ON MEASURE 66 PROTECT OREGON'S LAST GREAT PLACES

MEASURE 66 IS THE ANSWER . . .

. . . to many of Oregon's most urgent habitat protection needs:

- Restore wetlands, native grasslands, streams, rivers and other priority habitats for migratory and nesting birds, fish and other wildlife.
- Acquire, from willing sellers, the most important parks and natural areas for long-term protection of Oregon's natural diversity.
- Help ranchers, farmers and other private owners voluntarily restore salmon spawning areas, control invasive weeds, protect streams.
- Provide practical, site-specific research on Oregon's most endangered habitats — and the most cost-effective means to protect and restore them.

MEASURE 66 IS A POSITIVE SOLUTION. . .

. . . because it is non-regulatory, voluntary, cooperative, provides full accounting for funds, and imposes no new taxes.

PROTECTING OREGON'S NATURAL HERITAGE . . .

. . . is something we owe to future generations. With Measure 66, we all benefit, because preserving biological diversity:

- keeps ecosystems healthy, including our air and drinking water
- improves farm and forest products
- provides new and useful products, including many medicines
- enriches our lives through connection with nature.

THE NATURE CONSERVANCY . . .

. . . is a non-profit membership organization that safeguards the natural diversity of native plants, animals and ecosystems. In cooperation with partners and communities, we buy and manage natural areas and restore habitats to prevent extinctions and to preserve Oregon's outstanding natural diversity. Please join us in support of Measure 66!

- Russell Hoefflich, Vice President and Oregon Director
- Robert L. Ridgley, Chair, Board of Trustees

(This information furnished by Stephen Anderson, The Nature Conservancy of Oregon.)

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ARGUMENT IN FAVOR

If You Love the Great Outdoors Measure 66 is for You!

A big part of what makes Oregon great can only be seen outside of four walls. As Oregon sportsmen and sportswomen, we believe that is the best reason to vote for Measure 66.

There are so many great experiences to share in Oregon's great outdoors:

- Backpacking through a forest.
- Fly fishing on a pristine river.
- Camping on the high desert.
- Rafting down roaring rapids.
- Hunting elk in the first chill of autumn.
- Even enjoying a picnic with family and friends in one of Oregon's wonderful state parks.

Because these things are so much a part of what we understand to be Oregon, we tend to assume they will always be there. But unless we act today, we could lose them sooner than you could imagine.

If you enjoy—or hope to enjoy—any of those activities, Measure 66 may be the most important vote you cast this year.

You cannot open a newspaper without reading about a park that is threatened with closure, a species of fish or wildlife that is in trouble, or a river that is becoming polluted. As people who spend an important part of our lives outdoors, we can testify that it is all true. Measure 66 is the best chance in decades to protect the Oregon we all love—and that we want to pass on.

Please join us in saving what's best about Oregon. Vote Yes on the Parks and Salmon Measure.

The Oregon Sportsmen's Political Victory Fund

(This information furnished by Patricia McCaig, Friends of Parks and Salmon.)

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Measure No. 66

ARGUMENT IN FAVOR

With all of the noise and confusion of competing ballot measures and campaign rhetoric, it's easy to lose sight of what some of these issues are really all about.

Measure 66 is about saving parks and salmon and natural areas to support Oregon's native wildlife. But more than that, it's about saving some of the things that make Oregon special.

The Western Meadowlark, our state bird, was once a common sight in the fields of western Oregon. Salmon and steelhead were abundant and fishing was a way of life for many Oregonians. Our state parks were a point of pride, and we felt sorry for residents of other states that had shown less foresight in protecting part of their natural heritage.

Over the past few decades, Oregon has lost much that we once took for granted. Some of the changes, like the loss of the meadowlark in the Willamette Valley, occurred so gradually that most of us never noticed. Other changes, like the explosion of suburbs into former farmlands, seemed to happen overnight.

Measure 66 will help protect key pieces of our natural heritage that are rapidly slipping away.

We have in place many of the elements needed for a concerted effort to restore Oregon's salmon and watersheds, rebuild our parks and protect habitat for native wildlife. Private land owners, government agencies and industry and conservation groups are working together to begin to reverse the decline of our natural ecosystems.

But good intentions won't be enough. We need to back them up with real money and a commitment to long-term investment in habitat for fish and wildlife, parks and healthy watersheds.

Measure 66 asks us to choose: do we care enough about Oregon to act now -- before it's too late?

Please join us in voting YES on 66.

SARA VICKERMAN

Defenders of Wildlife
1637 Laurel Street
Lake Oswego, OR 97034
503/697-3222

(This information furnished by Patricia McCaig, Friends of Parks and Salmon.)

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ARGUMENT IN FAVOR

INVESTING IN THE OREGON COAST & CREATING A LEGACY...

THE COAST & DEVELOPMENT...

The future of the Oregon Coast will depend on the immediate preservation of additional coastal land before it disappears through increasing development. What we value about the coastal experience may be lost forever if we don't do something now! Let's keep the coast for everyone!

We need to fund parks now to preserve a legacy for future generations.

BEACHES & TRAILS...

The Oregon Coast Trail gives the public access to explore and enjoy the entire coast. It stretches across our beaches and through many of our coastal parks. Thank you Oswald West and Tom McCall for giving us the beaches of Oregon!

Now it's your turn to create another legacy by funding parks and salmon.

ECONOMIC & COMMUNITY DEVELOPMENT...

Parks provide value-added attractions for tourism and their presence generated \$560 million to Oregon's local economies in 1996 alone! Acquiring new park land and developing new facilities for recreation means investing in sustainable economic development, job creation, and enhancing the quality of life for everyone.

Measure 66 gives you the opportunity to invest in Oregon by funding parks and salmon.

PUBLIC EDUCATION & THE OUTDOORS...

Education takes place both inside and outside of the classroom. Education not only includes reading books, using computers, and studying at desks. It also means walking barefoot along a sandy beach, watching seagulls dive, and visiting a historic lighthouse. It's one thing to read about salmon swimming upstream -- its another to actually see them leap out of the water! The educational value of such experiences is immeasurable.

We need to fund parks and salmon!

THE FUTURE & MEASURE 66...

Let's keep and restore enough of Oregon's natural beauty as a legacy for future generations. Measure 66 is the best route we've got right now to ensure a future for parks and salmon.

Vote to fund Parks and Salmon!

Submitted by the
National Coast Trail Association

(This information furnished by Al LePage, Executive Director, National Coast Trail Association (NCTA).)

(This space purchased for \$300 in accordance with ORS 251.255.)

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

Measure No. 66

ARGUMENT IN FAVOR

ORGANIZATIONS ACROSS OREGON SUPPORT MEASURE 66

In the last 20 years Oregon's population has grown 22%. And in the next 15 years, it is expected that another 500,000 people will be added to the Portland metro area alone. As Oregon experiences the stresses of growth — more people, more subdivisions, more highways, more cars and traffic, we are losing opportunities to preserve Oregon's quality of life: clean water; access to ocean beaches; parks that are safe, clean and open; rivers filled with salmon and abundant with fish and wildlife.

Measure 66 is our opportunity to invest in Oregon, preserving our natural heritage for the next generation.

Join us in supporting Measure 66 for Oregon's parks and salmon.

1000 Friends of Oregon
 Association of Northwest Steelheaders
 Audubon Society of Portland
 Defenders of Wildlife
 Friends of Kellogg Creek
 Friends of the Columbia Gorge
 Friends of Tryon Creek State Park Staff
 National Coast Trail Association
 The Nature Conservancy
 Oregon Building Industry Association
 Oregon Chapter, American Fisheries Society
 Oregon Environmental Council
 Oregon Forests Industry Council
 Oregon League of Conservation Voters
 Oregon Natural Desert Association
 Oregon Natural Resources Council Action
 Oregon Recreation and Park Association
 Oregon Sportsman Political Victory Fund
 Oregon Trout
 Oregon Wetlands Joint Venture
 Pacific Rivers Council
 Sierra Club of Oregon
 Trust for Public Land
 Tualatin Riverkeepers

(This information furnished by Patricia McCaig, Friends of Parks and Salmon.)

(This space purchased for \$300 in accordance with ORS 251.255.)

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ARGUMENT IN FAVOR

Teach Your Children Well. Protect our Parks. By Jim Schuld

What does it mean to educate our children?

As a father, grandfather and former teacher, I have an opinion about that, and it is why I urge you to vote Yes on Measure 66.

When you get to the heart of it, education is about preparing our kids to be successful adults.

- To be good citizens.
- To exemplify the best values of our community.
- And to be good stewards of the natural treasures that define Oregon as one of the great places on earth.

Obviously, strong schools are vital. But education means much more than what happens inside a classroom. Young people are molded by every moment of their experience, whether in a classroom, at the family dinner table, or out among Oregon's forests, streams and beaches.

The loss of any of these educational opportunities hurts our children and our future. That is why I believe it is so important of Oregon voters to approve Ballot Measure 66 - the Campaign for Oregon's Parks and Salmon.

The ability to directly experience the natural world is indispensable in teaching our children to protect it. Our system, of state parks, public beaches and the vitality of our fish and wildlife are irreplaceable features of how we encounter the natural world - and they are under tremendous pressure. The good news is that a relatively modest investment -- 15% of lottery revenues -- can turn this situation around. That is what Measure 66 is all about.

What we get for that money is priceless. And no one has more of a stake in this measure than kids in school today and tomorrow. Dedicating these funds will help save an invaluable part of their education.

So if you care about how we educate our children, help pass Ballot Measure 66. There are things we must teach them that you can't learn from a book.

(This information furnished by Patricia McCaig, Friends of Parks and Salmon.)

(This space purchased for \$300 in accordance with ORS 251.255.)

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Measure No. 66

ARGUMENT IN FAVOR

Stop Poaching and Enforce the Law

One of the critical parts of preserving fish, wildlife and water quality is to enforce the laws that protect them. Right now, that enforcement is in crisis.

There has never been a time in the history of Oregon when fish and wildlife law enforcement has been more important. The Fish and Wildlife Division of the Oregon State Police is the single entity designated by law to protect these resources, and they have a big job, enforcing laws for:

- Poaching
- Commercial fishing
- Environmental protection
- Land use
- Boating
- Livestock
- Forest practices

But while Oregon's population has increased, and the need to closely monitor and enforce the law has become critical, and there have been devastating funding cuts to the Fish and Wildlife Officers responsible.

In fact, in the last year alone there have been 14 officer vacancies that haven't been filled for lack of money.

We have reached a point where it is impossible to adequately enforce the law—with a terrible impact. No matter what kind of programs we pursue to enhance our fish and wildlife, it will be lost if we cannot protect them.

Measure 66 will provide desperately needed funding to restore our ability to enforce the law and stop poachers, polluters and other who destroy or steal our precious natural resources. Without the passage of Measure 66, the cuts will continue, and likely even get worse.

Fish and wildlife law enforcement may not be the best known part of our efforts to protect what's best about Oregon. But if we don't fix this problem now, we will see the results the results in the forests, rivers and beaches of Oregon.

**Lee Roy Hyder, Oregon State Police Major, (Retired)
Fish and Wildlife Division Director**

(This information furnished by Patricia McCaig, Friends of Parks and Salmon.)

(This space purchased for \$300 in accordance with ORS 251.255.)

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ARGUMENT IN OPPOSITION

ISN'T IT TIME FOR OREGON TO TAKE THE HIGH ROAD AGAIN?

Vote NO on Measure 66!

For 25 years I have lived on the Clackamas River. I love this river, and from my travels throughout Oregon I know why it is important to protect Oregon's watersheds. I am also a member of the Clackamas River Basin Council, and I understand the desperate need to adequately fund watershed councils. I agree with Governor Kitzhaber:

"If we are to restore our watersheds and the salmon, steelhead and trout dependent on healthy watersheds, **it will take the participation of every Oregonian.**" (12/18/97 letter to Oregon Plan Partners. Emphasis added.)

The goals of Measure 66 are noble, but do these noble ends justify the means? Measure 66 further legitimizes state run gambling. Not only does it provide added justification for preying on those addicted to gambling, but gambling revenue is becoming a major addiction for Oregon. According to a *Time* Magazine article entitled "**They call it Video Crack**":

"In Oregon, between 1995 and 1997, the state budget relied for 9% of its revenue on the lottery system, most of it from video poker. An effort to get rid of video gambling there evaporated this year. 'The state is overwhelmingly dependent' says Peter Bragdon, a lawyer who helped the Governor study the problem." (*Time*, 6/1/98)

Regardless of whether Measure 66 passes or fails, we will still have state run gambling. But, if we are truly serious about repairing our parks and restoring fish and wildlife habitat, then financing must come from all Oregonians, not from Oregon's gamblers.

To prey on the weak is to abdicate the moral responsibility of all citizens to protect the precious gift of our life support systems and our community. We send the wrong message to ourselves and our children by using gambling to finance government. I urge all Oregonians to vote no on Measure 66 and continue the noble effort to stop state run gambling.

Respectfully,

Lloyd Marbet
Oregon Conservancy Foundation
cnsrvncy@teleport.com

(This information furnished by Lloyd Marbet.)

(This space purchased for \$300 in accordance with ORS 251.255.)

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

Measure No. 67

Proposed by initiative petition to be voted on at the General Election, November 3, 1998.

BALLOT TITLE

67 ALLOWS MEDICAL USE OF MARIJUANA WITHIN LIMITS; ESTABLISHES PERMIT SYSTEM

RESULT OF "YES" VOTE: "Yes" vote allows medical use of marijuana within specified limits; establishes state-controlled permit system.

RESULT OF "NO" VOTE: "No" vote retains Oregon criminal, civil forfeiture laws prohibiting possession, delivery and production of marijuana.

SUMMARY: Oregon statutes currently prohibit possession, delivery, production of marijuana. Measure allows engaging in, assisting medical use of marijuana, within specified limits.

Requires medical use be necessary to mitigate symptoms, effects of debilitating medical condition, including cancer, glaucoma, AIDS, HIV, multiple sclerosis, others. Establishes state permit system requiring physician's written proof. Within specified limitations, exempts permit holder or applicant from marijuana criminal statutes; authorizes criminal charge defense for medical use without permit.

Limits amounts of usable marijuana, number of plants that may be possessed. Other provisions.

ESTIMATE OF FINANCIAL IMPACT: Direct annual state expenditures are estimated at \$147,000, based on the assumption that 500 applicants will register with the Oregon Health Division per year. Some or all of these costs may be offset by fees to be established by the Health Division as provided in the measure.

TEXT OF MEASURE

The Oregon Medical Marijuana Act

SECTION 1. Sections 1 through 19 of this Act shall be known as the Oregon Medical Marijuana Act.

SECTION 2. The people of the state of Oregon hereby find that:

(1) Patients and doctors have found marijuana to be an effective treatment for suffering caused by debilitating medical conditions, and therefore, marijuana should be treated like other medicines;

(2) Oregonians suffering from debilitating medical conditions should be allowed to use small amounts of marijuana without fear of civil or criminal penalties when their doctors advise that such use may provide a medical benefit to them and when other reasonable restrictions are met regarding that use;

(3) Sections 1 to 19 of this Act are intended to allow Oregonians with debilitating medical conditions who may benefit from the medical use of marijuana to be able to discuss freely with their doctors the possible risks and benefits of medical marijuana use and to have the benefit of their doctor's professional advice; and

(4) Section 1 to 19 of this Act are intended to make only those changes to existing Oregon laws that are necessary to protect patients and their doctors from criminal and civil penalties, and are not intended to change current civil and criminal laws governing the use of marijuana for nonmedical purposes.

SECTION 3. As used in sections 1 to 19 of this Act:

(1) "Attending physician" means a physician licensed under ORS chapter 677 who has primary responsibility for the care and treatment of a person diagnosed with a debilitating medical condition.

(2) "Debilitating medical condition" means:

(a) Cancer, glaucoma, positive status for human immunodeficiency virus or acquired immune deficiency syndrome, or treatment for these conditions;

(b) A medical condition or treatment for a medical condition that produces, for a specific patient, one or more of the following:

(i) Cachexia;

(ii) Severe pain;

(iii) Severe nausea;

(iv) Seizures, including but not limited to seizures caused by epilepsy; or

(v) Persistent muscle spasms, including but not limited to spasms caused by multiple sclerosis; or

(c) Any other medical condition or treatment for a medical condition adopted by the division by rule or approved by the division pursuant to a petition submitted pursuant to section 14 of this Act.

(3) "Delivery" has the meaning given that term in ORS 475.005.

(4) "Designated primary caregiver" means an individual eighteen years of age or older who has significant responsibility for managing the well-being of a person who has been diagnosed with a debilitating medical condition and who is designated as such on that person's application for a registry identification card or in other written notification to the division. "Designated primary caregiver" does not include the person's attending physician.

(5) "Division" means the Health Division of the Oregon Department of Human Resources.

(6) "Marijuana" has the meaning given that term in ORS 475.005.

(7) "Medical use of marijuana" means the production, possession, delivery, or administration of marijuana, or paraphernalia used to administer marijuana, as necessary for the exclusive benefit of a person to mitigate the symptoms or effects of his or her debilitating medical condition.

(8) "Production" has the same meaning given that term in ORS 475.005.

(9) "Registry identification card" means a document issued by the division that identifies a person authorized to engage in the medical use of marijuana and the person's designated primary caregiver, if any.

(10) "Usable marijuana" means the dried leaves and flowers of the plant Cannabis family Moraceae, and any mixture or preparation thereof, that are appropriate for medical use as allowed in sections 1 to 19 of this Act. "Usable marijuana" does not include the seeds, stalks and roots of the plant.

(11) "Written documentation" means a statement signed by the attending physician of a person diagnosed with a debilitating medical condition or copies of the person's relevant medical records.

SECTION 4. (1) Except as provided in sections 5 and 11 of this Act, a person engaged in or assisting in the medical use of marijuana is excepted from the criminal laws of the state for possession, delivery or production of marijuana, aiding and abetting another in the possession, delivery or production of marijuana or any other criminal offense in which possession, delivery or production of marijuana is an element if the following conditions have been satisfied:

(a) The person holds a registry identification card issued pursuant to this section, has applied for a registry identification card pursuant to subsection (9) of this section, or is the designated primary caregiver of a cardholder or applicant; and

(b) The person who has a debilitating medical condition and his or her primary caregiver are collectively in possession of, delivering or producing marijuana for medical use in the amounts allowed in section 7 of this Act.

(2) The division shall establish and maintain a program for the issuance of registry identification cards to person who meet the requirements of this section. Except as provided in subsection (3) of this section, the division shall issue a registry identification card to any person who pays a fee in the amount established by the division and provides the following:

(a) Valid, written documentation from the person's attending physician stating that the person has been diagnosed with a

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debilitating medical condition and that the medical use of marijuana may mitigate the symptoms or effects of the person's debilitating medical condition;

(b) The name, address and date of birth of the person;

(c) The name, address and telephone number of the person's attending physician; and

(d) The name and address of the person's designated primary caregiver, if the person has designated a primary caregiver at the time of application.

(3) The division shall issue a registry identification card to a person who is under eighteen years of age if the person submits the materials required under subsection (2) of this section, and one of the person's parents or legal guardians signs a written statement that:

(a) The person's attending physician has explained to the person and to one of the person's parents or legal guardians the possible risks and benefits of the medical use of marijuana;

(b) The parent or legal guardian consents to the use of marijuana by the person for medical purposes;

(c) The parent or legal guardian agrees to serve as the person's designated primary caregiver; and

(d) The parent or legal guardian agrees to control the acquisition of marijuana and the dosage and frequency of use by the person.

(4) A person applying for a registry identification card pursuant to this section may submit the information required in this section to a county health department for transmittal to the division. A county health department that receives the information pursuant to this subsection shall transmit the information to the division within five days of receipt of the information. Information received by a county health department pursuant to this subsection shall be confidential and not subject to disclosure, except as required to transmit the information to the division.

(5) The division shall verify the information contained in an application submitted pursuant to this section and shall approve or deny an application within thirty days of receipt of the application.

(a) The division may deny an application only for the following reasons:

(i) The applicant did not provide the information required pursuant to this section to establish his or her debilitating medical condition and to document his or her consultation with an attending physician regarding the medical use of marijuana in connection with such condition, as provided in subsections (2) and (3) of this section; or

(ii) The division determines that the information provided was falsified.

(b) Denial of a registry identification card shall be considered a final division action, subject to judicial review. Only the person whose application has been denied, or, in the case of a person under the age of eighteen years of age whose application has been denied, the person's parent or legal guardian, shall have standing to contest the division's action.

(c) Any person whose application has been denied may not reapply for six months from the date of the denial, unless so authorized by the division or a court of competent jurisdiction.

(6)(a) If the division has verified the information submitted pursuant to subsections (2) and (3) of this section and none of the reasons for denial listed in subsection (5)(a) of this section is applicable, the division shall issue a serially numbered registry identification card within five days of verification of the information. The registry identification card shall state:

(i) The cardholder's name, address and date of birth;

(ii) The date of issuance and expiration date of the registry identification card;

(iii) The name and address of the person's designated primary caregiver, if any; and

(iv) Such other information as the division may specify by rule.

(b) When the person to whom the division has issued a registry identification card pursuant to this section has specified a designated primary caregiver, the division shall issue an identification card to the designated primary caregiver. The primary caregiver's registry identification card shall contain the information provided in subsection 4(6)(a)(i)-(iv).

(7)(a) A person who possesses a registry identification card shall:

(i) Notify the division of any change in the person's name, address, attending physician or designated primary caregiver; and

(ii) Annually submit to the division:

(A) updated written documentation of the person's debilitating medical condition; and

(B) the name of the person's designated primary caregiver if a primary caregiver has been designated for the upcoming year.

(b) If a person who possesses a registry identification card fails to comply with this subsection, the card shall be deemed expired. If a registry identification card expires, the identification card of any designated primary caregiver of the cardholder shall also expire.

(8) A person who possesses a registry identification card pursuant to this section and who has been diagnosed by the person's attending physician as no longer having a debilitating medical condition shall return the registry identification card to the division within seven calendar days of notification of the diagnosis. Any designated primary caregiver shall return his or her identification card within the same period of time.

(9) A person who has applied for a registry identification card pursuant to this section but whose application has not yet been approved or denied, and who is contacted by any law enforcement officer in connection with his or her administration, possession, delivery or production of marijuana for medical use may provide to the law enforcement officer a copy of the written documentation submitted to the division pursuant to subsections (2) or (3) of this section and proof of the date of mailing or other transmission of the documentation to the division. This documentation shall have the same legal effect as a registry identification card until such time as the person receives notification that the application has been approved or denied.

SECTION 5. (1) No person authorized to possess, deliver or produce marijuana for medical use pursuant to sections 1 to 19 of this Act shall be excepted from the criminal laws of this state or shall be deemed to have established an affirmative defense to criminal charges of which possession, delivery or production of marijuana is an element if the person, in connection with the facts giving rise to such charges:

(a) Drives under the influence of marijuana as provided in ORS 813.010;

(b) Engages in the medical use of marijuana in a public place as that term is defined in ORS 161.015, or in public view;

(c) Delivers marijuana to any individual who the person knows is not in possession of a registry identification card; or

(d) Delivers marijuana for consideration to any individual, even if the individual is in possession of a registry identification card.

(2) In addition to any other penalty allowed by law, a person who the division finds has willfully violated the provisions of sections 1 to 19 of this Act or rules adopted under sections 1 to 19 of this Act may be precluded from obtaining or using a registry identification card for the medical use of marijuana for a period of up to six months, at the discretion of the division.

SECTION 6. (1) Except as provided in sections 5 and 11 of this Act, it is an affirmative defense to a criminal charge of possession or production of marijuana, or any other criminal offense in which possession or production of marijuana is an element, that the person charged with the offense is a person who:

(a) Has been diagnosed with a debilitating medical condition and been advised by his or her attending physician the medical use of marijuana may mitigate the symptoms or effects of that debilitating medical condition;

(b) Is engaged in the medical use of marijuana; and

(c) Possesses or produces marijuana only in the amounts allowed in section 7 (1) of this Act, or in excess of those amounts if the person proves by a preponderance of the evidence that the greater amount is medically necessary to mitigate the symptoms or effects of the person's debilitating medical condition.

(2) It is not necessary for a person asserting an affirmative defense pursuant to this section to have received a registry

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identification card in order to assert the affirmative defense established in this section.

(3) No person who claims that marijuana provides medically necessary benefits and who is charged with a crime pertaining to such use of marijuana shall be precluded from presenting a defense of choice of evils, as set forth in ORS 161.200, or from presenting evidence supporting the necessity of marijuana for treatment of a specific disease or medical condition, provided that the amount of marijuana at issue is no greater than permitted under section 7 of this Act.

SECTION 7. (1) A person who possesses a registry identification card issued pursuant to section 4 of this Act may engage in, and a designated primary caregiver of such a person may assist in, the medical use of marijuana only as justified to mitigate the symptoms or effects of the person's debilitating medical condition. Except as allowed in subsection (2) of this section, a registry identification cardholder and that person's designated primary caregiver may not collectively possess, deliver or produce more than the following:

(a) If the person is present at a location at which marijuana is not produced, including any residence associated with that location, one ounce of usable marijuana; and

(b) If the person is present at a location at which marijuana is produced, including any residence associated with that location, three mature marijuana plants, four immature marijuana plants and one ounce of usable marijuana per each mature plant.

(2) If the individuals described in subsection (1) of this section possess, deliver or produce marijuana in excess of the amounts allowed in subsection (1) of this section, such individuals are not excepted from the criminal laws of the state but may establish an affirmative defense to such charges, by a preponderance of the evidence, that the greater amount is medically necessary to mitigate the symptoms or effects of the person's debilitating medical condition.

(3) The Health Division shall define by rule when a marijuana plant is mature and when it is immature for purposes of this section.

SECTION 8. (1) Possession of a registry identification card or designated primary caregiver identification card pursuant to section 4 of this Act shall not alone constitute probable cause to search the person or property of the cardholder or otherwise subject the person or property of the cardholder to inspection by any governmental agency.

(2) Any property interest possessed, owned or used in connection with the medical use of marijuana or acts incidental to the medical use of marijuana that has been seized by state or local law enforcement officers shall not be harmed, neglected, injured or destroyed while in the possession of any law enforcement agency. No such property interest may be forfeited under any provision of law providing for the forfeiture of property other than as a sentence imposed after conviction of a criminal offense. Marijuana and paraphernalia used to administer marijuana that was seized by any law enforcement office shall be returned immediately upon a determination by the district attorney in whose county the property was seized, or his or her designee, that the person from whom the marijuana or paraphernalia used to administer marijuana was seized is entitled to the protections contained in sections 1 to 19 of this Act. Such determination may be evidenced, for example, be a decision not to prosecute, the dismissal of charges, or acquittal.

SECTION 9. No attending physician may be subjected to civil penalty or discipline by the Board or Medical Examiners for:

(1) Advising a person whom the attending physician has diagnosed as having a debilitating medical condition, or a person who the attending physician knows has been so diagnosed by another physician licensed under ORS chapter 677, about the risks and benefits of medical use of marijuana or that the medical use of marijuana may mitigate the symptoms or effects of the person's debilitating medical condition, provided the advice is based on the attending physician's personal assessment of the person's medical history and current medical condition; or

(2) Providing the written documentation necessary for issuance of a registry identification card under section 4 of this Act, if the

documentation is based on the attending physician's personal assessment of the applicant's medical history and current medical condition and the physician has discussed the potential medical risks and benefits of the medical use of marijuana with the applicant.

SECTION 10. No professional licensing board may impose a civil penalty or take other disciplinary action against a licensee based on the licensee's medical use of marijuana in accordance with the provisions of sections 1 to 19 of this Act or actions taken by the licensee that are necessary to carry out the licensee's role as a designated primary caregiver to a person who possesses a lawful registry identification card issued pursuant to section 4 of this Act.

SECTION 11. Nothing in sections 1 to 19 of this Act shall protect a person from a criminal cause of action based on possession, production, or delivery of marijuana that is not authorized by sections 1 to 19 of this Act.

SECTION 12. (1) The division shall create and maintain a list of the persons to whom the division has issued registry identification cards pursuant to section 4 of this Act and the names of any designated primary caregivers. Except as provided in subsection (2) of this section, the list shall be confidential and not subject to public disclosure.

(2) Names and other identifying information from the list established pursuant to subsection (1) of this section may be released to:

(a) Authorized employees of the division as necessary to perform official duties of the division; and

(b) Authorized employees of state or local law enforcement agencies, only as necessary to verify that a person is a lawful possessor of a registry identification card or that a person is the designated primary caregiver of such a person.

SECTION 13. (1) If a person who possesses a registry identification card issued pursuant to section 4 of this Act chooses to have a designated primary caregiver, the person must designate the primary caregiver by including the primary caregiver's name and address:

(a) On the person's application for a registry identification card;

(b) In the annual updated information required under section 4 of this Act; or

(c) In a written, signed statement submitted to the division.

(2) A person described in this section may have only one designated primary caregiver at any given time.

SECTION 14. Any person may submit a petition to the division requesting that a particular disease or condition be included among the diseases and conditions that qualify as debilitating medical conditions under section 3 of this Act. The division shall adopt rules establishing the manner in which the division will evaluate petitions submitted under this section. Any rules adopted pursuant to this section shall require the division to approve or deny a petition within 180 days of receipt of the petition by the division. Denial of a petition shall be considered a final division action subject to judicial review.

SECTION 15. The division shall adopt all rules necessary for the implementation and administration of sections 1 to 19 of this Act.

SECTION 16. Nothing in sections 1 to 19 of this Act shall be construed to require:

(1) A government medical assistance program or private health insurer to reimburse a person for costs associated with the medical use of marijuana; or

(2) An employer to accommodate the medical use of marijuana in any workplace.

SECTION 17. The division may take any actions on or before the effective date of this Act that are necessary for the proper and timely implementation and administration of sections 1 to 19 of this Act.

SECTION 18. Any section of this Act being held invalid as to any person or circumstance shall not affect the application of any other section of this Act that can be given full effect without the invalid section or application.

SECTION 19. All provisions of this Act shall apply to acts or offenses committed on or after December 3, 1998, except that sections 4, 12 and 14 shall become effective on May 1, 1999.

Measure No. 67

EXPLANATORY STATEMENT

This measure changes current law to allow a person with a debilitating medical condition, verified by written proof from a physician, to engage in the medical use of marijuana. Current law prohibits possession, delivery or production of marijuana. This measure allows for the medical use, possession, delivery and production of limited amounts of marijuana, without pharmaceutical control (due to federal regulation), to alleviate the symptoms or effects of debilitating medical conditions, including cancer, glaucoma, AIDS, HIV, and other conditions.

This measure establishes a state registration system that issues cards to persons eligible to use marijuana for medical purposes. This measure also allows a person who qualifies to use marijuana for medical purposes to designate as a primary caregiver a person who has significant responsibility for managing his or her care. A designated primary caregiver is authorized to assist the qualified person in the use, possession, delivery and production of limited amounts of marijuana for authorized medical purposes. The designated primary caregiver must be identified on the identification card provided to the qualified person. For minors the designated primary caregiver must be a parent or guardian.

Current criminal penalties for the possession, delivery or production of marijuana, and for aiding and abetting another in the possession, delivery or production of marijuana, remain in effect. A person who qualifies or has applied for medical use of marijuana is excepted from these state laws. This measure creates an affirmative defense to state criminal charges of possession or production of marijuana for a person who is diagnosed with a debilitating medical condition, is engaged in the medical use of marijuana and possesses marijuana in an amount permitted under this measure.

A person authorized to engage in the medical use of marijuana under this measure remains subject to criminal prosecution if he or she drives under the influence of marijuana, engages in the medical use of marijuana in a public place or in public view, delivers marijuana to any person not in possession of an identification card or delivers marijuana to any person for money or other consideration.

This measure also prohibits any professional licensing board from taking disciplinary action against or imposing a civil penalty upon a licensee based upon the licensee's authorized medical use of marijuana or actions taken by the licensee as the designated primary caregiver of a person authorized to use marijuana for medical purposes. It also prohibits penalizing or disciplining any attending physician for advising a person diagnosed by a physician as having a debilitating condition about the risks, benefits and possible effects of the medical use of marijuana if the advice is based upon the physician's personal assessment of the person's medical history and current condition. In addition, this measure prohibits penalizing or disciplining any attending physician for providing the written documentation necessary for issuing a registry identification card under this measure.

This measure does not require governmental medical assistance plans or private health insurers to reimburse a person for the costs resulting from the medical use of marijuana.

Committee Members:

George Eighmey
Todd Olson
Sheriff Dan Noelle*
Dr. Cornilia Taylor
Representative Lane Shetterly

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.)

ARGUMENT IN FAVOR

My name is Stormy Ray. I am a grandmother of five. One day in 1985, my legs stopped working. I sat down in the street and dragged myself to my car.

I endured nearly a year of frantic testing before doctors diagnosed my multiple sclerosis. To treat my fatigue, nerve pain, and digestive problems, my doctor prescribed numerous drugs.

For years, I lived my life in a haze from all of the different drugs. I could not function. My self-esteem plummeted and I became bedridden, a recluse from life for six years. After 31 years of a healthy, active lifestyle, I felt my life was over.

By 1991, I was dying. Doctors were unable to treat the chronic migraine headaches that were killing me. My constant pain caused severe vomiting. This led to numerous trips to the emergency room where I was pumped full of morphine, Demerol, and other mind-altering drugs.

Medical marijuana is the only medicine that has helped to restore my dignity and quality of life.

If not for medical marijuana, I would be residing in a nursing home—unable to function, suffering unbearable pain.

Now, I face a dilemma. The choice is to live in unbearable pain or fear arrest if I use marijuana as medicine.

That's not a choice I should have to make.

I have a lot to live for...my daughter... my family... all my hopes and dreams. Medical marijuana may be the only medicine that gives me a fighting chance.

I am not alone. There are thousands of patients like me-- people suffering from cancer, AIDS, glaucoma, epilepsy, and a host of other diseases or illnesses that threaten their lives.

Patients should have the right to use any medical means necessary to control our diseases. We should be able to talk to our doctors about whether or not marijuana will help us.

Please vote YES on MEASURE 67.

Stormy Ray
Chief Petitioner

(This information furnished by Stormy Ray, Oregonians for Medical Rights.)

(This space purchased for \$300 in accordance with ORS 251.255.)

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Measure No. 67

ARGUMENT IN FAVOR

"The examination room is a sanctuary...the war on drugs does not belong there."

—Richard E. Bayer, M.D., FACP

I have seen many patients benefit from the medical use of marijuana. If it were legal to do so, physicians would recommend marijuana to suffering patients, many of whom are terminally ill.

Today, the law prevents us from helping patients who could benefit from this treatment option. The examination room is for treating patients—it should not serve as the battlefield for the war on drugs. The decisions of dying and suffering patients should be respected.

That's why I am a chief petitioner of **Measure 67—The Oregon Medical Marijuana Act**. This moderate proposal exempts patients with serious illnesses from Oregon criminal law when using marijuana under doctor supervision.

Patients with cancer find marijuana controls their vomiting, allowing them to continue chemotherapy. Patients find marijuana helps the "wasting syndrome" that often characterizes AIDS. Patients with spinal injuries and multiple sclerosis find relief from severe muscle spasms (spasticity) that complicate nerve damage. Patients with glaucoma have derived benefit from marijuana when conventional treatments have failed.

Dying and suffering patients should not be arrested for using medical marijuana under doctor supervision. This simple statement can be agreed upon by most of you, who like me, are not experts in the "politics of marijuana" or "drug policy reform," and do not support the legalization of marijuana for recreational use.

Measure 67 is about the rights of dying and suffering patients. Patients and their physicians should be able to discuss every treatment option. Measure 67 simply allows patients with debilitating illnesses to use a medicine that may help their condition—free from fear of arrest and incarceration.

Measure 67 is a moderate law with clear safeguards designed to protect dying and suffering patients and allow the use of medical marijuana under a doctor's care.

Please join me in Voting YES on 67.

Richard E. Bayer, M.D., FACP
Chief Petitioner

(This information furnished by Richard E. Bayer, M.D., Oregonians for Medical Rights.)

ARGUMENT IN FAVOR

FACTS ABOUT THE OREGON MEDICAL MARIJUANA ACT:

Protect Patients... Vote Yes on Measure 67

The Oregon Medical Marijuana Act allows patients suffering from cancer, glaucoma, AIDS, multiple sclerosis, and other serious diseases—with physician written approval—to use marijuana to relieve their symptoms.

Measure 67 Requires Physician Approval to Use Medical Marijuana

Not just anyone can use marijuana and claim a medical need. To use medical marijuana legally in their treatment, patients must get their medical doctor's approval in writing. Such approval entitles patients to receive a permit from the state health division.

This permit will also inform law enforcement officials that the patient has a legitimate medical need for marijuana, preventing unnecessary arrests of dying and suffering patients.

What the Oregon Medical Marijuana Act Does Not Allow:

- **DOES NOT** allow medical use of marijuana in a public place or in public view.
- **DOES NOT** allow the sale of marijuana under any circumstances.
- **DOES NOT** allow minors to use for medical purposes without the written consent of a parent or guardian.
- **DOES NOT** change any other existing criminal laws with regard to the illegal use of marijuana.

VOTE YES ON MEASURE 67

Protect Dying and Suffering Patients.

(This information furnished by Amy K. Klare, Oregonians for Medical Rights.)

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Measure No. 67

ARGUMENT IN FAVOR

New England Journal of Medicine Supports the Medical Use of Marijuana

"The advanced stages of many illnesses and their treatments are often accompanied by intractable nausea, vomiting, or pain. Thousands of patients with cancer, AIDS, and other diseases report they have obtained striking relief from these devastating symptoms by smoking marijuana."

"...I believe that a federal policy that prohibits physicians from alleviating suffering by prescribing marijuana for seriously ill patients is misguided, heavy-handed, and inhumane."

"...It is also hypocritical to forbid physicians to prescribe marijuana while permitting them to use morphine and meperidine to relieve extreme dyspnea and pain."

"...Federal authorities should rescind their prohibition of the medical use of marijuana for seriously ill patients and allow physicians to decide which patients to treat. The government should change marijuana's status.....and regulate it accordingly."

"...Some physicians will have the courage to challenge the continued proscription of marijuana for the sick. Eventually, their actions will force the courts to adjudicate between the rights of those at death's door and the absolute power of bureaucrats whose decisions are based more on reflexive ideology and political correctness than on compassion."

**REFERENCE: Editorial by New England Journal of Medicine
Editor Dr. Jerome Kassirer, Jan. 30, 1997**

(This information furnished by Geoff Sugerman, Oregonians for Medical Rights.)

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ARGUMENT IN FAVOR

VOTE YES ON MEASURE 67! IT'S A REASONABLE RESPONSE TO AN UNREASONABLE SITUATION

Did you know that under current state and federal law marijuana is classified as a Schedule I controlled substance and may not be prescribed for medical use by doctors? Did you know that more dangerous drugs—such as morphine, cocaine and amphetamines—are available for medical use because they are classified as Schedule II controlled substances or lower?

Despite mounting evidence that marijuana can help patients with glaucoma, AIDS, cancer, multiple sclerosis, and other conditions, the federal Drug Enforcement Administration continues to block research on the beneficial effects of marijuana. Oregon can't change federal law, but we can decide how state and local law enforcement officials will treat the medical use of marijuana.

MEASURE 67 WILL EASE HARASSMENT OF PATIENTS

Patients whose medical conditions are eased by marijuana should not be arrested and sent to jail. That's why the American Civil Liberties Union (ACLU) of Oregon helped write Measure 67. And that's why we urge you to support this initiative.

MEASURE 67 IS A SAFE, MODERATE LAW

Here are some of the important safeguards included in Measure 67:

- The exceptions for medical use of marijuana will only be available for patients who need it [See Section 3(2), definition of "debilitating medical condition"];
- While Measure 67 will allow medical use of marijuana, it will not allow anyone to sell marijuana [See Section 5(1)(d)]; this is intended to prevent the type of "cannabis buyers' clubs" which have popped up in California since the approval of a medical marijuana measure there;
- Measure 67 will not affect Oregon laws that already make it a crime to drive a motor vehicle while under the influence of marijuana [See Section 5(1)(a)];
- Measure 67 specifically prohibits any medical use of marijuana in a public place or within public view [See Section 5(1)(b)].

VOTE YES ON MEASURE 67! IT'S A REASONABLE RESPONSE TO AN UNREASONABLE SITUATION

(This information furnished by Jann Carson, American Civil Liberties Union (ACLU) of Oregon.)

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Measure No. 67

ARGUMENT IN FAVOR

Nurses Stand by Their Patients By Supporting Measure 67

Nurses are compassionate healers who care deeply for our dying and suffering patients. We are also advocates for our patients' medical needs.

That is why many nurses support Measure 67.

There Are Volumes of Data That Prove Medical Marijuana Works.

A vast and ever-expanding body of medical knowledge details the many medicinal benefits of marijuana. Many more volumes speak of widespread, safe use by patients with the quiet understanding and tacit approval of doctors and nurses everywhere.

Unfortunately, science and ethics have taken a back seat to political posturing. Patients and their families are the losers when politics replaces public policy.

Today, Our Patients Must Live in Fear.

Today, dying and suffering patients live in fear. Under current law, medical marijuana patients are arrested, prosecuted, fined and even jailed for using a safe medicine which relieves pain, spasticity, nausea and a host of other debilitating conditions. **This is wrong!**

As nurses, we stand beside our patients by supporting Measure 67 to allow dying and suffering patients the right to use medicinal marijuana.

Measure 67 Ends the Injustice Patients Face

Measure 67 begins to address this tragic social injustice by allowing seriously ill Oregonians the right to legally use marijuana as medicine if they register with the Oregon Health Division and are under the care of a physician. By passing Measure 67, voters will acknowledge that this safe and effective medicine should be available for medical use.

It also represents an awareness by the people of Oregon that turning patients into criminals is inconsistent with the ethics we live by.

For the sake of our patients, please join nurses across Oregon in supporting the Oregon Medical Marijuana Act.

Please Vote Yes on Measure 67.

Edward Glick, RN	Karen Hughes, RN	Dana McGlohn, RN
Donna Heavrin, RN	Cameron Lowder, RN	Kerry Self, RN
Karen Daley, RN	Linda Lindsey, RN	Bruce Penner, RN
Dianne Cassidy, RN		

(This information furnished by Edward Glick, RN.)

ARGUMENT IN FAVOR

Physicians Support Measure 67

As medical professionals, we support the rights of our patients to use medicines that might help them treat their debilitating illnesses. That's why we urge you to vote YES on Measure 67, the Oregon Medical Marijuana Act.

For many centuries, patients have used marijuana (cannabis) as medicine, achieving positive results for the treatment of a variety of conditions. Even as medical technology has improved, many dying and suffering patients are afflicted with debilitating conditions for which the responsible use of marijuana as medicine might help.

Many patients with cancer, glaucoma, AIDS, multiple sclerosis, spinal cord injuries and other serious illnesses report significant relief from their symptoms by using marijuana as medicine.

Numerous articles in respected medical journals such as the *New England Journal of Medicine* and the *Journal of the American Medical Association* point to the same conclusions: Marijuana as medicine works for many patients (see Measure 67, Oregon Medical Marijuana Act, web site at <http://www.teleport.com/~omr>).

However, at this time, the federal government has classified marijuana as a substance that cannot be prescribed by physicians...even though we can prescribe powerful drugs such as morphine. The editor in chief of the *New England Journal of Medicine* (1/30/97), Dr. Jerome Kassirer wrote "a federal policy that prohibits physicians from alleviating suffering by prescribing marijuana for seriously ill patients is misguided, heavy-handed and inhumane." We agree.

Measure 67, the Oregon Medical Marijuana Act, allows dying and suffering patients the right to use marijuana as medicine under doctor supervision. It does not change other drug laws. Measure 67 simply provides a safe harbor to protect seriously ill patients from arrest if their physician states marijuana "might help" their debilitating condition.

Please join us in voting yes on Measure 67.

Charles M. Grossman, M.D.
David M. Smith, M.D.
Michael J. Veverka, M.D.
Richard E. Bayer, M.D.
Stephen R. Enloe, M.D.
Euan Horniman, M.D.

(This information furnished by Richard E. Bayer, M.D., Oregonians for Medical Rights.)

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Measure No. 67

ARGUMENT IN FAVOR

In 1982, I was diagnosed with multiple sclerosis.

For 12 years the disease remained in remission, allowing me to continue my work as a nurse, a profession I had worked in for 20 years.

I used those 12 years to enjoy life — climbing mountains, rafting Oregon's rivers, living an active life — because I knew any day things could change.

In 1994, my disease worsened.

I began to lose the ability to function free from pain and the crippling spasms of MS.

I had to quit my job and go on social security disability.

It was during this time I began to use medical marijuana. The benefits were immediate.

It was the only medicine I could take that significantly relieved the muscle spasms.

As a nurse and a patient, I can tell you with certainty that the debilitating conditions of my disease would be unbearable if I did not use marijuana as medicine.

I am not alone.

I have known many other patients who have successfully used this medicine to help control their disease or illness.

I hope Oregonians pass Measure 67, if only to send a message to the federal government: **Doctors should be allowed to prescribe medical marijuana to their patients.**

I do not want to live in fear of arrest or prosecution because the government has political reasons to arbitrarily outlaw the medical use of marijuana.

I don't want to have to buy the only medicine that helps me from underground drug dealers in back alleys.

Please Vote Yes on Measure 67.

Patients like me are counting on your support.

Thank you.

Jeanelle Bluhm

(This information furnished by Jeanelle Bluhm, Oregonians for Medical Rights.)

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ARGUMENT IN OPPOSITION

"Medical Marijuana Scam"

focc.org/

Who's lying? Snake-oil salesmen, wanting to get high,or us?

"Adults" confuse children calling smoked marijuana, "medicine", implying it's good for you.

Speaking of legalizing marijuana for chemotherapy patients, Keith Stroup, founder, twice executive director of National Organization for the Reform of Marijuana Laws, said:

"we'll be using the issue as a red herring to give marijuana a good name.

interview (2/6/79) with the "Emory Wheel", ("Normal Chairman Keith Stroup on Pot Issues)

Dick Cowen, National Director of NORML, while at a conference celebrating the anniversary of LSD, stated:

"The key to it [legalization of marijuana, for personal use] is medical access. Because, once you have hundreds of thousands of people using marijuana medically under medical supervision, the whole scam is going to be bought then we'll get medical, then, we'll get full legalization."

Videotape, "Medical Marijuana: A Smokescreen"
GO Media Companies, P.O. Box 32786, Phoenix, AZ 85064

- Synthetic marijuana, Marinol, is already available.
- Proposition 200 ("medical marijuana") Arizonans believe it created dangerous, unintended consequences. Polls show 60% of registered voters support repealing it.
- Glaucoma - wide fluctuations in intraocular pressure, and numerous other factors affect the course of this disease; doctors agree: using marijuana as a treatment is likely to mask problems increasing the risk of blindness.
- Fetal Marijuana Symptoms are similar to those of Fetal Alcohol Syndrome, both, preventable.
- Mental Illness - marijuana has long been known to 'trigger' mental illnesses, such as bipolar (manic-depressive) psychosis and schizophrenia. Marijuana users are six times more likely to develop schizophrenia than non-users.
- Benzopyrene, a carcinogen, is more prevalent in marijuana than tobacco. Holding smoke in, 4 joints equal 30 cigarettes. Smoke is not a medicine; it damages the brain, heart, lungs and immune systems, impairs white blood cells' fighting infection, as well as resistance to diseases like AIDS.

Don't Legitimize Marijuana! Vote NO!

(This information furnished by John E. English, Director, For Our Children's Children.)

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Measure No. 67

ARGUMENT IN OPPOSITION

My name is Stanley Fields and I am a recovering Addict. I've been in recovery for over 13 years and we, that have have attained long term recovery from addiction, understand this issue as good, if not better than most Oregonians. I was almost dead at the age of 27 from chronic substance abuse.

It started with marijuana and I was a frequent marijuana smoker for more than a decade ... It robbed me of everything good in life. Some say that marijuana is a soft drug and it really doesn't cause much harm and I say how would you feel about the airline pilot, flying your plane, that just smoked a little harmless marijuana? Or the bus driver taking your children to school? The message I received, as a kid was that drugs like marijuana, were illegal and they would mess up my life. The people that gave me that message were dead right ... schoolteachers and leaders in my community all sent that message and unfortunately I didn't listen.

This measure sends the message to our children that smoking marijuana is ok, that it's a harmless herb used for centuries and that it has medicinal use. **Not one credible scientific organization has deemed marijuana useful. Can you think of one medically useful drug that has ever had to go to a vote of the people for approval?** There are some well meaning but severely misguided people who believe that we should legalize drugs and they are using the medical issue to further that cause. **If drugs would have been legal when I was growing up I would be dead now.**

Don't let marijuana rob our children's growing and developing minds the opportunity to be as healthy as they can be. Don't be fooled by a well-financed campaign of misinformation. I urge you to vote NO on Measure 67.

**Stanley Fields
Recovering Addict**

(This information furnished by Stanley Fields.)

ARGUMENT IN OPPOSITION

MEASURE 67 WOULD PREVENT POLICE AND PROSECUTORS FROM DOING THEIR JOB – FIGHTING CRIME.

- Measure 67 would make it easier for children and adults to possess and use marijuana. **This measure would make marijuana growers practically immune from prosecution.** It will be difficult to determine whether a person is growing marijuana for "medicinal" or illegal purposes. Suddenly, possession of a dangerous drug would be none of the police force's business.

MEASURE 67 IS NOT ABOUT SICK PEOPLE OR WHETHER MARIJUANA QUALIFIES AS MEDICINE. IT IS AN ATTEMPT TO LEGALIZE A VERY DANGEROUS DRUG. OUT-OF-STATE BACKERS WHO WANT TO LEGALIZE ALL DRUGS ARE PLAYING UPON OREGON'S COMPASSION FOR SERIOUS ILLNESS.

UNDER MEASURE 67, YOUR NEXT DOOR NEIGHBOR WOULD BE ALLOWED TO GROW MARIJUANA FOR SELF-MEDICATION. THIS IS NOT ABOUT A MARIJUANA PRESCRIPTION FROM THE PHARMACY. THERE ARE NO EFFECTIVE LIMITS OR CONTROLS ON HOW MUCH MARIJUANA IS GROWN.

- The permit system outlined in Measure 67 is nothing more than a ruse. With a doctor's recommendation, people can apply for the permit. The simple act of completing the application makes users and growers immune from prosecution.
- Children will be allowed to smoke marijuana for pain, leading to dependency and addiction at an early age. This will drastically affect their achievement levels and overall quality of life.

TODAY'S MARIJUANA IS MUCH STRONGER THAN POT SMOKED IN THE 60's or 70's.

- The THC content in marijuana today is **10 times greater** than in 1960. It is a highly addictive, mind-altering drug that needs to be taken seriously.

MEASURE 67 INCLUDES PROTECTION FOR USERS IN THE WORK PLACE AND IN SCHOOLS.

- Employees will have freedom to smoke marijuana wherever and whenever they want. It will be discriminatory to tell employees they can't use their "prescription" in the workplace. When employees are on drugs, they have poor judgment. This leads to more work-related accidents, increased absenteeism and lowered productivity on the job.

I BELIEVE THAT MARIJUANA IS BAD MEDICINE FOR OREGON.

VOTE NO ON MEASURE 67.

(This information furnished by Dan Noelle, Multnomah County Sheriff.)

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Measure No. 67

ARGUMENT IN OPPOSITION

MEASURE 67 — NO LIMITS, NO CONTROLS

- **Measure sets no age limitation on smoking marijuana. Children will have access to marijuana and be allowed to smoke it under this measure.** Do Oregonians want a law that allows juveniles to get illegal street drugs in the name of medicine? The answer is NO.
- Do you know that **your neighbors will be growing pot?** Measure 67 allows people to grow marijuana in their home for "medicinal" use. The measure requires no prescription and no trip to the pharmacy. **What "medical supervision" will there be for the children climbing over the fence?**

We do not want our neighbors next door growing pot for the whole family. This is unacceptable. Measure 67 is unacceptable. Marijuana is a dangerous drug and we should treat it accordingly.

- **Medicine is not smoked.** We do not need to allow our children to smoke marijuana to treat medical conditions when there are myriad prescription medicines approved by the FDA and proven safe and effective.

We do not want children becoming dependent on drugs — legally or otherwise.

Measure 67 sends the wrong message to our children. How do we tell children marijuana is bad when we label it medicine?

- **From 1995 to 1996 trial use of marijuana doubled among elementary school children aged nine to 12 --** increasing from 230,000 children experimenting with marijuana in 1995 to 460,000 in 1996 (Partnership Attitude Tracking Study).
- **From 1996 to 1997 use of marijuana by the same group increased by another third.** The number of 12-15 year olds using marijuana increased from 7.1% in 1996 to 9.4% in 1997 (1997 National Household Survey on Drug Abuse).

SMOKING MARIJUANA INHIBITS BOTH INTELLECTUAL AND PHYSICAL GROWTH IN YOUNG PEOPLE.

- The 1996 Oregon Public School Drug Survey reported that drug use not only affects a student's scholastic performance but is often related to their willingness to remain in school.

LEGALIZING MARIJUANA IS BAD FOR OREGON.

ENCOURAGING YOU TO DO IT IN THE NAME OF MEDICINE IS DECEPTIVE.

IT IS NOT ABOUT MEDICINE, IT IS ABOUT LEGALIZING DRUGS!

VOTE NO ON MEASURE 67

(This information furnished by Terry Hensley, Save Our Society from Drugs.)

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ARGUMENT IN OPPOSITION

THE STRAIGHT FACTS ABOUT MARIJUANA.

- Marijuana is addictive and affects the brain in ways similar to heroin, cocaine, tobacco, or alcohol. Teenagers are twice as likely as adults to become addicted to marijuana.
- Children born to women who use marijuana during pregnancy are apt to have lower birth weight, lower intelligence, more behavior problems, and a ten times greater chance of developing leukemia.
- Using marijuana damages health, thinking, memory, learning, and self management abilities. Marijuana smokers should not drive because marijuana erodes their driving abilities much as alcohol does.
- Teenagers who use marijuana are:
 - 6 times more likely to bring guns to school.
 - 4 times more likely to attack another person to hurt them.
 - 3 times more likely to engage in sex (and far more likely to do so without protection against disease and pregnancy).
 - 2 times more likely to attempt suicide.
 - 85 times more likely to use cocaine.
- Marijuana use by Oregon 8th graders has tripled since 1990 and is 36% above the national average. Measure 67 would allow Oregon children to smoke marijuana legally.
- Out-of-state marijuana promoters paid for Measure 67 in hopes of making marijuana more available. Marijuana promoters want to eliminate all restrictions on drug use.
- The main active ingredient in marijuana is available in synthetic form with a doctor's prescription (brand name Marinol). Research shows it is safe and effective for appetite stimulation and nausea reduction.
- Smoked marijuana has never been shown to be safe and effective treatment for any medical condition. Twenty-five years of scientific research and more than 12,000 published studies confirm only harm and health damage from smoked marijuana.

SMOKING MARIJUANA CIGARETTES IS NOT GOOD MEDICINE FOR ANYONE.

VOTE NO ON MEASURE 67.

(This information furnished by Roger Burt, MS.)

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Measure No. 67

ARGUMENT IN OPPOSITION

Oregonians care about people; they are compassionate. But Measure 67 is not about compassion and marijuana is not medicine.

Oregon voters can show they care for those who are suffering without voting to legalize marijuana. Voting against Measure 67 doesn't mean you don't care. Voting against Measure 67 means YOU DO CARE ABOUT:

OUR SCHOOLS:

Marijuana use by Oregon 8th graders has **tripled** since 1990, and is **36%** above the national average. Research shows marijuana users have more problems with learning, memory, concentration, and behavior.

Measure 67 will make marijuana even more available to Oregon's youth.

OUR CHILDREN AND FAMILIES:

Measure 67 allows children to smoke marijuana. Smoking marijuana affects the brain and leads to impaired short-term memory, perception, judgement and motor skills. Research in Oregon shows **marijuana is now the #1** drug of abuse for teenagers entering drug treatment programs.

Measure 67 will increase everyone's access to marijuana, young and old alike.

OUR WORKPLACES:

The #1 reason Oregon employees fail drug tests is marijuana. Currently **73%** of all users of illegal drugs, including marijuana, are employed.

Measure 67 will increase drug use in the workplace creating significant safety hazards.

OUR HEALTH:

Lung damage from smoking one marijuana cigarette is equal to the damage from 14 tobacco cigarettes. The American Lung Association reports that marijuana contains at least **50% more** cancer causing agents than cigarettes. FDA approved prescription medications are proven safer and more effective than marijuana for treating any medical condition.

Measure 67 allows people to smoke marijuana in any amount, any potency, any time, without a written prescription.

IF YOU REALLY CARE, VOTE NO ON MEASURE 67

(This information furnished by Jennifer Hudson, Oregonians Against Dangerous Drugs.)

ARGUMENT IN OPPOSITION

ARGUMENT IN OPPOSITION TO MEASURE 67

The Board of Directors for Southern Oregon Drug Awareness (SODA) oppose Measure 67 for the following reasons:

1. There are over 400 chemicals in marijuana, many of them harmful. Scientific research has found only one, THC, has any medicinal value.
2. Synthetic THC, Marinol, is already available and can be prescribed by physicians. SODA has no problem with medically sound drugs. For example, Oregon has a high per capita use of prescribed morphine. This means we are working to relieve pain. As a drug, marijuana has no similar scientific validity. Marijuana has been rejected as medicine by several noted health organizations including the American Medical Association, American Cancer Society and the Multiple Sclerosis and Glaucoma Societies.
3. The measure permits 3 mature and 4 immature plants, much more than what would be necessary for the use of one person, medicinal or otherwise. On the average, one plant produces 3-4 pounds; one joint is one-half gram. 28 grams equal 1 ounce for a potential 896 joints per pound.
4. The THC content of marijuana is 1400% stronger today than the 1960s. Smoked marijuana interferes with functions in the brain causing memory, learning, perception and judgment problems.
5. Research documents that when a drugs use is perceived as being high risk, usage of the drug goes down. When a drugs use is perceived as being low risk, usage of the drug goes up. We want to decrease use by kids; passage of Measure 67 would send the wrong message to youth.
6. Research shows that among the conditions which put youth at-risk for drug use are community standards which are tolerant of use and adult attitudes that are favorable toward use. Passage of Measure 67 would send the wrong message to youth.

Measure 67 isn't good public health policy. It isn't good medicine. It isn't good social policy. SODA opposes Measure 67.

(This information furnished by Stephanie Soares Pump, Executive Director, Southern Oregon Drug Awareness.)

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Measure No. 67

ARGUMENT IN OPPOSITION

OREGON POLICE CHIEFS FOR SAFER COMMUNITIES URGE YOU TO REJECT MARIJUANA AS THE DANGEROUS DRUG THAT IT IS, BY VOTING NO ON BALLOT MEASURE 67.

- Measure 67 would change Oregon law, making it legal for people with "debilitating medical conditions" to grow their own marijuana for self-medication, with minimal medical supervision. "Debilitating medical conditions" is not strictly defined, but would include persistent back spasms.

**MARIJUANA IS A NOT MEDICINE.
MARIJUANA IS A DANGEROUS DRUG.**

- Measure 67 requires that marijuana be exempt from the approval of the U.S. Food and Drug Administration, which governs all prescription drugs.

VOTE NO ON 67 TO MAINTAIN SAFE, LIVABLE COMMUNITIES

- Common sense tells us that if cultivation and possession of marijuana is allowed for medical use, illegal use will increase as well. **Law enforcement officials and medical professional overwhelmingly reject measures such as this, which will increase young people's access to dangerous drugs.**
- Measure 67 actually allows a legal defense for persons who use, deliver and grow marijuana without possessing a state permit if they claim to suffer from a debilitating medical condition. **With the exception of large commercial operations, it will be impossible to prosecute persons who use, deliver or grow marijuana for illegal purposes.**

OREGON DOES NOT NEED MARIJUANA AS MEDICINE.

JOIN OREGON POLICE CHIEFS FOR SAFER COMMUNITIES IN TELLING THOSE OUT-OF-STATE MILLIONAIRES THAT OREGON WON'T STAND FOR LEGALIZING DANGEROUS DRUGS.

VOTE NO ON MEASURE 67.

(This information furnished by Mike Cahill, Oregon Police Chiefs For Safer Communities.)

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ARGUMENT IN OPPOSITION

Oregonians have always been concerned with providing good medicine to meet the medical needs of its citizens. **However, ballot measure 67 which attempts to legalize marijuana as a medicine does not meet the medical needs of Oregonians nor does it qualify as good medicine.**

Claims of benefits pale when compared to real data. The NIH Institute on Allergy and Infectious Disease doesn't feel marijuana is effective due to problems with drug absorption from smoking, present of carcinogenic compounds and contamination due to salmonella and fungal spores. The National Eye Institute reports, "there is no scientifically verifiable evidence that marijuana or its derivatives are safe and effective in the treatment of glaucoma." Their research shows no evidence that it can safely lower intraocular pressure in order to prevent optic nerve damage.

President Harmon J. Eyre of the American Cancer Society has commented regarding treatment of nausea from cancer treatment with marijuana. He states that there is "no reason to support the legalization of marijuana for medical use." Joanne Schellenback of the American Cancer Society says that, "there are ample legal pharmaceuticals available... which don't present the medical problems caused by inhaling."

In a 1994 study published in *Clinical Pharmacology and Therapeutics*, multiple sclerosis patients who smoked a single marijuana cigarette experienced increased posture problems, decreased response speed and further impaired posture and balance. The National Institute of Neurological Disorders and Stroke stated, "There is no evidence that marijuana is effective in modifying the course of MS."

The biggest mistake of this policy is that it ignores the many resources and valid treatments available to Oregonians for their medical pain and suffering. Ballot Measure 67 attempts to replace sound and effective therapies with a mythological substitute.

What Oregonians want is real medicine for their real medical problems. We urge all Oregonians to pursue good treatments from the time tested halls of medicine. Let's not make the mistake of using the ballot box to fashion bad medicine.

VOTE NO ON BALLOT MEASURE 67

(This information furnished by Mike Howden, Oregon Physicians Resource Council.)

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Measure No. 67

ARGUMENT IN OPPOSITION

OREGON PEACE OFFICERS ASSOCIATION URGES YOU TO REJECT MARIJUANA AS THE DANGEROUS DRUG THAT IT IS BY VOTING NO ON BALLOT MEASURE 67.

Measure 67 would change Oregon law, making it legal for people with "debilitating medical conditions" to grow their own marijuana for self-medication, with minimal medical supervision. "Debilitating medical conditions" includes anything that constitutes severe pain or persistent muscle spasms.

Marijuana is not medicine. Marijuana is a dangerous drug. Measure 67 requires that marijuana be exempt from the approval of the U.S. Food and Drug Administration, which governs all prescription drugs. This would set a very dangerous precedent, undermining the FDA's safe and effective guarantee system that Americans have relied upon for decades.

Common sense tells us that if cultivation and possession of marijuana is allowed for "medical" use, illegal use will increase as well. **Law enforcement officials and medical professionals overwhelmingly reject measures such as these, which will increase young people's access to dangerous drugs.**

Measure 67 actually allows a legal defense for persons who use, deliver and grow marijuana without possessing a state permit if they claim to suffer from a debilitating medical condition. With the exception of large commercial operations, it will be impossible to prosecute marijuana violations.

67 is a poorly drafted measure which appears to set rules and limits as to the possession, delivery, and cultivation of marijuana, however there are broad exceptions written into key provisions of the measure. These exceptions, some of which are detailed above, cancel out the rules and limits, thereby making enforcement of any marijuana laws not only impractical, but virtually impossible.

MEASURE 67 DOESN'T MAKE SENSE. DON'T LET THE OUT-OF-STATE PRO-LEGALIZATION MOVEMENT MAKE ITS MARK IN OREGON.

VOTE NO ON MEASURE 67.

(This information furnished by Pat Harmon, Oregon Peace Officers Association.)

ARGUMENT IN OPPOSITION

**Measure 67 is not about caring for sick and dying people
Measure 67 is about legalizing dangerous drugs**

Oregon must just say "No" to this ill-conceived concept. When you read the measure, you won't be fooled.

Oregon wants to fight crime. So why create an environment where drugs will be readily available for "medicinal" and other uses? Instead of stopping crime, Measure 67 would be encouraging criminal activity and eroding the fabric of our society.

It is not a question of compassion. Oregonians care deeply about our neighbors and friends. There is no question that we want critically ill patients to get the best care available. That is why we must reject Measure 67, for the fact that there are FDA approved safe and affective drugs on the market to treat pain. None of these need to be smoked. Since when does the responsibility fall on voters to decide which drugs work?

Just look at the supporters of this measure. The majority of their money is from out-of-state donors who are known drug legalization advocates (per state C & E reports). They will be spending millions of dollars, and in the process destroying lives and families.

We cannot afford to gamble with our children's future by making drugs more accessible.

SAVE OUR CHILDREN, SAVE OUR FAMILIES, SAVE OUR WAY OF LIFE.

VOTE "NO" ON MEASURE 67

(This information furnished by Lou Beres, Executive Director, Christian Coalition of Oregon.)

(This space purchased for \$300 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.

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Absent Voter

APPLYING FOR ABSENTEE BALLOT

You may apply for an absentee ballot from your county clerk if:

1. You are a registered voter; and
2. You have reason to believe you will be unable, for any reason, to vote at the polling place on election day.

Your application must be in writing and must include:

1. Your signature. (This is required, for comparison to your voter registration card.)
2. Your residence address.
3. The address to which the ballot should be mailed, if different from your residence address.

While you may apply for and receive an absentee ballot up to 8:00 p.m. on election day, if your application is received by the county clerk after October 30, 1998, the county clerk is not required to mail your ballot. If your ballot is not mailed, you must obtain it in person from the county clerk. Therefore, if you apply for an absentee ballot by mail, you must allow enough time to receive the ballot, vote, and return the ballot to the county clerk by 8:00 p.m. on election day.

If you wish to become a permanent absentee voter, you can do so by checking the appropriate box on the absentee ballot application form. If you check the permanent absentee voter box, you are considered a permanent absentee voter for every subsequent election until you notify your county clerk or you move out of the county.

The U.S. Department of Defense provides standard form 76 that complies with these requirements. It is recommended that long term absent voters use this form—available at embassies and military installations—whenever possible.

Special absentee voting instructions and a ballot return envelope will accompany each absentee ballot.

Special Absentee Ballots: Any long term absentee voter may obtain a special absentee ballot for a primary or general election if the voter believes that:

1. The voter will be residing, stationed or working outside the territorial limits of the United States and the District of Columbia; and
2. The voter will not be able to receive, vote and return a regular absentee ballot by normal mail delivery within the period provided for absentee voting.

If you feel you may need a special absentee ballot, you should contact your county elections officer for details.

**REMEMBER, YOUR VOTED ABSENTEE BALLOT
MUST BE RECEIVED IN YOUR COUNTY
ELECTIONS OFFICE BY 8:00 P.M. THE DAY OF
THE ELECTION, NOVEMBER 3, 1998.**

LONG TERM ABSENT VOTER

You may apply for long term absent voter status with your county clerk or the Secretary of State if:

1. You are a resident of this state, absent from your place of residence; and
2. You are serving in the armed forces or merchant marine of the United States; or
3. You are temporarily living outside the territorial limits of the United States and the District of Columbia; or
4. You are a spouse or dependent of a long term absent voter. A spouse or dependent of a long term absent voter, not previously a resident of this state who intends to reside in this state, is considered a resident for voting purposes and may vote in the same manner as a long term absent voter.

Your application must be in writing and must include:

1. Your name and current mailing address.
2. A statement that you are a citizen of the United States.
3. A statement that you will be 18 or older on the day of the election.
4. A statement that your home residence has been in this state for more than 20 days preceding the election, and giving the address of your last home residence.
5. A statement of the facts that qualify you as a long term absent voter.
6. A statement that you are not requesting a ballot from any other state and are not voting in any other manner than by absentee ballot.
7. A designation of your political affiliation if you wish to vote in a primary election.

ABSENTEE BALLOT APPLICATION

PRECINCT NAME/NUMBER

TODAY'S DATE

ELECTION DATE

PRINT YOUR NAME CLEARLY

RESIDENCE STREET ADDRESS

CITY

COUNTY

ZIP

X

SIGNATURE OF APPLICANT (HANDWRITTEN)

☐ IF YOU WISH TO BECOME A PERMANENT ABSENTEE VOTER, CHECK THIS BOX.

MAIL BALLOT TO:

STREET ADDRESS

CITY

STATE

ZIP

**MAIL THIS APPLICATION TO THE COUNTY CLERK OF THE
COUNTY IN WHICH YOU MAINTAIN YOUR HOME RESIDENCE**

Absent Voter

Baker Julia Woods Baker County Clerk 1995 3rd St. Suite 150 Baker City, OR 97814-3398 541-523-8207 TDD 541-523-8208	Hood River Sandra Berry Dir. Assess/Rec. Courthouse, 309 State St. Hood River, OR 97031-2093 541-386-1442	Polk Linda Dawson Polk County Clerk Courthouse, Room 201 Dallas, OR 97338-3179 503-623-9217 TDD 503-623-7557	Wallowa Charlotte McIver Wallowa County Clerk 101 S. River St., Rm 100, Door 16 Enterprise, OR 97828-1335 541-426-4543, Ext. 15
Benton James Morales Elections Division 120 NW 4th St. Corvallis, OR 97339 541-757-6756 TDD 541-757-5646	Jackson Kathy Beckett Jackson County Clerk Courthouse, 10 S. Oakdale Ave. Medford, OR 97501-2902 541-776-7181 TDD 541-774-6719	Sherman Linda Cornie Sherman County Clerk PO Box 365 Moro, OR 97039-0365 541-565-3606 Fax 541-565-3312	Wasco Karen LeBreton Wasco County Clerk Courthouse, 511 Washington St. The Dalles, OR 97058 541-296-6159 TDD 541-296-6159
Clackamas John Kauffman Clackamas County Clerk Elections Division 825 Portland Ave. Gladstone, OR 97027-2195 503-655-8510	Jefferson Elaine L. Henderson Jefferson County Clerk Courthouse, 75 SE "C" St. Madras, OR 97741 541-475-4451 TDD 541-475-4451	Tillamook Josephine Veltri Tillamook County Clerk 201 Laurel Ave. Tillamook, OR 97141 503-842-3402	Washington Ginny Kingsley Elections Division 150 N. 1st Ave., MS3 Hillsboro, OR 97124 503-648-8670 TDD 503-693-4598
Clatsop Lori Davidson Clatsop County Clerk PO Box 178, 749 Commercial Astoria, OR 97103-0178 503-325-8605 TDD 503-325-9307	Josephine Georgette Brown Josephine County Clerk PO Box 69 Grants Pass, OR 97528-0203 541-474-5243 TDD 1-800-735-2900	Umatilla Patti Chapman Director of Elections PO Box 1227 Pendleton, OR 97801 541-278-6254 TDD 541-278-6257	Wheeler Marilyn Garcia Wheeler County Clerk PO Box 327 Fossil, OR 97830-0327 541-763-2400 TDD 541-763-2401
Columbia Elizabeth (Betty) Huser Columbia County Clerk Courthouse St. Helens, OR 97051-2089 503-397-3796, Ext. 8444 TDD 503-397-7246, Ext. 8445	Klamath Bernetha G. Letsch Klamath County Clerk 305 Main St. Klamath Falls, OR 97602 541-883-5134 TDD 541-883-5157	Union R. Nellie Bogue-Hibbert Union County Clerk 1001 4th St. Ste "D" LaGrande, OR 97850 541-963-1006	Yamhill Charles Stern Yamhill County Clerk Courthouse, 535 NE 5th St. McMinnville, OR 97128-4593 503-434-7518 TDD 503-434-7519
Coos Dorothy Taylor Coos County Clerk Courthouse Coquille, OR 97423-1899 541-396-3121, Ext. 301 TDD 1-800-735-2900	Lake Karen Swank Lake County Clerk 513 Center St. Lakeview, OR 97630-1579 541-947-6006 TDD 541-947-6007	<div style="text-align: right;">✂</div> <h2 style="text-align: center;">ABSENTEE BALLOT APPLICATION</h2> <div style="border: 1px solid black; padding: 5px;"> <div style="border-bottom: 1px solid black; margin-bottom: 5px;">PRECINCT NAME/NUMBER</div> <div style="display: flex; justify-content: space-between; border-bottom: 1px solid black; margin-bottom: 5px;"> TODAY'S DATE ELECTION DATE </div> <div style="border-bottom: 1px solid black; margin-bottom: 5px;">PRINT YOUR NAME CLEARLY</div> <div style="border-bottom: 1px solid black; margin-bottom: 5px;">RESIDENCE STREET ADDRESS</div> <div style="display: flex; justify-content: space-between; border-bottom: 1px solid black; margin-bottom: 5px;"> CITY COUNTY ZIP </div> <div style="border-bottom: 1px solid black; margin-bottom: 5px;"> <input checked="" type="checkbox"/> SIGNATURE OF APPLICANT (HANDWRITTEN) </div> <div style="border-bottom: 1px solid black; margin-bottom: 5px;"> <input type="checkbox"/> IF YOU WISH TO BECOME A PERMANENT ABSENTEE VOTER, CHECK THIS BOX. </div> <div style="border-bottom: 1px solid black; margin-bottom: 5px;">MAIL BALLOT TO:</div> <div style="border-bottom: 1px solid black; margin-bottom: 5px;">STREET ADDRESS</div> <div style="display: flex; justify-content: space-between; border-bottom: 1px solid black; margin-bottom: 5px;"> CITY STATE ZIP </div> <div style="border-bottom: 1px solid black; margin-bottom: 5px;">MAIL THIS APPLICATION TO THE COUNTY CLERK OF THE COUNTY IN WHICH YOU MAINTAIN YOUR HOME RESIDENCE</div> </div>	
Crook Deanna (Dee) Berman Crook County Clerk 300 E. Third, Room 23 Prineville, OR 97754-1919 541-447-6553 TDD 541-447-6553	Lane Annette Newingham Chief Deputy County Clerk 135 E. 6th Ave. Eugene, OR 97401-2671 541-682-4234 TDD 541-682-4320		
Curry Renéé Kolen Curry County Clerk PO Box 746 Gold Beach, OR 97444 541-247-7011, Ext. 223 TDD 541-247-6440	Lincoln Dana Jenkins Lincoln County Clerk 225 W. Olive St., Room 201 Newport, OR 97365 541-265-4131 TDD 541-265-4193		
Deschutes Mary Sue (Susie) Penhollow Deschutes County Clerk Deschutes Services Bldg. 1340 NW Wall St. Bend, OR 97701 541-388-6546 TDD 541-385-3203	Linn Steven Druckenmiller Linn County Clerk 300 SW 4th Albany, OR 97321 541-967-3831 TDD 541-967-3833		
Douglas Doyle Shaver, Jr. Douglas County Clerk PO Box 10 Roseburg, OR 97470-0004 541-440-4252 TDD 541-440-6092	Malheur Deborah R. DeLong Malheur County Clerk 251 "B" St. W., Suite 4 Vale, OR 97918 541-473-5151 TDD 541-473-5157		
Gilliam Rena Kennedy Gilliam County Clerk PO Box 427 Condon, OR 97823-0427 541-384-2311	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 TDD 503-588-5610		
Grant Kathy McKinnon Grant County Clerk 201 S. Humboldt St. #290 Canyon City, OR 97820 541-575-1675 TDD 541-575-1675	Morrow Barbara Bloodworth Morrow County Clerk PO Box 338 Heppner, OR 97836-0338 541-676-9061 TDD 541-676-9061		
Harney Maria Iturriaga Harney County Clerk Courthouse, 450 N. Buena Vista Burns, OR 97720 541-573-6641	Multnomah Director of Elections 1040 SE Morrison Portland, OR 97214-2495 503-248-3720 Fax 503-248-3719		

Voter Registration

The National Voter Registration Act of 1993 requires states to meet new standards of accessibility in election administration, making it easier for citizens to register and to vote. Now, citizens who are already registered to vote may update information on their registrations, such as residence address, through election day and still be able to cast a ballot.

Additionally, the Act is designed to increase the number of Americans registered to vote by requiring many public agencies to provide registration opportunities to their clients simultaneously with other services.

You may register to vote if:

1. You are a citizen of the United States;
2. You will be at least 18 years old by November 3, 1998; and
3. You are a resident of Oregon.

To register to vote:

Your completed voter registration card must be received or postmarked by October 13, 1998.

If you are currently registered to vote in Oregon, you must update your registration by filling out a new voter registration card if:

1. You change your residence address;
2. You change your mailing address;
3. Your name is changed by marriage or court order;
4. You want to change your political party affiliation; or
5. Your registration has been canceled.

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 many telephone directories.

If you have moved to a new residence within the same county where you are currently registered, your new voter registration card must be received by October 26, 1998, in order for you to be eligible to vote a full ballot. If you do not complete a new registration card by this deadline and wish to vote on election day, you may go to your county elections office or to your polling place to receive a ballot containing federal and statewide offices and statewide measures only.

If you have moved to a new residence in a different county than where you are currently registered, your new voter registration card must be received or postmarked by October 13, 1998. If you fail to meet this deadline, you must go to the elections office in your new county by election day to be eligible to vote.

If you are changing your political party affiliation, you must complete a new voter registration card and mail it to your county elections office. A card that contains a change in political party affiliation must be received or postmarked by October 26, 1998.

IMPORTANT! Even if there is no record of your voter registration at your polling site on election day, you can be issued a ballot containing federal and statewide offices and statewide measures only. The county elections office will then review your registration information and determine your voting eligibility.

Disabled Voters:

If you are unable, because of a disability, to sign your name on your voter registration card or other election document (such as an absentee ballot), you may use a signature stamp or other device to represent your signature. In order to use a signature stamp you must complete a form attesting to the fact that you are disabled and cannot sign your name by hand. This form must be filed before, or at the same time as, your voter registration card. The form may be obtained from any county elections office.

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Phil Keisling
State Capitol
Salem, Oregon 97310-0722

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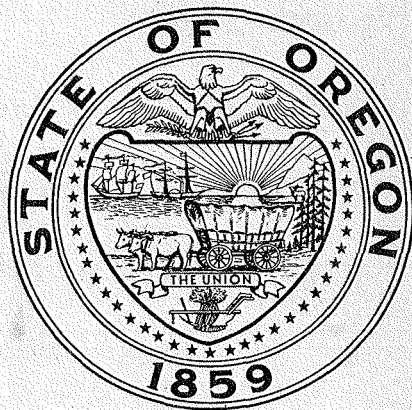
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voters' pamphlet

VOLUME 1 OF 2

MEASURES

State of Oregon
General Election
November 3, 1998



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