

**1**  
of 2

# **Voters' Pamphlet**

## **Measures**

**Oregon General Election**  
**November 4, 2008**

**vote!**



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



My Fellow Oregonians:

It's time once again for Oregon voters to step up and do our part for democracy. It's time to vote.

We honor the Americans who have died over the years to keep us free and preserve this cherished right to vote. But their sacrifice is even more heartening when we see repressed people from around the world waiting in line for hours, even days, to exercise this right we sometimes take for granted.

And here in Oregon, we have work to do. Once again, the ballot will ask us to consider statewide measures dealing with taxes, property, education and other matters. There are 12 of them, four placed on the ballot by the Legislature and eight by citizen initiative.

In the pages that follow, you will see arguments for and against these measures as written by their supporters and opponents. Please read them and think carefully. What we decide as voters will have a huge impact on the state and our pocketbooks.

Voting offers power, the power to have a say in the policies and priorities that will govern your city, your county, your state and your nation in the years ahead.

Let me thank those who are already registered and encourage those who aren't to do so by the October 14 registration deadline. Remember, you must re-register if your address has changed, if your name has changed or if your signature has changed.

If you have questions about registration, filling out your ballot or about getting a replacement ballot if you make a mistake, please call our toll-free hot-line, 1-866-ORE-VOTE, or 1-866-673-8683.

Your ballot must be in the hands of election workers or in an official drop-off location no later than 8 p.m. on Tuesday, November 4. Postmarks don't count. You can always call your county elections office to make sure they've received your ballot.

Being an active participant in our democracy is good for America, good for your community and best of all, good for you.

Best Wishes,

Oregon Secretary of State



## Oregon General Election

November 4, 2008

# Voters' Pamphlet

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**Voters' Pamphlet**

Your official 2008 General Election Voters' Pamphlet is divided into two separate volumes. This is Volume 1 and contains information on the 12 statewide ballot measures, as well as information on registering to vote.

Volume 2 will include a listing of state candidates, statements submitted by candidates and political parties, and information about voting your ballot. It will also include your county voters' pamphlet if your county chooses to produce a voters' pamphlet in combination with the state. Volume 2 will be delivered October 15-17.

**Measure arguments are printed as submitted. 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.**

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 Secretary of State's office, local post offices, courthouses and all county elections offices.

**Measures**

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

- (1) the ballot title;
- (2) the estimate of financial impact;
- (3) an explanation of the estimate of financial impact, if determined to be necessary by the committee;
- (4) the complete text of the proposed measure;
- (5) an impartial statement explaining the measure (explanatory statement);
- (6) for a legislative referral, a legislative argument in support of the measure; and
- (7) any arguments filed by proponents and opponents of the measure.

The ballot title is generally 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 generally prepared by a committee of state officials including the Secretary of State, the State Treasurer, the Director of the Department of Administrative Services, the Director of the Department of Revenue, and a local government representative selected by the committee members. The committee estimates only the direct impact on state and local governments, based on information presented to the committee. In addition, the committee may choose to provide an explanation of the estimate of financial impact statement.

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

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

**Website**

Most of the information contained in this voters' pamphlet is also available in the Online Voters' Guide at [www.oregonvotes.org](http://www.oregonvotes.org).

**Español**

Una versión en español de algunas partes de la Guía del Elector está a su disposición en el portal del Internet cuya dirección aparece arriba. Conscientes de que este material en línea podría no llegar adecuadamente a todos los electores que necesitan este servicio, se invita a toda persona a imprimir la versión en línea y circularla a aquellos electores que no tengan acceso a una computadora.

**Important!**

If your ballot is lost, destroyed, damaged or you make a mistake in marking your ballot, you may call your county elections office and request a replacement ballot. One will be mailed to you as long as you request it by October 30. After that, you may pick it up at the elections office. If you have already mailed your original ballot before you realize you made a mistake, you have cast your vote and will not be eligible for a replacement ballot.

Your voted ballot must be returned to your county elections office by 8pm election day, Tuesday, November 4, 2008.

**Postmarks do not count!**

County elections offices are open on election day from 7am to 8pm.

**Voter Information**

For questions about voter registration, ballot delivery and return, marking the ballot, requesting a replacement ballot, absentee ballots, signature requirements, the voters' pamphlet, when and where to vote, and other questions about elections and voting, call the toll-free voter information line at 1-866-ORE-VOTE (1-866-673-8683).

Voter information line representatives can provide services in both English and Spanish. TTY services for the hearing impaired are also available at 1-800-735-2900.

**Measure****54**

Amends Constitution: Standardizes voting eligibility for school board elections with other state and local elections.

**6****Measure****55**

Amends Constitution: Changes operative date of redistricting plans; allows affected legislators to finish term in original district.

**9****Measure****56**

Amends Constitution: Provides that May and November property tax elections are decided by majority of voters voting.

**14****Measure****57**

Increases sentences for drug trafficking, theft against elderly and specified repeat property and identity theft crimes; requires addiction treatment for certain offenders.

**26****Measure****58**

Prohibits teaching public school student in language other than English for more than two years

**43****Measure****59**

Creates an unlimited deduction for federal income taxes on individual taxpayers' Oregon income-tax returns

**58****Measure****60**

Teacher "classroom performance," not seniority, determines pay raises; "most qualified" teachers retained, regardless of seniority

**72****Measure****61**

Creates mandatory minimum prison sentences for certain theft, identity theft, forgery, drug, and burglary crimes

**85****Measure****62**

Amends Constitution: Allocates 15% of lottery proceeds to public safety fund for crime prevention, investigation, prosecution

**97****Measure****63**

Exempts specified property owners from building permit requirements for improvements valued at/under 35,000 dollars

**105****Measure****64**

Penalizes person, entity for using funds collected with "public resource" (defined) for "political purpose" (defined)

**117****Measure****65**

Changes general election nomination processes for major/minor party, independent candidates for most partisan offices

**132**

House Joint Resolution 4—Referred to the Electorate of Oregon by the 2007 Legislative Assembly to be voted on at the General Election, November 4, 2008.

<b>Explanation of Estimate of Financial Impact</b>	none
<b>Text of Measure</b>	7
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<b>Legislative Argument in Support</b>	8
<b>Arguments in Favor</b>	none
<b>Arguments in Opposition</b>	none

### **Ballot Title**

# 54

Amends Constitution: Standardizes voting eligibility for school board elections with other state and local elections.

#### **Result of “yes” vote**

“Yes” vote deletes unenforceable provisions relating to voter eligibility; deletion would have no substantive effect.

#### **Result of “no” vote**

“No” vote retains unenforceable provisions that require citizens to be 21 years of age to vote in school board elections.

#### **Summary**

Amends Oregon Constitution. The Oregon Constitution requires voters in school district elections to be 21 years of age and residents in the school district for six months. It also requires voters to pass a literacy test to vote in school district elections. This measure would eliminate these school district voter eligibility requirements because they are unenforceable under the United States Constitution and federal law. Voters in school district elections would still have to satisfy all other voter eligibility requirements for local, state and federal elections in Oregon. This measure would “clean up” the Oregon Constitution by deleting outdated and unenforceable language.

#### **Estimate of financial impact**

There is no direct financial effect on state or local government expenditures or revenue.

**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 repealing section 6, Article VIII, and by amending section 2, Article II, such section to read:

**Sec. 2. Qualifications of electors.** (1) Every citizen of the United States is entitled to vote in all elections not otherwise provided for by this Constitution if such citizen:

(a) Is 18 years of age or older;

(b) Has resided in this state during the six months immediately preceding the election, except that provision may be made by law to permit a person who has resided in this state less than 30 days immediately preceding the election, but who is otherwise qualified under this subsection, to vote in the election for candidates for nomination or election for President or Vice President of the United States or elector of President and Vice President of the United States; and

(c) Is registered not less than 20 calendar days immediately preceding any election in the manner provided by law.

(2) [Except as otherwise provided in section 6, Article VIII of this Constitution with respect to the qualifications of voters in all school district elections, provision] **Provision** may be made by law to require that persons who vote upon questions of levying special taxes or issuing public bonds shall be taxpayers.

**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**

54

In 1948, by initiative, voters amended the Oregon Constitution to require that in order to vote in school elections citizens must meet certain qualifications. These qualifications are set forth in section 6, Article VIII of the Oregon Constitution, and include requirements that a citizen be at least 21 years old, have resided in the school district for at least six months before the election and have registered for the election. A citizen meeting these qualifications would be allowed to vote in the school election if the citizen also could read and write English.

Later developments in voting rights laws and in court decisions interpreting the United States Constitution have made each of these requirements unconstitutional or a violation of federal law. The 26th Amendment to the United States Constitution prevents denial or abridgment of the voting rights of a citizen 18 years of age or older. Federal court decisions have held that residency requirements of the type set forth in section 6, Article VIII of the Oregon Constitution, violate the Equal Protection Clause of the 14th Amendment to the United States Constitution, and Oregon's Attorney General in 1972 held that the requirement is unenforceable. Finally, the federal Voting Rights Act of 1965 generally prohibits literacy tests as a condition of eligibility to vote.

This measure repeals section 6, Article VIII of the Oregon Constitution, so that Oregon's requirements for voting in school elections do not violate federal law and the United States Constitution. The measure also amends section 2, Article II of the Oregon Constitution, in order to remove a reference to the same section 6, Article VIII, repealed in the measure.

*(This impartial statement explaining the measure was provided by the 2007 Legislature.)*

**Legislative Argument in Support**

**Ballot Measure 54 guarantees all eligible Oregonians the right to cast their vote in local school board elections.**

Currently, the Oregon Constitution prohibits registered voters under the age of 21 from casting a vote and participating in local school board elections. While voters between the ages of 18-20 are qualified to vote in presidential and other statewide sanctioned elections, they are precluded from voting for their local school board representatives.

The prohibition as it currently exists causes unequal treatment. We feel this is wrong and strongly believe that registered voters should be given the opportunity to participate in all local, state, and federal elections.

In 2007, the Oregon Legislature worked to pass bipartisan legislation that refers this matter to Oregonians. In order to amend the Constitution and give all registered voters in Oregon the ability to participate in local school board elections, a vote of the people is required.

A **YES** vote amends the Constitution and guarantees that all Oregonians who are registered to vote in Oregon are able to participate in all federal, state, and local elections, including school board elections.

We strongly urge you to vote **YES** for **Ballot Measure 54**.

**Committee Members:**

	<b>Appointed by:</b>
Senator Ted Ferrioli	President of the Senate
Representative Vicki Berger	Speaker of the House
Representative Diane Rosenbaum	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.*)

# Measure arguments are printed as submitted

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.

for more information about voting in Oregon

**call** **1 866 ORE VOTE/673 8683**  
*se habla español*

**visit** **[www.oregonvotes.org](http://www.oregonvotes.org)**

**TTY** **1 800 735 2900**  
*for the hearing impaired*

House Joint Resolution 31—Referred to the Electorate of Oregon by the 2007 Legislative Assembly to be voted on at the General Election, November 4, 2008.

<b>Explanation of Estimate of Financial Impact</b>	none
<b>Text of Measure</b>	10
<b>Explanatory Statement</b>	12
<b>Legislative Argument in Support</b>	13
<b>Arguments in Favor</b>	none
<b>Arguments in Opposition</b>	none

## Ballot Title

# 55

Amends Constitution: Changes operative date of redistricting plans; allows affected legislators to finish term in original district.

### Result of "yes" vote

"Yes" vote changes date when new redistricting plans become law, which allows affected state Representatives and Senators to represent their districts for a full term.

### Result of "no" vote

"No" vote retains current law permitting state legislator to be reassigned to another district when redistricting plan results in multiple legislators living in one district.

### Summary

Amends Oregon Constitution. Reapportionment, commonly called "redistricting" in Oregon, changes the lines of Oregon's state Representative and state Senator districts every 10 years, based on results of the U.S. census. The next census is scheduled for 2010, with redistricting to be done in 2011. Currently, when a redistricting plan takes effect, and more than one Representative or Senator resides in the new district, one of the Representatives or Senators is assigned, temporarily, to another district. For example, in 2001 a Eugene Representative was assigned to represent a district in central Oregon. This measure would allow Representatives and Senators to continue to represent the districts from which they were elected for their full terms, with the new redistricting going into effect after the next general election.

### Estimate of financial impact

There is no direct financial effect on state or local government expenditures or revenue.

**Text of Measure****Be It Resolved by the Legislative Assembly of the State of Oregon:**

**PARAGRAPH 1.** Sections 3, 6 and 8, Article IV of the Constitution of the State of Oregon, are amended to read:

**Sec. 6.** (1) At the regular session of the Legislative Assembly next following an enumeration of the inhabitants by the United States Government, the number of Senators and Representatives shall be fixed by law and apportioned among legislative districts according to population. A senatorial district shall consist of two representative districts. Any Senator whose term continues through the next regular legislative session after the [effective] **operative** date of the reapportionment shall be specifically assigned to a senatorial district. The ratio of Senators and Representatives, respectively, to population shall be determined by dividing the total population of the state by the number of Senators and by the number of Representatives. A reapportionment by the Legislative Assembly [*shall become operative no sooner than September 1 of the year of reapportionment*] **becomes operative as described in subsection (6) of this section.**

(2) This subsection governs judicial review and correction of a reapportionment enacted by the Legislative Assembly.

(a) Original jurisdiction is vested in the Supreme Court, upon the petition of any elector of the state filed with the Supreme Court on or before August 1 of the year in which the Legislative Assembly enacts a reapportionment, to review any reapportionment so enacted.

(b) If the Supreme Court determines that the reapportionment thus reviewed complies with subsection (1) of this section and all law applicable thereto, it shall dismiss the petition by written opinion on or before September 1 of the same year and the reapportionment [*shall become operative on September 1*] **becomes operative as described in subsection (6) of this section.**

(c) If the Supreme Court determines that the reapportionment does not comply with subsection (1) of this section and all law applicable thereto, the reapportionment shall be void. In its written opinion, the Supreme Court shall specify with particularity wherein the reapportionment fails to comply. The opinion shall further direct the Secretary of State to draft a reapportionment of the Senators and Representatives in accordance with the provisions of subsection (1) of this section and all law applicable thereto. The Supreme Court shall file its order with the Secretary of State on or before September 15. The Secretary of State shall conduct a hearing on the reapportionment at which the public may submit evidence, views and argument. The Secretary of State shall cause a transcription of the hearing to be prepared which, with the evidence, shall become part of the record. The Secretary of State shall file the corrected reapportionment with the Supreme Court on or before November 1 of the same year.

(d) On or before November 15, the Supreme Court shall review the corrected reapportionment to assure its compliance with subsection (1) of this section and all law applicable thereto and may further correct the reapportionment if the court considers correction to be necessary.

(e) The corrected reapportionment [*shall become operative upon November 15*] **becomes operative as described in subsection (6) of this section.**

(3) This subsection governs enactment, judicial review and correction of a reapportionment if the Legislative Assembly fails to enact any reapportionment by July 1 of the year of the regular session of the Legislative Assembly next following an enumeration of the inhabitants by the United States Government.

(a) The Secretary of State shall make a reapportionment of the Senators and Representatives in accordance with the provisions of subsection (1) of this section and all law applicable thereto. The Secretary of State shall conduct a hearing on the reapportionment at which the public may submit evidence, views and argument. The Secretary of State shall cause a transcription of the hearing to be prepared which, with the evidence, shall become part of the record. The reapportionment so made shall be filed with the Supreme Court by August 15 of the same year. [*It shall become operative on September 15*] **The reapportionment becomes operative as described in subsection (6) of this section.**

(b) Original jurisdiction is vested in the Supreme Court upon the petition of any elector of the state filed with the Supreme Court on or before September 15 of the same year to review any reapportionment and the record made by the Secretary of State.

(c) If the Supreme Court determines that the reapportionment thus reviewed complies with subsection (1) of this section and all law applicable thereto, it shall dismiss the petition by written opinion on or before October 15 of the same year and the reapportionment [*shall become operative on October 15*] **becomes operative as described in subsection (6) of this section.**

(d) If the Supreme Court determines that the reapportionment does not comply with subsection (1) of this section and all law applicable thereto, the reapportionment shall be void. The Supreme Court shall return the reapportionment by November 1 to the Secretary of State accompanied by a written opinion specifying with particularity wherein the reapportionment fails to comply. The opinion shall further direct the Secretary of State to correct the reapportionment in those particulars, and in no others, and file the corrected reapportionment with the Supreme Court on or before December 1 of the same year.

(e) On or before December 15, the Supreme Court shall review the corrected reapportionment to assure its compliance with subsection (1) of this section and all law applicable thereto and may further correct the reapportionment if the court considers correction to be necessary.

(f) The reapportionment [*shall become operative on December 15*] **becomes operative as described in subsection (6) of this section.**

(4) Any reapportionment that becomes operative as provided in this section is a law of the state except for purposes of initiative and referendum. [*A reapportionment shall not be operative before the date on which an appeal may be taken therefrom or before the date specified in this section, whichever is later.*]

(5) Notwithstanding section 18, Article II of this Constitution, after the convening of the next regular legislative session following the reapportionment, a Senator whose term continues through that legislative session is subject to recall by the electors of the district to which the Senator is assigned and not by the electors of the district existing before the latest reapportionment. The number of signatures required on the recall petition is 15 percent of the total votes cast for all candidates for Governor at the most recent election at which a candidate for Governor was elected to a full term in the two representative districts comprising the senatorial district to which the Senator was assigned.

**(6)(a) Except as provided in paragraph (b) of this subsection, a reapportionment made under this section becomes operative on the second Monday in January of the next odd-numbered year after the applicable deadline for making a final reapportionment under this section.**

**(b) For purposes of electing Senators and Representatives to the next term of office that commences after the applicable deadline for making a final reapportionment under this section, a reapportionment made under this section becomes operative on January 1 of the calendar year next following the applicable deadline for making a final reapportionment under this section.**

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

(2)(a) If a vacancy **occurs** in the office of senator or representative from any county or district or subdistrict [*shall occur, such*], the vacancy shall be filled as may be provided by law.

(b) Except as provided in paragraph (c) of this subsection, a person who is appointed to fill a vacancy in the office of senator or representative [*shall have been*] **must be** an inhabitant of the district the person is appointed to represent for at least one year next preceding the date of the appointment. [*However,*]

(c) For purposes of an appointment occurring during the period beginning on January 1 of the year [*next following the operative date of an apportionment*] **a reapportionment becomes operative** under section 6 of this Article, the person must have been an inhabitant of the district for one year next preceding the date of the appointment or from January 1 of the year [*following*] the reapportionment **becomes operative** to the date of the appointment, whichever is less.

**Sec. 8. (1)(a) [No person shall] Except as provided in paragraph (b) of this subsection, a person may not** be a Senator or Representative [*who*] **if the person** at the time of election:

(A) Is not a citizen of the United States; [*nor anyone who and*]

(B) Has not been for one year next preceding the election an inhabitant of the district from which the Senator or Representative may be chosen. [*However,*]

(b) For purposes of the general election next following the [*operative date of an*] **applicable deadline for making a final** apportionment under section 6 of this Article, the person must have been an inhabitant of the district from January 1 of the year following the **applicable deadline for making the final** reapportionment to the date of the election.

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

(3) [*No person shall*] **A person may not** be a Senator or Representative [*who*] **if the person** has been convicted of a felony during:

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

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

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

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

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

(b) A person elected to the office of Senator or Representative and convicted of a felony during the period beginning on the date of the election and ending on the first day of the term of office to which the person was elected shall be ineligible to take office and the office shall become vacant on the first day of the next term of office.

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

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

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

(7)(a) [*No person shall*] **Except as provided in paragraph (b) of this subsection, a person may not** be a Senator or Representative [*who*] **if the person** at all times during the term of office of the person as a Senator or Representative is not an inhabitant of the district from which the Senator or Representative may be chosen or **which the Senator or Representative** has been appointed to represent. A person [*shall*] **does** not lose status as an inhabitant of a district if the person is absent from the district for purposes of business of the Legislative Assembly.

(b) Following the [*operative date of an*] **applicable deadline for making a final** apportionment under section 6 of this Article, until the expiration of the term of office of the person, a person may be an inhabitant of any district.

**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**

The Oregon Constitution requires the adjustment of the legislative district boundaries for the offices of state Senator and state Representative every 10 years after the United States census is taken. This process is known as redistricting or reapportionment.

**55** This measure amends the Oregon Constitution to change the date that the redistricting plan first applies, or becomes operative.

Currently, the constitution requires the Legislative Assembly to adopt a redistricting plan by July 1 of the year following the census (an odd-numbered year). If the legislature does not adopt a plan, the Secretary of State must file a redistricting plan with the Oregon Supreme Court by August 15 of the same year. The constitution allows for legal challenges to any redistricting plan and requires that a plan be operative no later than December 15 of the same year.

Since the redistricting plan goes into operation during legislative terms of office, this means that incumbent members of the legislature must be assigned to represent the new legislative districts for the remainder of their terms. State Representatives may represent an assigned district for more than one year. State Senators may represent an assigned district for more than two years.

This measure changes the date that the new redistricting plan becomes operative to the first day of the next regular legislative session that occurs after the plan is developed. Therefore, most members of the legislature could continue to represent the districts from which they were elected or appointed until the end of their terms. Some state Senators would have to be assigned to a new district for the final two years of their term of office.

However, the measure also provides that the new legislative districts would apply for purposes of nominating and electing members of the legislature at the primary and general elections in the even-numbered year after the final redistricting plan was developed.

Therefore, this measure allows the new legislative districts to apply for purposes of nominating and electing candidates from the new legislative districts, but does not require most incumbent members of the legislature to be assigned to and represent new legislative districts that are different from the districts from which they were elected or appointed.

*(This impartial statement explaining the measure was provided by the 2007 Legislature.)*

**Legislative Argument in Support**

Ballot Measure 55 addresses a longstanding problem that faces Oregon every ten years when it does redistricting. The process for redistricting is contained in the Oregon Constitution.

"Redistricting" changes the lines of Oregon's legislative districts every ten years, based on the results of the U.S. Census, in an effort to make each district equal in population. Sometimes, when the new redistricting plan goes into effect, a district's boundaries are redrawn in a way that includes the homes of more than one elected State Senator or Representative. As a result, some districts have more than one elected legislator and some districts have none.

When this occurs, one of those Senators or Representatives is then temporarily assigned to represent a different district. This means some legislators are assigned to represent districts they do not live in and voters that did not elect them. In late 2001, after the last redistricting, several Senators and Representatives were assigned to represent districts that did not overlap at all with the districts in which they were elected. For example, one Representative elected in an urban district in the Willamette Valley was assigned to represent a rural district in Central Oregon.

Voters should be represented by the people they elect. Each legislative district has distinct characteristics and interests. Voters in every district deserve a legislator who understands the issues unique to that district.

Ballot Measure 55 corrects this problem by maintaining the old districts in most cases while establishing the new districts for nomination and election purposes. This will give voters more consistency in their representation during the redistricting process.

We urge your support for Ballot Measure 55.

**Committee Members:**

Senator Ginny Burdick  
Representative Phil Barnhart  
Representative Vicki Berger

**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.)*



for unofficial election  
results starting at 8pm  
on November 4th visit:

**www.oregonvotes.org**



for more information about  
voting in Oregon

**call      1 866 ORE VOTE/673 8683**  
*se habla español*

**visit      www.oregonvotes.org**

**TTY      1 800 735 2900**  
*for the hearing impaired*



House Joint Resolution 15—Referred to the Electorate of Oregon by the 2007 Legislative Assembly to be voted on at the General Election, November 4, 2008.

<b>Explanation of Estimate of Financial Impact</b>	none
<b>Text of Measure</b>	15
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56

### **Ballot Title**

# 56

Amends Constitution: Provides that May and November property tax elections are decided by majority of voters voting.

#### **Result of “yes” vote**

“Yes” vote provides that majority of voters voting in May and November elections may pass local property tax measure to fund schools, police, local services.

#### **Result of “no” vote**

“No” vote retains current law where non-votes have effect of “no” vote in certain local elections where less than 50 percent of voters participate.

#### **Summary**

Current law requires that 50 percent of voters participate in an election (except general elections in even-numbered years) in order to pass local property tax measures to raise money for schools, police, libraries, parks or other local government services. This means that non-votes have the effect of a “no” vote where less than 50 percent of qualified voters participate. All other elections are determined by a majority of those who vote, with no voter turnout requirements. This measure eliminates the voter turnout requirement for local property tax elections held in May and November. As a result, for such elections, measures to raise money for schools, police, libraries, parks or other local government services become law when approved by a majority of those voting.

#### **Estimate of financial impact**

There is no direct financial effect on state or local government expenditures or revenue.

**Text of Measure****Be It Resolved by the Legislative Assembly of the State of Oregon:**

**PARAGRAPH 1.** The Constitution of the State of Oregon is amended by creating a new section 11k to be added to and made a part of Article XI, such section to read:

**SECTION 11k. Notwithstanding subsection (8) of section 11 of this Article, subsection (8) of section 11 of this Article does not apply to any measure voted on in an election held in May or November of any year.**

**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**

Under current law, local governments may ask voters to approve certain local property tax measures to raise money to help fund local government services, such as education, jails, police and fire, libraries and parks. Local governments may also ask voters to approve serial or bond levies to pay for capital projects, such as building new schools, roads, libraries, parks and other public facilities.

Currently, the Oregon Constitution requires that at least 50 percent of qualified voters must vote, and a majority of those voters must approve the measure, in order to pass a local property tax measure. The only exception to the 50 percent turnout requirement is for November elections held in even-numbered years.

Under the 50 percent voter turnout requirement, often referred to as a "double majority" requirement, non-votes have the effect of a "no" vote if less than 50 percent of qualified voters participate in the election. An example demonstrates how current law works. Assume:

Number of qualified voters in jurisdiction: 1,000,000

Voters who voted: 499,999

"Yes" vote: 499,999 (100% of those who voted)

"No" vote: 0

Voters who did not vote: 500,001

Result: Measure fails; non-votes have effect of "no" vote

The voter turnout requirement only applies to certain local property tax measures, such as "local option" taxes, serial levies and bond levies. All other local and state ballot measures are passed if approved by a majority of those who vote, with no voter turnout requirement.

As a result of the voter turnout requirement, many local property tax measures that were approved in past elections by a majority of those voting nonetheless failed, because the voter turnout requirement was not met.

This measure eliminates the voter turnout requirements for property tax elections held in May and November, but keeps the voter turnout requirement for elections held at any other time. As a result, for May and November elections, local property tax measures become law when approved by a majority of those voting.

*(This impartial statement explaining the measure was provided by the 2007 Legislature.)*

**Legislative Argument in Support**

Ballot Measure 56 restores fairness to Oregon's elections. Elections should be decided by a majority of voters. While this may seem like the most basic tenet of our democracy, it is not always the case in Oregon.

Since 1996, thousands of Oregonians have had their votes thrown out by the undemocratic double majority law. Parents supporting schools, fire fighters who need a new engine, sheriffs who need more resources to fight meth, veterans, libraries, and community colleges have all been stung by the double majority – even though a majority of voters supported their cause.

In May 2006, Tillamook County lost valuable dollars for veteran services despite the fact that the yes votes exceeded the no votes almost two to one. In May 2005, the Lower McKay Fire District had a levy fail due to double majority because 7 people did not vote.

When the double majority law was enacted, supporters argued that local bond campaigns could "sneak" by the voters by holding an election at an unusual time. Today in every bond or levy election each voter receives a ballot envelope clearly marked "Contains vote on proposed tax increase." Voters who do not participate in these elections should not be allowed to determine the outcome.

The Legislature has developed a balanced plan that is supported by Democrats and Republicans to exempt all primary and general elections from this rule. This compromise approach still leaves the double majority in place for those elections in March and September which typically have lower participation.

The fact remains that the law as it stands is undemocratic, and it gives undue power to those who do not participate in our democracy. Our solution presents a moderate middle ground which gives power back to those who take the time to vote.

**Committee Members:**

Senator Richard Devlin  
Representative Vicki Berger  
Representative Dave Hunt

**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****MAKE EVERY VOTE COUNT****STOP NON-VOTERS FROM SILENCING YOUR VOICE****Join Oregon's Educators in Voting Yes on Measure 56**

For years, Oregonians who opted to sit out an election have been determining the outcome of local elections. This is fundamentally unfair. **And it's time for a change.**

Oregon voters who take the time to make their voice heard shouldn't be silenced by "no-shows." The current system of counting "no-shows" is not only unfair, it's outdated - **with Oregon's vote-by-mail system, there is no excuse not to cast a ballot.**

We shouldn't continue to let non-voters cancel out the votes of those who care enough about our local communities to cast a ballot. That's not democracy in action! **Restore democracy in Oregon. Vote Yes on Measure 56.**

Oregon educators work hard every day to inspire young minds and help create good citizens. We encourage students to make their voice heard and we would never punish a student if their classmates chose to sit it out. **Oregon's outdated voting system sets a bad example for our kids.**

**Please join the 48,000 teachers, school employees and community college faculty of the Oregon Education Association in voting Yes on Ballot Measure 56.**

**MAKE SURE YOUR VOTE COUNTS****Vote Yes on 56**

*(This information furnished by Larry Wolf, President, Oregon Education Association.)*

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**Argument in Favor****Oregon PTA Urges You to Vote YES on Measure 56  
Let's Set a Good Example for Our Kids**

As parents who are involved in the education of our children, we make great efforts to teach our kids about basic ideas like fairness, honesty, and the importance of participating in our local communities. These are the foundations of healthy communities, and they're the building blocks of a successful democracy.

**That's Why Measure 56 is So Important.** Right now, Oregon law is setting a terrible example for our children. The "double majority" requirement means that people who don't care enough to participate in their communities by voting are given the same vote as the people who care enough to vote.

That's teaching our kids that when they get to voting age, they don't even need to bother to vote. If they stay home and never bother to even open their ballot, they'll still get counted as a No vote.

**If You Want to Have a Voice, You Have to Show Up.** Measure 56 will set things right again by showing our kids that voting is one of the most important things they can do to help their communities and neighborhoods.

In order to show our children the value of participating in their communities, we need to set a good example by passing Measure 56, which restores the basic principle that we shouldn't reward no-shows.

**Vote YES on Measure 56.  
It Just Makes Sense.**

## Measure 56 Arguments

(This information furnished by Anita Olsen, Oregon PTA.)

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### Argument in Favor

**Oregon Fire Fighters Believe in Fairness.  
Join Us in Voting Yes on Measure 56.**

Oregon's fire fighters believe that you should have the right to vote on the issues that affect your community, and that when you vote, your voice should be counted.

But as it currently stands, in many local elections someone who doesn't even cast a ballot can cancel out your vote—without even lifting a finger. The "double majority" requirement means that non-voters can squash your voice by simply not even showing up.

**Measure 56 will set things right.**

We believe it's high time your vote be counted fully in every election. Measure 56 will restore the basic democratic principle that elections are decided by those who show up, not by non-voters.

As fire fighters, we give our all everyday. We don't have the option of not showing up when we're needed. It's time for Oregon's election system to stop rewarding no-shows at the ballot by giving them the power to overrule the voices of voters.

**Vote YES on Measure 56  
Because Voting Matters.**

**Oregon State Fire Fighters Council**

(This information furnished by Kelly Bach, Oregon State Fire Fighters Council.)

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### Argument in Favor

**Join Stand for Children in Standing for Fairness  
And Say YES to Measure 56**

Right now, you're participating in one of the most vital processes Oregonians have for making an impact in their communities. By using the Voters' Pamphlet to research the issues, and then casting your ballot before Election Day, you're actively making your voice heard.

But right now, there's someone who isn't making any of that effort. They may not even look at their ballot, and they won't bother filling it out and sending it in. And in certain local elections, that person will cancel out your vote.

**Measure 56 will amend Oregon's outdated rules on local measures, which allow non-voters to have as much say as the people who vote.**

It's common sense that elections should be decided by a majority of those who vote. **Measure 56 will restore that fairness to local elections.**

This fairness matters for kids and schools. Local communities and schools deserve to be able to come up with local funding solutions that meet their needs. And if a majority of voters approves, those local solutions should become law. If a majority disapproves, they shouldn't.

Non-voters shouldn't have the sole power to make decisions that affect the rest of the community, without even showing up. Local elections should encourage our children to participate

fully, not convince them that voting doesn't matter.

**Vote YES for Fairness.  
Vote YES on Measure 56.**

**Stand for Children**

(This information furnished by Jonah Edelman, Stand for Children.)

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### Argument in Favor

**The Oregon Council of Police Associations  
Supports Measure 56**

The Oregon Council of Police Associations, representing county and city public safety officers including city police, sheriff deputies and community corrections officers, as well as parole and probation officers, urges you to vote "yes" on Ballot Measure 56.

**Measure 56 will make sure voters get a say on public safety issues that matter to them.**

Measure 56 puts the power of the vote back in the hands of voters, by amending the current unfair double-majority requirement, which allows people who don't cast their ballots to still count as much as voters who do make the effort to participate.

**The current system is unfair.** It is simply not fair that certain local elections count people who don't bother to vote as "no" votes, giving non-voters as much say about funding local public safety efforts—like fighting meth abuse and identity theft—as people who care enough about their communities to fill out and send in their ballots. **Oregonians who choose to vote should have the say, not those who decide not to participate.**

**Measure 56 preserves basic democracy.** Under Measure 56, a majority of voters will still have to approve local measures before they become law—as it should be. But non-voters will no longer have the power to block the will of the majority.

**Join us in restoring fairness to our elections.  
Vote "yes" on Measure 56.**

**The Oregon Council of Police Associations**

(This information furnished by Bill Cornell, Board Member, Lane Co., Oregon Council of Police Associations.)

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### Argument in Favor

It's not hard to vote in Oregon. We benefit from vote-by-mail and a two-week "Election Day." In fact, right now you are in the process of making your decisions and doing your duty to vote. So why should we let someone that isn't going to vote have more power than you?

**Support Measure 56 and make your vote count as it should.**

Right now in Oregon when certain types of levies go to the ballot to fund things like schools, public safety and library services, the people that don't vote can have a bigger impact on the election than you do. If there isn't a high enough voter turnout then these measures fail — regardless if everyone of those who voted, voted yes. This isn't right. The people that show up should count for something.

Elections don't sneak up on anyone here in Oregon. You get your ballot in the mail. No one is trying to slide an election behind your back to build safe schools for our kids or make sure we have enough jail beds to keep criminals off the streets. This measure will allow a simple majority to decide elections in all May and November elections.

Elections should be about the will of the majority. It should be a simple majority of folks that care enough to fill out their ballot and mail it in, just like you are in the process of doing. The elections results should never be held hostage to those that just don't care enough to vote.

Oregon AFSCME Council 75 (American Federation of State, County and Municipal Employees) supports Measure 56 and we hope that you will, too. Don't let the people too lazy to vote decide our priorities in this state.

#### **Vote Yes! on Measure 56.**

(This information furnished by Joe Baessler, Oregon AFSCME Council 75.)

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#### **Argument in Favor**

##### **Oregon Business Association Says Yes to Measure 56**

It's simple: Measure 56 will ensure that measures approved by the majority of participating voters pass. Under the current double majority system, measures supported by a majority of voters are failing, which violates the basic principles of fairness and democracy.

##### **It's time to support Measure 56.**

Measure 56 will make sure that voters' voices are heard. With the double majority requirement, people who don't vote have just as much power as the people who care enough about their communities to cast a vote.

##### **For our schools and communities, it's time to support Measure 56.**

##### **Oregon businesses urge you to Vote Yes on Measure 56.**

Ryan Deckert

Oregon Business Association

Julia Brim-Edwards

Oregon Business Association Board member  
Nike, Inc.

Marcy Eastham

Regional Government Affairs Manager  
Hewlett Packard Company

(This information furnished by Ryan Deckert, Oregon Business Association.)

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#### **Argument in Favor**

##### **The American Federation of Teachers-Oregon Says YES to Measure 56**

##### **Elections Should Be Decided By Those Who Vote**

Under the current system in Oregon, many important local elections are decided not by the people who participate and vote, but instead by those who stay home and don't even bother. Oregon's outdated "double majority" rule means that people who don't vote can override the wishes of the majority

of voters.

**Measure 56 will restore the basic democratic principle that elections are decided by a majority of the people who vote.** It's common sense, the kind of logical principle that we teach our students every day. If you want to have a say, you have to voice your opinion and get involved.

The "double majority" is an outdated relic from a bygone era. With Oregon's unique Vote By Mail system, there's simply no reason why registered voters can't participate. The ballot comes directly to us, and we have two weeks to research the issues and cast our votes.

**Good ideas that support local communities shouldn't be penalized by non-voters' apathy.**

**Please join the 11,000 members of the American Federation of Teachers-Oregon in Voting YES on Ballot Measure 56.**

(This information furnished by Mark Schwebke, President, American Federation of Teachers- Oregon.)

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#### **Argument in Favor**

##### **Join Governor Kulongoski In Voting Yes Vote on Measure 56**

##### **STOP LETTING A NO-SHOW CANCEL YOUR VOTE**

Dear Oregon Voter:

I believe that voting is both a right and a responsibility. If you're reading this, you probably do too. But Oregon's voting system is flawed. Currently, a no-show, someone who doesn't even bother to vote, cancels your vote and your voice. That's outrageous. It's unfair, it's bad policy and it doesn't make sense.

That is why I'm asking you to vote **Yes on Measure 56.**

**Measure 56 will restore fairness in Oregon elections.** It will allow local communities to decide what is best for them based on the will of the voters who take the time to cast a ballot.

You are taking the time to read the Voters' Pamphlet. You are concerned about the future of your community. You vote in local elections because you care.

And your voice deserves to be heard. We can't continue to let someone who doesn't bother to vote cancel out any "yes" vote you cast on a measure important to the health of your local community. Whether it's for police and fire protection, a new school building or better libraries, the no-show wins –and the community loses.

You have the right to make decisions about your community. Let's end the flawed policy of letting people **who don't even show up** interfere with the voting process.

##### **Let's bring back democracy in Oregon. Vote Yes on Measure 56.**

Oregon faces many future challenges: improving our roads, our schools and our environment. Let's make sure that every vote counts and every voice is heard.

**Vote Yes on Measure 56: It's the right thing to do for your community.**

Sincerely,

Ted Kulongoski  
Governor

## Measure 56 Arguments

(This information furnished by Governor Ted Kulongoski.)

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### Argument in Favor

#### Join Us in Voting YES on Measure 56

##### Because Your Vote is Your Voice

The most basic principle in democracy is a simple one: Whoever gets the most votes wins. It's an idea that even elementary school students understand—and it's why voting is one of the most important things citizens can do.

And yet, under the current system in certain local elections, no-shows count. That means people who don't even bother to vote can determine the outcome of an election. This crazy system gives people who don't care enough to vote as much of a voice as the people who care enough about their communities to cast their ballot.

That isn't fair, and it's not the way our democracy was meant to work.

**Measure 56 will restore fairness to local elections by restoring the premise that elections are determined by those who vote – not by those who don't.**

When you vote in a local election, your vote should not be disregarded simply because others chose not to vote. Non-voters shouldn't be allowed to cancel out your vote, simply by not showing up.

In a democracy, your vote is your voice. **Measure 56 will restore your voice and will prevent no-shows from silencing the will of the people.**

**We urge you to vote YES on Measure 56.** Democracy shouldn't reward apathy but rather, it should honor the voices of those who care enough about their communities to participate in the decisions about their future.

##### Please Vote YES on Measure 56.

##### Oregon School Employees Association

(This information furnished by Merlene Martin, President, Oregon School Employees Association.)

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### Argument in Favor

#### Let Voters Decide! Measure 56 Gives Power Back to Voters

The Oregon Consumer League was formed many years ago with the goal of protecting Oregon consumers. We believe that all consumers should get a fair shake. We also believe that full consumer protection requires vigilance and participation from average people.

But under current law, vigilant citizens who take the time to vote aren't getting a fair shake in some elections. In fact, the cards are stacked against them and in favor of people who don't even show up to vote!

The "double majority" requirement means that local elections aren't always decided by voters—they're decided by non-voters. As strange as it sounds, in many elections, people who don't vote have more power over elections than the people who do vote.

Not only is this not fair, but it also rewards apathy and non-participation. That's a formula that we cannot support.

**That's why we're asking you to vote yes on Measure 56.**

Elections are our opportunity to participate in our families' "consumer protection" when it comes to new laws.

Measure 56 is the kind of reform that will increase participation and make local elections more fair.

##### Vote YES on Measure 56.

##### Oregon Consumer League

(This information furnished by Jim Davis, Oregon Consumer League.)

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### Argument in Favor

#### Let's Return Basic Democratic Principles to Our Elections

##### Vote YES on Measure 56

##### Measure 56 Restores Basic Fairness.

Imagine:

Two weeks before Election Day, you receive your ballot in the mail. You read this helpful Voters' Pamphlet, and you consult people you trust for input on how to vote. You even do research online because you want to make sure that you are fully informed when you cast your vote.

Before Election Day, you fill out your ballot and get it in to your county elections office, either by dropping it off or by simply sending it through the mail.

You feel good knowing that you've participated in the voting process. You've done everything you could to make your vote count and make your voice heard.

Now imagine that across town, someone receives their ballot and tosses it aside, letting junk mail and dust pile on top of it. Perhaps they never even open it. On Election Day, they're nowhere to be found.

**Because of the state's "double majority" requirement, that person—the one who never bothered to even open their ballot—just canceled out your vote.**

How is that possible? Under current law, people who don't vote in local elections are counted as No votes. **People who don't even bother to fill out their ballot can cancel your vote.**

**Measure 56** restores the basic principle that if you want your voice heard, you have to cast your vote. It's that simple.

##### Vote YES on Measure 56. Voting Matters.

##### Oregon School Boards Association

Craig Prewitt, OSBA President and Member, Phoenix-Talent School Board

Annette Mattson, OSBA President-Elect and Member, David Douglas School Board

Beth Gerot, OSBA Vice President and Member, Eugene School Board

Scott B. Pillar, OSBA Secretary-Treasurer and Board Chairman, High Desert ESD

Jeff Sanders, OSBA Past-President and Member, Jefferson 509J School Board

(This information furnished by Michael Novak, Voting Matters.)

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**Argument in Favor**

**Elections Should Be About Fairness.**  
**Join the 225,000 members of the Oregon AFL-CIO in Voting YES on Measure 56.**

The working men and women of the Oregon AFL-CIO know that our votes are the most effective way we can all participate in our state and our communities. The basic act of filling out and casting a ballot is supposed to ensure that our voices are heard on the issues that affect us most.

But right now, loopholes in the law allow those who don't even bother to vote to have more of a say in an election than the people who take the time to carefully look at the issues and cast a ballot.

**Something needs to change. That's why we're voting YES on Measure 56.**

**Measure 56 will:**

Stop non-voters from canceling out the votes of the people who care enough about their communities to cast a ballot. Currently, elections can be decided by people who don't even show up to vote.

Restore the basic democratic principle that you must vote to have your voice heard. Measure 56 will put local election decisions back into the hands of local voters.

Encourage more voters to cast their ballots. The current system gives non-voters more power than voters—that's not fair and it's not democratic.

**Measure 56 is about restoring basic fairness and democracy.**

**That's something we can all agree on.**

**Please join the working men and women of the Oregon AFL-CIO in voting YES on Measure 56.**

**Oregon AFL-CIO**

(This information furnished by Kathryn Grover, Oregon AFL-CIO.)

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**Argument in Favor**

**Don't Let Non-Voters Cancel Your Vote.**

**Vote YES on Measure 56.**

Common sense dictates that elections should be decided by a majority of voters. And yet, Oregon's "double majority" requirement means that local measures are frequently shot down if voter turnout is under 50 percent—even if they're supported by a wide majority of voters. That is simply not fair.

**Measure 56 puts the democracy back in local elections.**

Now that Oregon votes by mail and ballots are delivered right to our homes, the "double majority" requirement is outdated. If there's an election, a ballot is sent to you. Elections shouldn't be decided by the people who can't even be bothered to fill out their ballots and send them in.

Under Measure 56, all elections will still have to be won by a majority of voters. And Measure 56 ensures that non-voters aren't canceling out the ballots of voters.

Measure 56 will mean that all elections are governed by the same simple rules. That's fair, and it's basic democracy.

**Please join me in voting YES on Measure 56.**

Bobbie Regan, Director, Portland Public School Board

*(This information furnished by Bobbie Regan, Director, Portland Public School Board.)*

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**Argument in Favor**

**Voting Matters.**

**The League of Women Voters Says**  
**Vote YES on Measure 56.**  
**Your Voice Depends on It.**

**Measure 56 is About Basic Democracy.** Voting is one of the most important and basic things Oregon citizens can do to improve their communities. Our state and our nation are built on the notion that the laws and policies that govern us have the approval of a majority of voters. That's why it's so important to make your voice heard.

But under current Oregon law, people who don't vote in some local elections have the same power to make decisions as the people who do vote. That means that your vote can be canceled by someone who never even bothered to cast a ballot.

**Measure 56 is About Fairness and Common Sense.** This measure says that voters have the ultimate say in elections. That's a simple concept, and it's simple fairness. If you want your vote to count, you have to make the effort to cast your ballot.

**Measure 56 Encourages Participation.** Democracy depends on participation, and successful communities depend on an engaged and active citizenry. Measure 56 encourages participation by requiring people to vote in order to have their voices heard.

**Vote for Fairness.**  
**Vote YES on Measure 56.**

League of Women Voters of Oregon

(This information furnished by Michael Novak, Voting Matters.)

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**Argument in Favor**

**Human Services Coalition of Oregon Says**  
**"Yes" to Measure 56**

Dear Voter,

The Human Services Coalition of Oregon is made up of organizations and individuals whose mission is to educate and advocate to lawmakers on behalf of the most vulnerable Oregonians, including seniors, children, people with disabilities and low-income residents. We believe in vigorous public debate and participation by voters.

**We support Measure 56.**

Measure 56 will return power to Oregon voters. It will mean that Oregonians who participate in elections will be the ones to decide on local funding measures that support vital public services for children, seniors, and all citizens.

**Measure 56 is fair.**

Unlike the current system, Measure 56 is fair to Oregon voters. Measure 56 means that voters who choose to participate have their say in elections.

**Measure 56 is democratic.**

It's not fair to give non-voters the power to decide an election. That's why we need Measure 56 to ensure that the voices of voters who cast their ballots are heard.

## Measure 56 Arguments

### Measure 56 Means Accountability to the People.

Under Measure 56, **A majority of voters—50 percent plus one—will still have to approve measures in order for them to become law.** But, unlike the current system, no-shows will no longer be counted as voters.

### Measure 56 is fair, democratic and the right thing to do.

#### Please vote "Yes" on Measure 56.

Human Services Coalition of Oregon

*(This information furnished by John Mullin, Co-Chair, Human Services Coalition of Oregon.)*

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### Argument in Favor

#### Voters + Elections = Democracy

#### Vote YES on Measure 56.

Elections give communities a chance to make our priorities known and have our needs met. Elections also provide community members with a direct way to influence public policy by voting for or against measures that are placed on the ballot.

Successful democracies thrive when people participate, but current Oregon law actually gives people who don't participate as much of a voice as the people who vote. **Measure 56 will give power back to voters.**

Right now, non-voters can cancel out the voices of voters in certain local elections, due to the outdated "double majority" rule. Even if a local measure has overwhelming support among voters, non-voters can overrule them simply by not showing up. Time and again this has caused critical needs in rural Oregon to go unmet. In these hard times, all voters—and especially rural Oregonians—need the power to take care of our communities.

**Oregon elections should empower people and encourage participation. That's why we're voting YES on Measure 56.**

At Rural Organizing Project, we're dedicated to organizing community members in all 36 counties in Oregon to participate in the political process. We know that healthy participation in local communities is what makes our democracy strong.

**Let's reward that participation, not punish those who take the time to show up.**

Vote YES on Measure 56.

Rural Organizing Project

*(This information furnished by Amy Dudley, Rural Organizing Project.)*

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### Argument in Favor

Help Kids and Our Local Schools  
Vote Yes on Measure 56

Oregon communities support giving our students the help they need by voting to provide our schools with new textbooks, smaller class sizes, teacher training and other basic essentials to give our children a quality education.

But Oregon's current voting system doesn't work. It's outdated and unfair to local communities. Even if a local school measure is supported by the majority of voters who take the time to cast a ballot, it can still fail just because some voters chose not to

participate. **That's unfair.**

As educators, we don't reward students for being absent. We don't let students who fail to participate cancel out the rights of those students who do. Every day we instill in our kids the importance of our great democracy yet Oregon's own voting system is inherently undemocratic.

**It's time for a change.** Oregonians should support Measure 56 because it restores the rule of one person, one vote. Our kids shouldn't have to suffer because voters sit out local elections.

**Voting Matters and Your Vote Should Count.  
Join Oregon Teachers in Voting Yes on Measure 56**

Chris Wagenet  
High School Math Teacher  
Central Point, Oregon

Maureen Barnhart  
Middle School Math &  
Science Teacher  
Hillsboro School District 1J

*(This information furnished by Michael Novak, Voting Matters.)*

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### Argument in Favor

**A Simple Answer to a Simple Problem –  
Vote Yes on Measure 56**

The 51,000 Oregon members of the Service Employees International Union believe that voting is the most basic and important thing you can do as a citizen. We value our opportunity to have our say about the many important issues in every election that can affect our lives. That's why we are supporting Ballot Measure 56.

There are a lot of complicated issues on the ballot this year, but Measure 56 isn't one of them. It's a simple solution to a simple problem that makes our elections fair for everyone.

- It's simple: Measure 56 will provide that all elections are decided by a majority of the voters who vote.
- It's simple fairness: It's not fair that people who don't take the time or make the effort to vote get counted the same as those of us who do our civic duty and vote.
- It simply makes sense: Someone who does not bother to vote should not cancel out the vote of someone who does.
- It's a simple democratic principle: You have to participate in elections in order to have your voice heard.

**Vote Yes on Measure 56 – A Simple Solution We Can All Support.**

SEIU Local 503

*(This information furnished by Arthur Towers, Political Director, SEIU Local 503.)*

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### Argument in Favor

**Elections Are About Accountability and Participation  
Vote YES on Measure 56**

As the Treasurer of the State of Oregon, it's my duty to manage the state's finances prudently and responsibly. In every way possible, we run my office like a business, striving to save taxpayers' money and maximize the state's return on investments.

But protecting the state's finances isn't just the job of the Treasurer—Oregon voters also share much of the

responsibility. Voters are frequently asked to make financial decisions about helping their communities, such as funding neighborhood schools and public safety. The most direct and effective way to make sure that local decisions are supported is by a majority of those who vote. It is simple: measures that have a majority of support should pass; those that don't should fail.

**But under an outdated Oregon law, people who don't even show up to vote in certain local elections are given just as much power as the people who care enough to cast their ballots.**

In no other field—business, charities, your local neighborhood association—are people who choose not to participate given more of a voice than the people who show up. But in certain local elections, Oregon law allows no-shows to be counted as "No" votes, and they can cancel out the voices of the citizens who cast their ballot.

That violates the basic principles of fairness, democracy, and accountability.

**Measure 56 will return fairness to local elections, and will ensure that measures that have a majority of support—50 percent plus 1—are enacted.**

It's fair, it's responsible, and it's democratic.

**Please join me in voting YES on Measure 56.**

State Treasurer Randall Edwards

(This information furnished by Michael Novak, Voting Matters.)

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**Argument in Favor**

**SUPPORT Measure 56  
Because it restores fairness and democracy  
to local elections**

Here are just some of the groups who support Measure 56:

Oregon AFSCME Council 75  
American Federation of Teachers - Oregon  
American Association of University Women of Oregon  
Anita Olsen, President Oregon PTA  
Association of Oregon Corrections Employees  
Basic Rights Oregon  
Bobbie Regan, Director Portland Public School Board  
Chris Wagenet, high school math teacher,  
Central Point, Oregon  
Community Action Partnership of Oregon  
Community Alliance of Tenants  
Confederation of Oregon School Administrators  
Ecumenical Ministries of Oregon  
Elders in Action Commission • United Seniors of Oregon  
Eugene-Springfield Solidarity Network/Jobs with Justice  
Frederick Olson, Co-Chair, Advocacy Coalition of Seniors  
and People with Disabilities  
Governor Ted Kulongoski  
Hewlett Packard Company  
Human Services Coalition of Oregon (HSCO)  
Larry Wolf, President Oregon Education Association  
League of Women Voters of Oregon  
Maureen Barnhart, middle school math and science teacher,  
Hillsboro School District 1J  
Multnomah County Democrats  
Northwest Oregon Labor Council, AFL-CIO  
ONE Voice for Child Care  
Oregon AFL-CIO  
Oregon Alliance for Retired Americans • Save Oregon Seniors  
Oregon Association for the Education of Young Children  
Oregon Business Association

Oregon Consumer League  
Oregon Council of Police Associations  
Oregon Education Association  
Oregon League of Conservation Voters  
Oregon Wild • Oregon Natural Resources Council ACTION  
Oregon Nurses Association  
Oregon PTA • Stand for Children  
Oregon School Boards Association  
Oregon School Employees Association  
Oregon State Council for Retired Citizens  
Oregon State Fire Fighters Council  
Oregon State Police Officers Association  
Parkinson's Resources of Oregon  
Portland Jobs with Justice  
PSU Chapter - American Association of University Professors  
Representative Diane Rosenbaum  
Rural Organizing Project  
SEIU Local 49 • SEIU Local 503 • SEIU Oregon State Council  
Senator Laurie Monnes Anderson • Senator Suzanne Bonamici  
Senator Mark Hass • Senator Richard Devlin  
Senator Rod Monroe  
State Treasurer Randall Edwards  
Tax Fairness Oregon • Working Families Party of Oregon

(This information furnished by Michael Novak, Voting Matters.)

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**Argument in Favor**

**The current Double Majority Law is unfair. This law gives greater consideration to non-voters than voters who turn in their ballots. The Double Majority law encourages voter apathy.**

The law requiring a double majority needs revision.

The double majority law was instituted before mail-in ballots became the way of voting in Oregon. Mail-in ballots assure that all registered voters receive a ballot for each election. When appropriate, each mail-in ballot has "potential tax increase" printed on the outside envelope, assuring that electors are made aware when an issue affecting their taxes is to be decided.

Local governments, in order to meet community needs and for efficient operation, need the answers to community questions more frequently than every two years. Ballot Measure 56 provides the solution.

Protect your right as an active voter to make decisions about your community's future.

Please join Mayors and city leaders from throughout Oregon, urban and rural, Democrat and Republican and vote **YES** on **Ballot Measure 56.**

**City leaders who support Ballot Measure 56:**

Rob Drake, **Mayor of Beaverton**  
Jim Wright, **Council President, City of Damascus**  
Gary Williams, **Mayor of Cottage Grove**  
Cheryl Young, **Mayor of Columbia City**  
Jim Fairchild, **Mayor of Dallas**  
James L. White, **Mayor of Depoe Bay**  
Robert J. Austin, **Mayor of Estacada**  
Richard C. Kidd, **Mayor of Forest Grove**  
Shanti Platt, **Mayor of Gervais**  
John McArdle, **Mayor of Independence**  
Lori Hollingsworth, **Mayor of Lincoln City**  
Jim Bernard, **Mayor of Milwaukie**  
John Oberst, **Mayor of Monmouth**  
Shirley Kalkhoven, **Mayor of Nehalem**  
Cheri Olson, **Mayor of North Plains**  
Donald E. Hampton, **Mayor of Oakridge**

## Measure 56 Arguments

Tom Potter, **Mayor of Portland**  
 Janet Taylor, **Mayor of Salem**  
 Norm King, **Mayor of West Linn**  
 Charlotte Lehan, **Mayor of Wilsonville**

(This information furnished by Marc Miller, City Leaders of Oregon PAC.)

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### Argument in Favor

**The Oregon Library Association urges "yes" on Measure 56.**

- Between 1997 and 2006, of the 107 library tax measures placed on the ballot only 50% passed although 68% had a majority of "yes" votes. Seventeen communities did not get the library services the majority of their voters desired.
- In the 2006 Primary, all four (100%) of the library measures failed, even though the "yes" vote in those communities ranged from 56% - 63%. Two of the jurisdictions had 49% voter turnout, one had 47% turnout and the other 39%. In the packed General Election in November 2006, seven library measures passed and six failed.
- People who don't vote have just as much of a say as the people who care enough about their communities to cast their ballot. It isn't fair that people who don't take the time or effort to vote can cancel out the vote of someone who does.
- Placing a library levy on the ballot is a cost to library districts or counties or cities; repeating elections which failed due to double majority provisions uses valuable public resources.
- Vote-by-mail makes the current law unnecessary for protecting the rights of the majority from a small partisan group holding an election at an "inopportune" time.

(This information furnished by Nan Heim, Oregon Library Association.)

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### Argument in Opposition

Voters have affirmed the majority-rule three times.

So why are politicians forcing a fourth vote? Taxes taxes, taxes!

**Measure 56 disregards independent voters --**

During primary elections independent voters have fewer ballot choices and consequently their participation can drop by as much as 50% from the general election. Measure 56 would make it easier to pass new taxes in primary elections when independent voters and others are not participating.

**Measure 56 makes raising taxes 4 times easier --**

Measure 56 could scrap the majority-turnout rule for four elections during a normal two-year election cycle. Imagine new property taxes being proposed every six months with no voter participation protection.

**Measure 56 would repeat government abuses of the past --**

In the old days, taxpayers complained of having to reject the same tax over and over again. The majority-turnout rule helped stop this abuse. Measure 56 weakens these voter participation protections and makes it easier for government to flood taxpayers with an endless stream of tax elections at odd times during the year.

Vote No on Measure 56

Don't disregard independent voters  
 Don't make raising taxes four times as easier  
 Don't repeat the government abuses of the past.

Keep an eye on politicians,  
 visit  
**OregonWatchdog.com**  
 for daily Oregon political news and tax updates

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

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### Argument in Opposition

**Huge Tax Increases Passed by Only 10 Percent of Voters**

How democratic is it to allow huge, multi-million dollar property tax increases to be passed by only 10 percent of the voters; saddling every homeowner with huge tax increases that 90 percent of the voters did not support?

That's the issue the Double Majority was designed to address.

Those opposed to the Double Majority often make the argument that only those who bother to vote should decide an issue. That logical sounding statement is really a red herring. The real issue is majority rule. Majority rule is the foundation of the American electoral system.

Before the Double Majority, we had tyranny by a small activist minority. Here's why:

Currently, there are four election dates every year; one in March, May, September, and November.

Voter turnout in General Elections, which are held in November of even numbered years, is usually well above 60 percent. Turnout for regular May primaries, is typically less than 40 percent and is heavily slanted towards the party with the "hottest" primary races.

Turnout in the other six election dates is commonly in the 15-20 percent range.

Before the Double Majority, governments liked to put their unpopular tax increases on the ballot in those other six elections. They needed low voter turnout to win.

Before the Double Majority, people wondered how all those new taxes were passing when no one they knew voted for them. Truth is, almost no one did. With eighteen percent voter turnout, it only takes nine percent of the voters, plus one, for a small minority to pass a tax increase on everyone else. Ninety-one percent didn't vote for the tax, but still it passed.

The Double Majority ended politicians' sneaky strategy for passing tax increases that most taxpayers did not support.

Measure 56 takes us back to the un-American practice of allowing huge tax increases passed by only 10 percent of the voters.

#### **Please vote "No."**

(This information furnished by Russ Walker, FreedomWorks.)

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#### **Argument in Opposition**

##### **Measure 56 Effectively Repeals the Double Majority**

Three times now, Oregon voters have approved the Double Majority and locked it into the Oregon Constitution. Oregon's political establishment is nonetheless still trying to get rid of it.

Measure 56 is our fourth vote on this issue and this time, in an act of pure deception, the legislature has let opponents of the Double Majority write the measure's official ballot title.

Before the Double Majority, city councils, county commissions, and school boards would state publicly that their strategy for passing one of their unpopular property tax increases was to put a measure on the ballot in a low turnout, special election and then focus on getting just "their" voters to the polls.

Those special elections would be held over and over until the tax measure eventually passed. If voters said "No," it merely meant that they wanted to vote again in a few months.

Before the Double Majority, multi-million dollar tax increases routinely passed in elections with eighteen to twenty percent turnout, which meant that literally 80 to 90 percent of the voters never voted for the tax increase and yet it passed!

Low turnout, special elections were governments' secret weapon against those "stingy" taxpayers.

The Double Majority's 50 percent turnout requirement forced governments to play fair. Under the Double Majority, if supporters of a tax increase could not achieve 50 percent voter turnout, the tax increase would fail for lack of a "voter quorum".

Measure 56 repeals the Double Majority for all elections held in May or November of odd numbered years. In those elections there are usually no candidates on the ballot and thus little interest, which is the perfect time to sneak a tax increase past the voters.

If voters approve Measure 56, we will be buried in new tax increases and will wonder who voted for them. And the answer will generally be, almost no one.

Now, just how democratic is that?

(This information furnished by Evelyn Poulos, Americans for Prosperity, Wash. Co. Chair.)

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#### **Argument in Opposition**

##### **Measure 56 Is Pure Deception**

There is no way around saying this. Two years ago, Democrats took control of the state legislature for the first time in nearly two decades. Since then, it has been shocking to observe their utter disdain for the will of the voters and their willingness to manipulate public opinion. Please let me explain.

For decades, the official ballot titles for Oregon ballot measures have been written by a neutral party or have been subject to review by the Oregon Supreme Court. This system has safeguarded against inaccurate, biased or deceptive ballot titles.

As a matter of principle, voters should be able to trust that the official descriptions of the measures they vote on are accurate and unbiased. That definitely is not the case with Measure 56.

The ballot title for Measure 56 was not prepared by a neutral party. It was not reviewed by the Supreme Court. It literally was crafted by opponents of the Double Majority to deceive voters. Democrat legislators placed Measure 56's deceptive ballot title in a special bill and exempted it from court review.

With Measure 56, the political establishment is trying to fool you with ballot language intentionally designed to make supporters of the Double Majority vote to get rid of the Double Majority. This is the most cynical and dishonest thing I have ever seen out of the state legislature.

The Double Majority is simply a voter quorum law. It says governments can't pass huge tax increases in small, special elections with low voter turn-out. That's all it does.

The official ballot title, however, says that non-voters count as "No" votes in some elections. That is not what the Double Majority does. The Double Majority completely nullifies all of the results of a tax measure election, if there was not sufficient voter turnout.

This protects the majority of voters from tax increases that otherwise might be passed by a small minority of voters.

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

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#### **Argument in Opposition**

How many times do politicians have to be told "No"?

Oregon voters have told the politicians on three separate occasions that we want the "Double Majority" requirement, but they just can't seem to get over themselves.

The fact that the politician class keeps trying to undo the "Double Majority" should send a message to all Oregonians that if you give the politicians a chance, they will sneak through all kinds of tax increases in those "special" elections they so like to call. You know, those little elections that pop up when no one is paying attention, say in March.

As things stand now, even with the "Double Majority," if elected officials want to raise taxes during an off-year or "special" election there is nothing stopping them. All they have to do is get half the voters interested enough to vote, then convince a majority to vote "Yes," and they can have their tax increase.

Or they can wait until a November general election and go with a straight up or down vote with no turnout requirement at all. It's really not that difficult. But that is not what the politicians are interested in.

## Measure 56 Arguments

They are used to backroom deals and like to operate that way. Thus they want to eliminate the need to make a strong public argument to the voters. They want to get their tax increase without persuading us that the new tax is needed.

That's not fair and it's not right. Why should we allow elected officials, many of whom are professional politicians, to increase our taxes in sneaky special elections when no ones is paying attention?

Oregonians have had it right each time (three times now) that we have voted in favor of keeping the double majority. Oregonians would be right to vote to keep it again.

Keep the double majority in place. Vote "NO" on measure "56" and stop tax increases that do not have majority support.

*(This information furnished by Tim Rohrer, Oregon Tax Payers United.)*

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### Argument in Opposition

Huge Tax Increases Passed by 10 Percent of the Voters

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The Double Majority ended politicians' sneaky strategy for passing tax increases that most taxpayers did not support.

Measure 56 takes us back to the un-American practice of allowing huge tax increases passed by only 10 percent of the voters. Please vote "No."

*(This information furnished by Tim Rohrer, Oregon Tax Payers United.)*

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### Argument in Opposition

#### State Senator Larry George Urges a "No" Vote To Keep Our Quorum

Measure 56 eliminates the vital Constitutional "quorum" requirement during "off-year" elections, which will shift power to special interest minorities and allow them to make decisions for all Oregonians.

#### Why is the quorum requirement important?

Oregon's Constitution requires during non-general elections a quorum (or majority) of voters must vote before property taxes can be raised. This requirement was put in place to prevent politicians from putting unpopular tax increases on the ballot during March, May, September and other "off-year" election dates – when most Oregonians do not realize an election is going on. Changing the constitution would allow a minority of voters to make decisions that should be made by a majority.

#### Why would politicians want to avoid the Constitutional requirement?

There are numerous local taxing districts that would like to spread proposed tax increases over different elections to hide the whole picture from you. Under current Constitutional requirements most proposed tax increases occur during the General Election when most people vote. Voters see all the proposed tax increases at the same time – and can make educated decisions. Measure 56 will spread these tax increases over 4 elections, making it difficult to get the full impact the tax increases will have on you and your family.

#### The Oregon Legislature Undermines Your Initiative System With Measure 56

The language describing Measure 56 on your official ballot was not written in a non-biased, non-partisan manner like Oregon law outlines. The Legislature circumvented the statutory process to write the ballot title in a partisan, political process, in an attempt to deceive Oregon voters.

As an Oregon State Senator and Oregonian I am very concerned how the majority of the Legislature is corrupting the "official ballot language" and using the process to write political messages. By corrupting the official ballot title, it is difficult for Oregon voters to trust a measure that is referred to them from the Legislature.

*(This information furnished by Senator Larry George.)*

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Senate Bill 1087—Referred to the Electorate of Oregon by the 2008 Special Session of the Legislative Assembly to be voted on at the General Election, November 4, 2008.

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## Ballot Title

**57**

Increases sentences for drug trafficking, theft against elderly and specified repeat property and identity theft crimes; requires addiction treatment for certain offenders.

### Result of “yes” vote

“Yes” vote increases sentences for drug trafficking (methamphetamine, heroin, “ecstasy,” cocaine), theft against elderly and specified repeat property and identity theft crimes; requires addiction treatment for certain offenders; establishes this measure as alternative to other specified measure on this ballot to impose minimum sentences for listed crimes.

### Result of “no” vote

“No” vote retains current laws, which provide lesser sentences for specified crimes and do not require treatment for addicted offenders.

### Summary

This measure increases prison sentences for specified drug and property crimes as follows:

- Trafficking of methamphetamine, heroin, “ecstasy,” or cocaine: 34 - 130 months, depending on the quantity of drugs and criminal history;
- Aggravated theft of over \$10,000 where victim is elderly: 16 - 45 months, depending on criminal history;
- Repeat offenses of identity theft, burglary, theft, robbery, mail theft, car theft, forgery, criminal mischief, credit card and check fraud: 18 - 30 months or 24 - 36 months, depending on seriousness of crime and number of past convictions.

This measure also requires treatment for certain addicted offenders at risk of reoffending; imposes sanctions for those who refuse treatment. Limits court’s ability to reduce sentences. Provides grants to counties for operation of local jails, treatment services, intensive supervision and drug courts.

If this measure passes with more votes than other specified measure on this ballot to impose minimum sentences for listed crimes, this measure controls and other measure will have no effect. If this measure passes with fewer votes than other specified measure on this ballot to impose minimum sentences for listed crimes, this measure will have no effect. See Explanatory Statement for more information.

### Estimate of financial impact

The measure will require additional state spending of approximately \$9 million in the first year, \$74 million in the second year, \$79 million in the third year, \$106 million in the fourth year, and more than \$143 million each year after that. The measure does not require additional local government spending.

The state will borrow \$314 million from 2010 to 2017 to build new prison space. The state will repay those amounts plus interest of \$203 million over 25 years.

The measure does not affect the amount of funds collected for state government.

**Explanation of Estimate of Financial Impact****The measure**

The measure increases sentences for specific drug and property crimes, and requires addiction treatment for certain criminals. The measure also requires state grants to counties for jail, treatment, and supervision expenses, and for drug court operations.

**State impact**

The costs of the measure are due to keeping more criminals in prison for longer periods of time. Those costs include: running prisons, providing temporary prison beds, supervising criminals after they are released from prison, and building more prison space. Other costs include: providing foster care for some children whose parents are convicted of the measure's crimes, providing lawyers for defendants who cannot afford legal counsel, defending the state against inmates' lawsuits, and assessing the results of grant-funded addiction treatment.

The measure will cost \$9 million in the first year, and increase to more than \$143 million per year after the fourth year. These costs include the cost of grants to local government.

The state will borrow \$314 million from 2010 to 2017 to build new prison space. The state will repay those amounts plus interest of \$203 million over 25 years.

**Local impact**

The amount of grants to local governments cannot be estimated.

The measure does not require any additional local government spending.

**Implementing the measure**

The total cost of the measure could change depending on the length of time to build new prisons, inflation, the cost of drug treatment, and the cost to hire and train new prison staff.

The measure does not identify a funding source. Today the costs of prisons are paid for out of the General Fund, which comes from income taxes. The General Fund is also used to pay for public education, services for vulnerable citizens, public safety, and other programs.

**Committee Members:**

Secretary of State Bill Bradbury

State Treasurer Randall Edwards

Scott Harra, Director, Dept. of Administrative Services

Elizabeth Harchenko, Director, Dept. of Revenue

Debra Guzman, Local Government Representative

*(The estimate of financial impact and explanation was provided by the above committee pursuant to ORS 250.127.)*

**Text of Measure****Be It Enacted by the People of the State of Oregon:****SECTION 1. The Legislative Assembly finds and declares that:**

**(1) The manufacturing and dealing of methamphetamine, heroin, cocaine and ecstasy are especially damaging to our community.**

**(2) Many Oregonians are addicted to these drugs. Some of these drug-addicted persons present a danger to public safety by committing crimes to feed their addictions.**

**(3) In order to reduce the risk of future criminal activity, these drug-addicted offenders need the opportunity to change their behavior through effective drug treatment.**

**(4) Sections 2 to 5 and 6 of this 2008 Act and the amendments to ORS 137.717 and 164.162 by sections 7 and 10 of this 2008 Act increase the punishment for offenders who commit high-level or repeat drug and property crimes.**

**(5) Section 8 of this 2008 Act increases the availability of treatment for drug-addicted offenders.**

**(6) Section 9 of this 2008 Act requires swift and certain punishment for offenders who refuse or fail to successfully complete treatment as a condition of probation, parole or post-prison supervision.**

**SECTION 2. When a person is convicted of the unlawful delivery or manufacture of a controlled substance, the court shall sentence the person to a term of incarceration ranging from:**

**(1) 58 months to 130 months, depending on the person's criminal history, if the delivery or manufacture involves:**

**(a) 500 grams or more of a mixture or substance containing a detectable amount of cocaine;**

**(b) 500 grams or more of a mixture or substance containing a detectable amount of methamphetamine, its salts, isomers or salts of its isomers;**

**(c) 100 grams or more of a mixture or substance containing a detectable amount of heroin; or**

**(d) 100 grams or more or 500 or more pills, tablets or capsules of a mixture or substance containing a detectable amount of ecstasy.**

**(2) 34 months to 72 months, depending on the person's criminal history, if the delivery or manufacture involves:**

**(a) 100 grams or more of a mixture or substance containing a detectable amount of cocaine;**

**(b) 100 grams or more of a mixture or substance containing a detectable amount of methamphetamine, its salts, isomers or salts of its isomers;**

**(c) 50 grams or more of a mixture or substance containing a detectable amount of heroin; or**

**(d) 50 grams or more or 250 or more pills, tablets or capsules of a mixture or substance containing a detectable amount of ecstasy.**

**SECTION 3. (1) When a person is convicted of the unlawful delivery of cocaine, methamphetamine, heroin or ecstasy to a person under 18 years of age, the court shall sentence the person to a term of incarceration ranging from 34 months to 72 months, depending on the person's criminal history.**

**(2) The sentence described in subsection (1) of this section does not apply to a person who is less than three years older than the person under 18 years of age to whom the controlled substance was delivered, unless the person has a previous conviction for delivery of cocaine, methamphetamine, heroin or ecstasy to a person under 18 years of age.**

**SECTION 4.** When a person is convicted of aggravated theft in the first degree under ORS 164.057, the court shall sentence the person to a term of incarceration ranging from 16 months to 45 months, depending on the person's criminal history, if:

**(1) The victim of the theft was 65 years of age or older at the time of the commission of the offense; and**

**(2) The value of the property stolen from the victim described in subsection (1) of this section, in a single or aggregate transaction, is \$10,000 or more.**

**SECTION 5. As used in sections 2 to 5 of this 2008 Act:**

**(1) "Controlled substance" means:**

- (a) Cocaine;**
- (b) Methamphetamine;**
- (c) Heroin; or**
- (d) Ecstasy.**

**(2) "Ecstasy" means:**

- (a) 3,4-methylenedioxymethamphetamine;**
- (b) 3,4-methylenedioxymphetamine; or**
- (c) 3,4-methylenedioxy-N-ethylamphetamine.**

**(3) "Mixture or substance" means any mixture or substance, whether or not the mixture or substance is in an ingestible or marketable form at the time of the offense.**

**SECTION 6. (1) When a court sentences a person convicted of a crime listed in subsection (2) of this section, the court may not impose a sentence of optional probation or grant a downward dispositional departure or a downward durational departure under the rules of the Oregon Criminal Justice Commission if the person has a previous conviction for any of the crimes listed in subsection (2) of this section.**

**(2) The crimes to which subsection (1) of this section applies are:**

**(a) Manufacture or delivery of a controlled substance, other than marijuana, under ORS 475.840 (1);**

**(b) Creation or delivery of a counterfeit substance, other than marijuana, under ORS 475.840 (2);**

**(c) Manufacture or delivery of heroin under ORS 475.846, 475.848, 475.850 or 475.852;**

**(d) Manufacture or delivery of 3,4-methylenedioxymethamphetamine under ORS 475.866, 475.868, 475.870 or 475.872;**

**(e) Manufacture or delivery of cocaine under ORS 475.876, 475.878, 475.880 or 475.882;**

**(f) Manufacture or delivery of methamphetamine under ORS 475.886, 475.888, 475.890 or 475.892;**

**(g) Manufacture or delivery of a controlled substance within 1,000 feet of a school under ORS 475.904;**

**(h) Delivery of a controlled substance to a person under 18 years of age under ORS 475.906; and**

**(i) Possession of a precursor substance with intent to manufacture a controlled substance under ORS 475.967.**

**(3)(a) For a crime committed on or after November 1, 1989, a conviction is considered to have occurred upon the pronouncement in open court of sentence. However, when sentences are imposed for two or more convictions arising out of the same conduct or criminal episode, none of the convictions is considered to have occurred prior to any of the other convictions arising out of the same conduct or criminal episode.**

**(b) For a crime committed prior to November 1, 1989, a conviction is considered to have occurred upon the pronouncement in open court of a sentence or upon the pronouncement in open court of the suspended imposition of a sentence.**

**(4) For purposes of this section, previous convictions must be proven pursuant to ORS 137.079.**

**(5) As used in this section, "previous conviction" means:**

**(a) Convictions occurring before, on or after the effective date of this 2008 Act; and**

**(b) Convictions entered in any other state or federal court for comparable offenses.**

**SECTION 7. ORS 137.717 is amended to read:**

**137.717. (1) When a court sentences a person convicted of:**

**(a) Aggravated theft in the first degree under ORS 164.057, burglary in the first degree under ORS 164.225, robbery in the third degree under ORS 164.395, identity theft under ORS 165.800 or aggravated identity theft under ORS 165.803, the presumptive sentence is [19] 24 months of incarceration, unless the rules of the Oregon Criminal Justice Commission prescribe a longer presumptive sentence, if the person has:**

**(A) A previous conviction for aggravated theft in the first degree under ORS 164.057, burglary in the first degree under ORS 164.225, robbery in the third degree under ORS 164.395, robbery in the second degree under ORS 164.405, robbery in the first degree under ORS 164.415 or aggravated identity theft under ORS 165.803; [or]**

**(B) [Four] Two or more previous convictions for any combination of the [other] crimes listed in subsection (2) of this section[.]; or**

**(C) A previous conviction for a crime listed in subsection (2) of this section if the current crime of conviction was committed while the defendant was on supervision for the previous conviction or less than three years after the date the defendant completed the period of supervision for the previous conviction.**

**(b) Theft in the first degree under ORS 164.055, unauthorized use of a vehicle under ORS 164.135, mail theft or receipt of stolen mail under ORS 164.162, burglary in the second degree under ORS 164.215, criminal mischief in the first degree under ORS 164.365, computer crime under ORS 164.377, forgery in the first degree under ORS 165.013, criminal possession of a forged instrument in the first degree under ORS 165.022, fraudulent use of a credit card under ORS 165.055 (4)(b), [identity theft under ORS 165.800,] possession of a stolen vehicle under ORS 819.300 or trafficking in stolen vehicles under ORS 819.310, the presumptive sentence is [13] 18 months of incarceration, unless the rules of the Oregon Criminal Justice Commission prescribe a longer presumptive sentence, if the person has:**

(A) A previous conviction for aggravated theft in the first degree under ORS 164.057, unauthorized use of a vehicle under ORS 164.135, burglary in the first degree under ORS 164.225, **robbery in the third degree under ORS 164.395**, robbery in the second degree under ORS 164.405, robbery in the first degree under ORS 164.415, possession of a stolen vehicle under ORS 819.300, trafficking in stolen vehicles under ORS 819.310 or aggravated identity theft under ORS 165.803; [or]

(B) [Four] **Two or more** previous convictions for any combination of the [other] crimes listed in subsection (2) of this section[.]; or

**(C) A previous conviction for a crime listed in subsection (2) of this section if the current crime of conviction was committed while the defendant was on supervision for the previous conviction or less than three years after the date the defendant completed the period of supervision for the previous conviction.**

(2) The crimes to which subsection (1) of this section applies are:

- (a) Theft in the second degree under ORS 164.045;
- (b) Theft in the first degree under ORS 164.055;
- (c) Aggravated theft in the first degree under ORS 164.057;
- (d) Unauthorized use of a vehicle under ORS 164.135;
- (e) **Mail theft or receipt of stolen mail under ORS 164.162;**

[e)] (f) Burglary in the second degree under ORS 164.215;

[f)] (g) Burglary in the first degree under ORS 164.225;

[g)] (h) Criminal mischief in the second degree under ORS 164.354;

[h)] (i) Criminal mischief in the first degree under ORS 164.365;

[i)] (j) Computer crime under ORS 164.377;

[j)] (k) Forgery in the second degree under ORS 165.007;

[k)] (L) Forgery in the first degree under ORS 165.013;

[L)] (m) Criminal possession of a forged instrument in the second degree under ORS 165.017;

[m)] (n) Criminal possession of a forged instrument in the first degree under ORS 165.022;

[n)] (o) Fraudulent use of a credit card under ORS 165.055;

[o)] (p) Identity theft under ORS 165.800;

[p)] (q) Possession of a stolen vehicle under ORS 819.300; [and]

[q)] (r) Trafficking in stolen vehicles under ORS 819.310[.]; and

**(s) Any attempt to commit a crime listed in this subsection.**

**(3)(a) A presumptive sentence described in subsection (1) of this section shall be increased by two months for each previous conviction the person has that:**

**(A) Was for any of the crimes listed in subsection (1) or (2) of this section; and**

**(B) Was not used as a predicate for the presumptive sentence under subsection (1) of this section.**

**(b) Previous convictions may not increase a presumptive sentence described in subsection (1) of this section by more than 12 months under this subsection.**

[3)] **(4)** The court may impose a sentence other than the sentence provided by subsection (1) **or (3)** of this section if the court imposes:

(a) A longer term of incarceration that is otherwise required or authorized by law; or

(b) A departure sentence authorized by the rules of the Oregon Criminal Justice Commission based upon findings of substantial and compelling reasons. Unless the law or the rules of the Oregon Criminal Justice Commission allow for imposition of a longer sentence, the maximum departure allowed for a person sentenced under this subsection is double the presumptive sentence provided in subsection (1) **or (3)** of this section.

**[4) As used in this section, "previous conviction" includes:]**

**[(a) Convictions occurring before, on or after July 1, 2003; and]**

**[(b) Convictions entered in any other state or federal court for comparable offenses.]**

**(5) Notwithstanding subsection (4)(b) of this section, the court may not sentence a person under subsection (4) of this section to a term of incarceration that exceeds the period of time described in ORS 161.605.**

**(6) The court shall sentence a person under this section to at least the presumptive sentence described in subsection (1) or (3) of this section, unless the parties stipulate otherwise or the court finds that:**

**(a) The person was not on probation, parole or post-prison supervision for a crime listed in subsection (1) of this section at the time of the commission of the current crime of conviction;**

**(b) The person has not previously received a downward departure from a presumptive sentence for a crime listed in subsection (1) of this section;**

**(c) The harm or loss caused by the crime is not greater than usual for that type of crime; and**

**(d) In consideration of the nature of the offense and the harm to the victim, a downward departure will:**

**(A) Increase public safety;**

**(B) Enhance the likelihood that the person will be rehabilitated; and**

**(C) Not unduly reduce the appropriate punishment.**

**[5)(a)] (7)(a) For a crime committed on or after November 1, 1989, a conviction is considered to have occurred upon the pronouncement of sentence in open court. However, when sentences are imposed for two or more convictions arising out of the same conduct or criminal episode, none of the convictions is considered to have occurred prior to any of the other convictions arising out of the same conduct or criminal episode.**

**(b) For a crime committed prior to November 1, 1989, a conviction is considered to have occurred upon the pronouncement in open court of a sentence or upon the pronouncement in open court of the suspended imposition of a sentence.**

**[6)] (8) For purposes of this section, previous convictions must be proven pursuant to ORS 137.079.**

**(9) As used in this section:**

**(a) "Downward departure" means a downward dispositional departure or a downward durational departure under the rules of the Oregon Criminal Justice Commission.**

**(b) "Previous conviction" includes:**

**(A) Convictions occurring before, on or after July 1, 2003; and**

**(B) Convictions entered in any other state or federal court for comparable offenses.**

**SECTION 8. (1) The Department of Corrections shall:**

**(a) Provide appropriate treatment services to drug-addicted persons in the custody of the department who are at a high or medium risk of reoffending and who have moderate to severe treatment needs; and**

**(b) Make grants to counties in order to provide supplemental funding for:**

**(A) The operation of local jails;**

**(B) Appropriate treatment services for drug-addicted persons on probation, parole or post-prison supervision; or**

**(C) The intensive supervision of drug-addicted persons on probation, parole or post-prison supervision, including the incarceration of drug-addicted persons who have violated the terms and conditions of probation, parole or post-prison supervision.**

**(2) The Oregon Criminal Justice Commission shall make grants to counties in order to provide supplemental funding for drug courts for drug-addicted persons, including the costs of appropriate treatment services and the incarceration of persons who have violated the terms and conditions of a drug court.**

**(3)(a) The appropriate legislative committee shall periodically conduct oversight hearings on the effectiveness of this section.**

**(b) The Oregon Criminal Justice Commission shall periodically conduct independent evaluations of the programs funded by this section for their effectiveness in reducing criminal behavior in a cost-effective manner.**

**(4) Nothing in section 1, 2 to 5, 6, 8, 9 or 11 of this 2008 Act or the amendments to ORS 137.717 or 164.162 by sections 7 and 10 of this 2008 Act:**

**(a) Creates any claim, right of action or civil liability; or**

**(b) Requires a supervisory authority or the Department of Corrections to provide treatment to any individual under the authority's supervision or in the department's custody.**

**SECTION 9. If a person on probation, parole or post-prison supervision is required to successfully complete a drug or alcohol treatment program as a condition of supervision and the person refuses or otherwise fails to successfully complete the treatment program, the court or the supervising authority shall impose swift and certain punishment, including incarceration in jail.**

**SECTION 10. ORS 164.162 is amended to read:**

**164.162. (1) A person commits the crime of mail theft or receipt of stolen mail if the person intentionally:**

**(a) Takes or, by fraud or deception, obtains mail from a post office, postal station, mail receptacle, authorized depository or mail carrier;**

**(b) Takes from mail any article contained therein;**

**(c) Secretes, embezzles or destroys mail or any article contained therein;**

**(d) Takes or, by fraud or deception, obtains mail that has been delivered to or left for collection on or adjacent to a mail receptacle or authorized depository; or**

**(e) Buys, receives, conceals or possesses mail or any article contained therein knowing that the mail or article has been unlawfully taken or obtained.**

**(2) Mail theft or receipt of stolen mail is a Class C felony [A misdemeanor].**

**SECTION 11. (1) When a court sentences a person under sections 2 to 5 of this 2008 Act:**

**(a) The court shall use the criminal history scale of the sentencing guidelines grid of the Oregon Criminal Justice Commission to determine the sentence to impose. The sentence described in:**

**(A) Section 2 (1) of this 2008 Act shall be determined utilizing crime category 10 of the sentencing guidelines grid.**

**(B) Sections 2 (2) and 3 (1) of this 2008 Act shall be determined utilizing crime category 9 of the sentencing guidelines grid.**

**(C) Section 4 of this 2008 Act shall be determined utilizing crime category 8 of the sentencing guidelines grid.**

**(b)(A) Notwithstanding ORS 161.605, the court shall impose the sentence described in sections 2 to 5 of this 2008 Act and may not impose a sentence of optional probation or grant a downward dispositional departure or a downward durational departure under the rules of the commission.**

**(B) The court may impose a sentence other than the sentence described in sections 2 to 5 of this 2008 Act if the court imposes a longer term of incarceration that is otherwise required or authorized by law.**

**(2) A person sentenced under sections 2 to 5 of this 2008 Act may not receive a reduction in the term of incarceration for appropriate institutional behavior that exceeds 20 percent of the sentence imposed.**

**SECTION 12. (1) Sections 1 to 6 and 11 of this 2008 Act and the amendments to ORS 137.717 and 164.162 by sections 7 and 10 of this 2008 Act become operative on January 1, 2009.**

**(2) Sections 2 to 6 and 11 of this 2008 Act and the amendments to ORS 137.717 and 164.162 by sections 7 and 10 of this 2008 Act apply to sentences imposed for crimes committed on or after January 1, 2009.**

**(3) Sections 8 and 9 of this 2008 Act become operative on July 1, 2009.**

**SECTION 13. If Initiative Petition 40 (2008) is placed on the ballot at the next regular general election held throughout this state on November 4, 2008, and both Initiative Petition 40 (2008) and this 2008 Act are enacted or approved by a majority of the votes cast thereon:**

**(1) Sections 1 to 6, 8, 9, 11 and 12 of this 2008 Act and the amendments to ORS 137.717 and 164.162 by sections 7 and 10 of this 2008 Act are repealed if Initiative Petition 40 (2008) receives a number of affirmative votes greater than the number of affirmative votes received by this 2008 Act; or**

**(2) The preamble and sections 1 to 8 of Initiative Petition 40 (2008) are repealed if this 2008 Act receives a number of affirmative votes greater than the number of affirmative votes received by Initiative Petition 40 (2008).**

**SECTION 14.** If any part of sections 1 to 6 and 11 of this 2008 Act and the amendments to ORS 137.717 and 164.162 by sections 7 and 10 of this 2008 Act is held to be unconstitutional or otherwise invalid, all remaining parts of sections 1 to 6 and 11 of this 2008 Act and the amendments to ORS 137.717 and 164.162 by sections 7 and 10 of this 2008 Act shall not be affected by the holding and shall remain in full force and effect.

**SECTION 15.** This 2008 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 increases criminal sentences for persons convicted of certain high-quantity or repeat drug crimes, or repeat property crimes. The measure also requires that:

- Certain drug-addicted offenders be provided with appropriate treatment services.
- Certain offenders be punished for failing to successfully complete a drug or alcohol treatment program.
- Grants be provided to counties to assist in funding jail operations, drug courts, treatment services and intensive supervision of drug-addicted offenders on probation, parole or post-prison supervision.

This measure requires that courts shall sentence persons convicted of the following crimes as follows:

Crime	Current Sentencing Guideline Range Depending on the Facts of the Case and Criminal History	Measure 57 Sentence
Manufacturing or dealing 500 or more grams of meth or cocaine, or 100 grams or more of heroin or ecstasy	Probation to 45 months	58 to 130 months
Manufacturing or dealing 100 or more grams of meth or cocaine, or 50 grams or more of heroin or ecstasy	Probation to 45 months	34 to 72 months
Dealing meth, cocaine, ecstasy, or heroin to persons under 18. Provides exception if person is less than three years older than minor, unless dealer is a repeat offender.	Probation to 45 months	34 to 72 months
Stealing \$10,000 or more from a victim who is 65 years of age or older	Probation to 30 months	16 to 45 months
Repeat offense of manufacturing or dealing controlled substance other than marijuana	Probation to 45 months	Up to 45 months (Directs Judge not to give probation if prison sentence is called for in sentencing guidelines.)

This measure modifies the presumptive sentences imposed upon repeat drug and repeat property offenders as follows:

Crime	Current Sentencing Range	Measure 57 Sentence
Repeat property offender	13 or 19 months if this is offender's second conviction for serious property crimes, or 5th conviction for common property crimes.	18 or 24 months if this is offender's second conviction for serious property crimes, or second conviction for common property crimes within 3 years of supervision, 2 months for each additional conviction.
Repeat identity theft with prior convictions for certain crimes	13 months if this is offender's second conviction for serious property crimes, or 5th conviction for common property crimes.	24 months if this is offender's second conviction for serious property crimes, or second conviction for common property crimes within 3 years of supervision, 2 months for each additional conviction.
Repeat Mail theft with prior convictions for certain crimes	Probation to 12 months	18 months if this is offender's second conviction for serious property crimes, or second conviction for common property crimes within 3 years of supervision, 2 months for additional conviction.

This measure is presented by the Legislative Assembly as an alternative to Ballot Measure 61 and provides that if both measures receive a majority of "yes" votes, only the measure receiving the greater number of "yes" votes will become law.

#### Committee Members:

Senator Floyd Prozanski  
Representative Greg Macpherson  
Steve Doell  
Kevin Mannix  
James M. Brown

#### 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****Measure 57: The Better Way To Fight Crime**

Law enforcement across Oregon has asked for more tools to crack down on drug traffickers, identity thieves, and criminals who prey on the elderly. Measure 57 provides those tools without resorting to one-size-fits-all sentencing gimmicks.

**Sentences Criminals Deserve**

Measure 57 increases sentences for criminals who threaten kids, the elderly, and our communities:

- Trafficking cocaine, meth, ecstasy, or heroin 34-130 months
- Dealing cocaine, meth, ecstasy, or heroin to a minor 34-72 months
- Thefts against the elderly 16-45 months
- Property crimes 18 or 24 months
- Identity theft 24 months
- Eliminates probation for repeat offenders

These increased sentences ensure that criminals get the sentences they deserve.

**Mandatory Drug and Alcohol Treatment to Stop the Revolving Door**

It makes sense to have tougher sentences, but it also makes sense to stop drug-addicted repeat offenders and revolving-door justice.

- **85%** of offenders in prison for property crimes have **drug or alcohol addictions**.
- Now only **12%** get intensive drug or alcohol **treatment**.
- **Almost 50%** of repeat property offenders **commit more crimes** after release.

That's why Measure 57 dramatically increases drug and alcohol treatment for offenders and **provides penalties for offenders who refuse treatment**.

**Taxpayer Savings**

Measure 57 will make Oregon communities safer while saving taxpayers money compared to the rigid, one-size-fits-all approach of Measure 61. In fact, Measure 57 is estimated to cost up to **\$150 million less every year** when fully implemented.

It also **saves up to \$1 billion** in the cost of building new prisons and **up to \$640 million** in interest.

**Broad Support**

Measure 57 is the only crime measure on the ballot that has the broad support of law enforcement across Oregon. District Attorneys, Sheriffs, Police Officers, Corrections Officers, Parole Officers, and Treatment Providers from every corner of Oregon are urging a yes vote on Measure 57 for one simple reason: it's the **Better Way To Fight Crime in Oregon**.

**Committee Members:**

Senator Floyd Prozanski President of the Senate  
Representative Andy Olson Speaker of the House  
Representative Greg Macpherson 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****STOP!**

Before you vote on Measure 57, understand this:

- Measure 57 was placed on the ballot by the Legislature. It was prepared to cancel **Measure 61**, a citizen initiative which was signed by 149,000 Oregon voters.
- **Measure 61** is on this same ballot.
- Measure 57 has a clause (Section 6) which **cancels** the mandatory minimum prison sentences of **Measure 61**.
- Because of the cancellation clause, a yes vote on Measure 57 is a **vote against Measure 61**. You cannot have both.

**Please read the material on Measure 61 before you vote on Measure 57.**

Amber L. Koch

*(This information furnished by Amber L. Koch.)*

**This space purchased for \$500 in accordance with ORS 251.255.**  
*The printing of this argument does not constitute an endorsement by the State of Oregon, nor does the state warrant the accuracy or truth of any statement made in the argument.*

**Argument in Favor****THE REAL REASON MEASURE 57 WAS PUT ON THE BALLOT**

Voters should know the real reason the key supporters of the legislature's Measure 57 put this on the ballot.

They weren't trying to give justice to crime victims.

They weren't trying to drive down the crime rate.

They weren't trying to protect society from crime.

Instead, their goal was to come up with a weak alternative to citizen Measure 61, also on this ballot, and to get enough votes to cancel citizen Measure 61.

Their polling told them Oregon voters would strongly support citizen Measure 61, and could not be convinced to directly defeat citizen Measure 61.

Measure 61 has mandatory minimum prison sentences for drug dealers, identity thieves, burglars, and auto thieves. People who oppose this wrote the legislature's weak Measure 57, which has mandatory prison sentences and gave Measure 57 a tough-sounding ballot title (bypassing the usual procedure). They put in a clause that says that the legislature's Measure 57 **cancels** citizen Measure 61.

The idea was to fool the voters into indirectly killing citizen Measure 61.

How do I know all this? The people who put the legislature's Measure 57 together made the mistake of sending their strategy memos to some government officials. I made a public records request and found these documents.

The key documents can be found at the Oregon Anti-Crime Alliance's web site: [www.oaaoregon.com](http://www.oaaoregon.com).

Now you know the real reason for Measure 57.

Steve Doell

*(This information furnished by Steve Doell.)*

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## Measure 57 Arguments

### Argument in Favor

**As street cops, our job is to keep your streets and neighborhoods safe.**  
**Measure 57 will make them safer.**

As police officers, we are on the frontlines of the fight against crime, patrolling the streets everyday to keep our communities safe. We support Measure 57 because it is the best way to fight crime. Instead of a rigid, one-size-fits-all approach, Measure 57 gives us the flexible tools we need to be tough on the drug dealers who prey on our kids and the thieves who prey on the elderly.

**Every time we have to arrest a repeat offender for the same crime, the system has failed you. Measure 57 is the only measure on the ballot that will help stop the revolving door justice that allows too few offenders to commit too many crimes.**

#### Getting tough with drug-using offenders

85% of incarcerated property criminals have drug or alcohol problems that fuel their criminal behavior.

- Measure 57 authorizes longer sentence for addicted offenders who refuse treatment

#### Help us stop identity theft

If you are the victim of identity theft, we want to make sure the offender is caught, sentenced, and doesn't strike again in someone else's neighborhood.

- Measure 57 makes mail theft a felony charge
- Measure 57 creates tougher sentences for repeat offenders of identity theft

What's more, Measure 57 **eliminates** probation for repeat drug traffickers and makes sure pushers who prey on our kids get the tough sentences they deserve.

**We need all the help we can get out there.  
Please join us in voting Yes on Measure 57.**

OREGON COUNCIL OF POLICE ASSOCIATIONS SAYS "YES"

(This information furnished by Matt Blevins, The Better Way To Fight Crime Committee.)

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### Argument in Favor

A Message From Oregon's Chiefs of Police

#### Vote Yes on Measure 57 It's the right way to be tough on crime

As Oregon Police Chiefs, we are part of the fight against crime at two levels:

- We are on the street, running the police departments that keep your neighborhood, your home and your loved ones safe.
- We also see the bigger picture, helping put the different pieces of the public safety system together to ensure that it works for you as citizens and taxpayers.

**We support Measure 57 because it will make you safer and make our public safety system tougher and more effective.** It is the only measure on the ballot that provides law enforcement the tools we need to punish criminals and prevent crime before it happens.

**Tougher on Criminals** – Measure 57 provides for tougher sentences on those convicted of property crimes, drug trafficking, identity theft and crimes against the elderly.

**Stopping the Revolving Door at the Jailhouse** – We are all for putting criminals away in prison – that's our job and we are proud to do it. But we are also tired of arresting the same people over and over again. Measure 57 is the only measure on the ballot that will help stop the revolving door by addressing the single most important cause of property crime – drug addiction. Under Measure 57, drug abusing criminals will get treatment, or will get more time in prison to get the message.

**A Public Safety System that Works for You** – Measure 57 offers more than a one-size-fits-all "solution" to crime. This gives us the tools to do our job, and also allows us to invest public safety dollars in a way that gets the most impact for you.

**Make Oregon Safer  
Vote YES on 57**

### OREGON POLICE CHIEFS FOR SAFER COMMUNITIES

(This information furnished by Matt Blevins, The Better Way To Fight Crime Committee.)

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### Argument in Favor

#### SHERIFFS ACROSS OREGON ASK FOR YOUR SUPPORT ON MEASURE 57

#### "GIVE US THE TOOLS WE NEED TO KEEP YOU SAFE"

Oregon is home to communities as individual as Pendleton, Lincoln City, Portland, and McMinnville, each with unique public safety challenges. And while we all agree that we need more tools to combat drug dealers, fight identity theft, and stop repeat offenders, we also need the flexibility to respond to the needs of our community – not a one size-fits-all approach to fighting crime.

That's why we're supporting Measure 57.

#### INCREASED SENTENCES

Measure 57 increases sentences for criminals who threaten kids, the elderly, and our communities:

- |  |                 |
|--|-----------------|
| • Trafficking cocaine, meth, ecstasy, or heroine       | 34-130 months   |
| • Dealing cocaine, meth, ecstasy or heroine to a minor | 34-72 months    |
| • Thefts against the elderly                           | 16-45 months    |
| • Property crimes                                      | 18 or 24 months |
| • Identity theft                                       | 24 months       |
| • Eliminates parole for repeat offenders               |                 |

These increased sentences will ensure that criminals get the sentences they deserve.

#### MANDATORY DRUG TREATMENT

But increased sentences aren't enough. For the majority of these criminals, alcohol and drug addiction fuels a life of crime. That's why Measure 57 also requires drug treatment and establishes new penalties for offenders who refuse treatment.

#### More tools. Safer communities.

Measure 57 is the better way to fight crime.  
Join us in voting **Yes on Measure 57**.

Sheriff Diana Simpson – Benton County  
Sheriff Craig Roberts – Clackamas County  
Sheriff Dennis Dotson – Lincoln County  
Sheriff Bob Skipper – Multnomah County  
Sheriff Todd Anderson – Tillamook County  
Sheriff John Trumbo – Umatilla County  
Sheriff Jack Crabtree – Yamhill County

(This information furnished by Matt Blevins, The Better Way To Fight Crime Committee.)

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

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**Argument in Favor**

**TOUGHER SENTENCES.  
REQUIRED ADDICTION TREATMENT.  
A SAFER OREGON.**

**Measure 57 is the better way to fight crime.**

There's **only one measure** on the ballot that holds offenders accountable for their crimes, stops the revolving door that puts criminals back on the street, AND includes drug treatment to break the cycle of crime.

**VOTE YES ON MEASURE 57.**

We're deeply committed to increasing public safety. Measure 57 gives prosecutors important tools to keep criminals accountable.

**TOUGHER SENTENCES.**

Every day officers arrest offenders that push drugs on Oregon's kids. These dealers end up in our courtrooms over and over again.

- Measure 57 is the ONLY measure that increases sentences for the worst meth and heroin traffickers.

**REQUIRED ADDICTION TREATMENT.**

85% of Oregon's incarcerated property crime offenders are addicted to drugs or alcohol.

- Measure 57 imposes stiffer sentences for addicted offenders who refuse treatment.

**A SAFER OREGON.**

When thieves steal your identity or prey on the elderly, we need the tools to hold them accountable.

- Measure 57 imposes tough sentences for identity theft and works to stop repeat offenders for property crime.
- Measure 57 is the ONLY measure that puts our worst property offenders behind bars for up to four years.

**YES ON MEASURE 57.**

Matt Shirtcliff, Baker  
John S. Foote, Clackamas  
Joshua Marquis, Clatsop  
Steve Atchison, Columbia  
R. Paul Frasier, Coos  
Everett Dial, Curry  
Michael T. Dugan, Deschutes  
Timothy J. Colahan, Harney  
Marion Weatherford, Gilliam  
Ryan Joslin, Grant  
Edwin I. Caleb, Klamath  
Mark Huddleston, Jackson  
Peter Deuel, Jefferson  
Stephen Campbell, Josephine

David Schutt, Lake  
Bernice Barnett, Lincoln  
Jason Carlile, Linn  
Elizabeth Ballard, Morrow  
Michael D. Schrunk, Multnomah  
John Fisher, Polk  
Wade M. McLeod, Sherman  
William Porter, Tillamook  
Dean F. Gushwa, Umatilla  
Mona K. Williams, Wallowa  
Eric Nisley, Wasco  
Bob Hermann, Washington  
Brad Berry, Yamhill

(This information furnished by Kevin Neely, Oregon District Attorneys Association.)

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**Argument in Favor**

**Please Join Me In Voting for Measure 57:  
It's A Better Way to Fight Crime**

**John Kroger**

Former Federal Prosecutor  
Democratic and Republican Nominee for  
Oregon Attorney General

As a Federal Prosecutor, my job was to protect America from crime. In doing so, I convicted mafia killers, drug traffickers, and corrupt government officials. My background as a tough but ethical prosecutor is one big reason why I have received a very unusual honor: I have been nominated by both Democrats and Republicans to be Oregon's next Attorney General.

I am committed to making Oregon a safer place. That is why I urge you to join me by voting YES on Measure 57.

We need a tougher response to property crimes, identity theft, and crimes against the elderly. The vast majority of property and identity theft crimes in our state are committed by methamphetamine, heroin and cocaine addicts.

I believe we need to tackle this problem more aggressively. Law enforcement professionals like me know that the only way to reduce crime in our state is to couple tough sentences with effective drug treatment.

**Measure 57 is the only measure on the ballot that is both tough and smart:**

- Measure 57 increases prison terms for criminals who victimize seniors, commit identity theft, or sell drugs to our children.
- Measure 57 forces drug-addicted criminals into treatment after their arrest. This is the best way to keep drug-addicted criminals from committing more crimes after they get out of prison.

If you, like me, believe we need a tough and smart strategy to stop crime **please join me by voting YES on Measure 57 – the better way to fight crime.**

**JOHN KROGER**

Former Federal Prosecutor / Democratic and Republican Nominee for Attorney General

(This information furnished by John R. Kroger.)

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**Argument in Favor**

**Oregon Corrections Employees say Yes on Measure 57**

No one understands the frustration of the current revolving doors in the prison system better than those of us who work there. We watch repeat offenders come and go, over and over, each time leaving new victims in their wake. This is just not acceptable.

We want the tools to stop the revolving door justice system that threatens our neighborhoods. Every time we take custody of an inmate who is a repeat offender, the system has failed us.

85 percent of the criminals convicted of property crimes have drug or alcohol addictions. The only way to lower the possibility that they will commit new crimes is to **require** treatment while they are in our custody.

- Measure 57 authorizes longer sentences for addicted offenders who **refuse** this treatment

## Measure 57 Arguments

For the victims of identity theft the damage can be devastating. When convicted we want to make sure these criminals serve time in a state prison, not out on the streets where they can victimize more citizens.

- Measure 57 makes mail theft a felony
- Measure 57 creates tougher sentences for repeat offenders of identity theft

Even more important, Measure 57 **eliminates** probation for repeat drug traffickers and makes sure pushers who prey on our kids get the tough sentences they deserve.

As Oregon's professional corrections employees we share your frustration. We need the tools to hold these criminals accountable.

### Please join us in Voting Yes on Measure 57!

Joyce Armstead  
Counselor at the Oregon Youth Authority

James Buhlinger  
Corrections Officer at Deer Ridge prison, Madras

Larry W. Campbell  
Corrections Officer at OSP Minimum, Salem

Vernon R. Hampton, Jr.  
Corrections Officer at Santiam prison, Salem

Amanda Rasmussen  
Corrections Officer at Coffee Creek women's prison,  
Wilsonville

Tina Turner-Morfitt  
Corrections Intake Counselor at Coffee Creek women's prison,  
Wilsonville

(This information furnished by Mary Botkin, Oregon AFSCME Council 75.)

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### Argument in Favor

#### Oregon Association of Community Corrections Directors Endorse Measure 57

Measure 57 is good public safety policy based upon research and evidence. Measure 57 is the better way to fight crime.

People who are committing repeat property offenses need to be held accountable and the citizens of Oregon expect us to be smarter in our fight on crime. Measure 57 incorporates the necessary balance of sanctions, prison, community supervision, and drug treatment to hold criminal offenders accountable.

Drug abuse and property crime are a major concern for all Oregonians. When someone commits a property crime for the first time, the majority of those people are committing the crime because of substance abuse. The strategy of Measure 57 is designed to incorporate a prompt initial response with jail and/or prison to be followed with the long-term response of community supervision and evidence-based drug treatment.

Effective treatment must be combined with enforcement if Oregon is to deal with the consequences of drug abuse, such as identity theft, property crimes and the dislocation of families. Measure 57 will increase prison terms for repeat offenders, but also requires more comprehensive drug treatment.

Supporting the reduction of recidivism through evidence-based supervision and treatment, Measure 57 also incorporates Drug Courts—which are receiving positive outcomes, showing a reduction in arrest rates throughout the nation.

The evidence shows that holding offenders accountable through supervision, sanctions and treatment reduces new criminal activity and results in fewer victims.

#### Measure 57 is the better way to fight crime.

OREGON ASSOCIATION OF COMMUNITY CORRECTIONS DIRECTORS

*(This information furnished by Steven Berger, Oregon Association of Community Corrections Directors.)*

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### Argument in Favor

#### GRANDPARENTS, PARENTS AND YOUR NEIGHBORS SAY YES ON MEASURE 57

As our population ages and baby boomers' retire, more and more people will be in the place we are in now: on fixed incomes and in the later part of our lives. In Oregon alone, **cases of elder financial exploitation have tripled** in the last two decades. Being a victim of identity or property crime is a difficult thing to recover from at any age but for older folks, the damage can be life threatening.

#### Oregon citizens and especially crime victims deserve Measure 57.

Did you know that someone could steal your identity, ruin your credit for years and walk away with just probation? We deserve more, and as senior citizens, we know Measure 57 will give identity thieves the sentences they deserve.

- Identity theft is one of the fastest growing crimes in the United States
- Measure 57 **gives tougher sentences to those who steal \$10,000 or more from anyone over the age of 65.**

#### Oregon has a serious problem: it's the same group of people committing the same crimes over and over.

- Oregon is ranked 18th in the nation for property crime. Repeat offenders commit a significant portion of that crime.
- 85% of repeat property offenders have a moderate to severe drug and/or alcohol problem and of that group; we also know that 49% re-offend after release.

#### Measure 57 cracks down on repeat offenders and helps stop the cycle of crime by requiring drug treatment before offenders are released.

#### Measure 57 is the better way to fight crime. Join us.

#### ADVOCATES FOR SENIORS SAY YES TO 57

Save Oregon Seniors

Oregon State Council for Retired Citizens

Frederick Olson, Co-Chair, Advocacy Coalition for Seniors and People with Disabilities

Oregon Alliance for Retired Americans

Elders in Action Commission

*(This information furnished by Matt Blevins, The Better Way To Fight Crime Committee.)*

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**Argument in Favor****I WORK IN YOUTH CORRECTIONS**

My job is to work to protect the public and hold youth offenders accountable for their behavior. Help me do my job by voting  
**YES ON 57.**

**DID YOU KNOW?**

**The social characteristics of Oregon's youth in corrections:**<sup>1</sup>

Used Alcohol or Drugs: 71%

Parents Used Alcohol or Drugs: 65%

**Drug crime leads to more crime. Measure 57 includes tougher sentencing for drug traffickers who prey on Oregon's youth. Help stop the cycle before it starts by voting YES ON 57.**

**DID YOU ALSO KNOW?**

**Oregon is a national leader in using effective treatment practices to prevent youth offenders from committing additional crimes.**<sup>2</sup>

I work hard to prevent youth from returning to criminal behavior. Effective treatment includes drug treatment. The same is true for adults.

**Measure 57 is the only measure on the ballot that includes required drug treatment and even tougher sentences for those who refuse treatment.**

**HELP ME DO MY JOB: VOTE YES ON 57.**

**Jeff Haynes, front-line worker, Oregon Youth Authority**

<sup>1</sup>Data Source: OYA Mental Health Gap Assessment, 2008

Excluding Conduct Disorder

<sup>2</sup><http://www.oregon.gov/OYA/>

(This information furnished by Matt Blevins, *The Better Way To Fight Crime Committee.*)

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**Argument in Favor****STOP THE REVOLVING DOOR****UNITED WAY MID-WILLAMETTE VALLEY URGES A YES VOTE ON MEASURE 57**

United Way Mid-Willamette Valley works to advance the common good and create opportunities for a better life for all. We focus on the basics we all need to succeed: Education, income, health. Our goal is to create long-lasting change that prevents problems from happening in the first place.

We see the wreckage of the current failed system everyday in the work we do: Unsafe neighborhoods, substance addiction, threats to kids and the elderly.

Oregon must do better.

**THE REVOLVING DOOR OF DRUG AND ALCOHOL ADDICTION**

85% of people in jail for property crimes have drug or alcohol problems.

49% of property crime offenders will commit another crime when they are released, continuing the revolving door cycle of crime.

Under the current system, less than 15% of inmates receive intensive drug and alcohol treatment.

Measure 57 will change that.

**TOUGHER SENTENCES AND MANDATORY DRUG TREATMENT**

Measure 57 has our support because it is the ONLY measure that recognizes that treatment has to be part of any effort to reduce property crime and identity theft. Tougher sentences alone won't stop the current revolving door.

Join us in voting YES for Measure 57.

**THE BETTER WAY TO FIGHT CRIME****UNITED WAY MID-WILLAMETTE VALLEY**

(This information furnished by Matt Blevins, *The Better Way To Fight Crime Committee.*)

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**Argument in Favor****STAND FOR CHILDREN SAYS MEASURE 57 MEANS SAFER COMMUNITIES AND SAFER KIDS**

Stand for Children works to build a powerful, grassroots citizen voice so that all children have the opportunity to grow up healthy, educated, and safe.

**WE'RE ASKING YOU TO SAY YES ON 57**

Drugs and drug-related crimes can tear apart families and communities. Unless we stop the cycle of addiction and revolving-door justice, we aren't solving the problem.

Measure 57 is a cost effective investment in our future and means safer Oregon children.

**Keep Children from Becoming Victims of Crime**

The incidence of drug abuse in a household is very closely related to child abuse and other violence against children. Measure 57 is the only measure on the ballot with the combination of treatments and sentences needed to change the behaviors that most threaten the safety of children.

**Required Addiction Treatment to Stop Revolving-Door Justice**

Measure 57 requires treatment for the 85% of currently incarcerated property criminals with drug and alcohol addiction.

**A Good Investment for Taxpayers**

Warehousing people in prison is an expensive way to solve a problem. Measure 57 is a two-pronged approach of tougher sentences and required drug treatment for drug-addicted offenders.

**Measure 57 Means Safer Oregon Children****STAND FOR CHILDREN SAYS YES ON 57**

(This information furnished by Jonah Edelman, Stand for Children.)

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**Argument in Favor****Business leaders ask you to join in supporting Measure 57.**

As a bipartisan, statewide business organization, we represent over 300 homegrown businesses and large corporations from a wide range of industry sectors. Our decision to support Measure 57 was an easy one.

## Measure 57 Arguments

**As business owners, we know first hand how identity thieves can ruin a lifetime of a customer's good credit and cause businesses to lose money. We know the losses a business has to sustain when it's the victim of property crime. We support this measure because:**

- Measure 57 imposes tough sentences for identity theft and even tougher sentences for those who prey on our elderly.
- Measure 57 works to stop repeat offenders and revolving door justice for property crime.
- Measure 57 is not a rigid, one-size-fits-all approach — it is smart, tough, and gives law enforcement officers the tools they need to protect us.

**As business owners**, we see the huge financial cost of drugs and the crime drugs generate. These costs can end up eventually costing jobs as well as threatening our state's economy.

**As your friends and neighbors**, we've seen drugs tear at our communities and destroy our next generation. We've also seen repeat offenders get returned to the streets too quickly.

**We support this measure because:**

- Measure 57 is the ONLY measure that increases sentences for big-time drug dealing and traffickers who prey on children.
- Measure 57 requires treatment and imposes stiffer sentences for those addicted offenders who refuse treatment.

**It's time for change.** Measure 57 is a smart, tough, cost-effective solution carefully crafted by law enforcement and elected officials to bring the kinds of changes we need to make Oregon safer.

**We join our law enforcement community, advocates for children and seniors, parents, teachers, and Republicans and Democrats alike, in saying Yes on Measure 57!**

### OREGON BUSINESS ASSOCIATION

(This information furnished by Ryan Deckert, Oregon Business Association.)

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### Argument in Favor

THE OREGON EDUCATION ASSOCIATION  
URGES YOU TO VOTE YES ON 57

Keep Kids Safe and Families Together

The goal of the Oregon Education Association is to ensure that every child has access to a quality education and that kids are safe and supported. That's why we are asking Oregonians to Vote Yes on Measure 57.

As educators, we've seen firsthand the harm that drug addiction can do to children and families. We see students in our classrooms who suffer – emotionally and academically – because of their parents' addictions. We can do better.

**Measure 57 helps keep families together.** We need to hold offenders accountable, but it's not enough to incarcerate drug offenders. For the sake of the family, we must invest in treatment.

**Measure 57 helps keep kids safe from abuse.** Drug addiction often leads to violence in the home. We must stop the cycle of abuse. Only Measure 57 will impose tough penalties and the necessary treatment to change the behavior of the addict.

**Measure 57 is a good investment in Oregon's future.** Continuing to warehouse drug offenders is costly and it doesn't solve the problem in the long run. We need tough penalties and mandatory treatment to stop the revolving door in Oregon's criminal justice system. It will save taxpayer dollars and keep families together.

Please join us in voting Yes on Measure 57.

Larry Wolf, President  
Oregon Education Association

(This information furnished by Larry Wolf, President, Oregon Education Association.)

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### Argument in Favor

**Measure 57: A tougher and smarter way to reduce property and drug crime.**

**Measure 57 is tough on property crime.** It will significantly increase prison sentences for repeat property crimes, identity theft, mail theft and crimes against the elderly.

**Measure 57 is tough on drug crime.** It will significantly increase prison sentences for repeat drug crimes. For people convicted of delivering or manufacturing drugs, prison sentences would range from 34 to 130 months, depending on factors such as the amount of drugs involved, the offender's criminal record and personal history, and whether drugs were sold to an adult or a juvenile. Current sentencing guidelines range from probation only to 45 months for the same crimes.

But while being tough on the manufacturers and dealers of certain drugs (cocaine, ecstasy, heroin or methamphetamine), this law would mandate drug and alcohol treatment for certain addicted offenders in order to reduce the likelihood of future criminal activity, and it will impose penalties for failure to complete treatment. **That's being smarter.**

This is a tough, no-nonsense measure. The authors of Measure 57 properly recognized that when offenders are treated for the core problems that lead to their criminal activity they are less likely to offend again. Only Measure 57 provides a sensible, long term strategy to reduce property and drug crime in our communities, making us all safer and more secure.

Oregon citizens have been outspoken in their desire to reduce property crimes. **Measure 57 is tougher ... and smarter and more effective.**

Vote **YES** on Measure 57, the **only** crime measure that deserves your vote.

(This information furnished by Carla "KC" Hanson, Multnomah County Democrats.)

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### Argument in Favor

Juvenile Parole Officers Urge a  
**Yes vote on Measure 57**

AFSCME Council 75 represents the professional men and women who work as Juvenile Parole Officers. We are the people who work with Oregon's delinquent youth in your communities every day.

Together we share your desire for changes in Oregon's criminal justice system. **Measure 57** creates the toughest sentences for dealing meth, cocaine and heroin, and identity theft, and

requires addiction treatment.

We are asking you to vote **YES on 57**. If you want a measure that will be tough on crime, send a message with your ballot.

**Measure 57** takes a carrot and a stick approach, not a rigid, one-size-fits-all approach. Youthful offenders must have treatment options for their addictions and have programs that give them an opportunity to change the direction of their lives.

**Measure 57** requires treatment for alcohol and drug addiction.

As youth corrections professionals, we know that when these offenders beat their own drug or alcohol addiction, they are less likely to commit new crimes. If an offender chooses not to participate in the treatment offered, their sentence will be longer as a result.

**Measure 57 gives law enforcement and juvenile corrections professionals the tools they need to help our youth offenders change behavior.**

If you want tougher sentences for repeat offenders, **Measure 57** is the only choice that makes sense. That's why police, sheriffs, district attorneys, and juvenile parole officers like us are **supporting Measure 57**.

We are urging you to join us by voting **YES on Measure 57**.

Juvenile Parole Officers, AFSCME Council 75

(This information furnished by Matt Blevins, The Better Way To Fight Crime Committee.)

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**Argument in Favor**

MORE TOOLS AND RESOURCES = THE BETTER WAY  
TO FIGHT CRIME

**FROM EVERY CORNER OF OREGON, LAW OFFICERS SAY,  
"VOTE YES ON MEASURE 57"**

Oregonians are frustrated that just a small number of criminals are responsible for so many crimes, especially when it comes to drug trafficking, property crimes and identity theft.

**Measure 57 will help stop repeat offenders  
and revolving door justice**

We've helped identify the solution and we are asking for your support: Please give us the tools we need to keep your kids and community safe and help us stop the revolving door of Oregon's criminal justice system.

**JOIN US IN VOTING YES ON MEASURE 57**

**Oregon Coast**

Sheriff Todd Anderson – Tillamook County  
Sheriff Dennis Dotson – Lincoln County  
District Attorney Joshua Marquis – Clatsop County  
District Attorney Everett Dial – Curry County

**Willamette Valley**

Sheriff Diana Simpson – Benton County  
Sheriff Jack Crabtree – Yamhill County  
District Attorney Brad Berry – Yamhill County  
District Attorney Walter M. Beglau – Marion County  
Officer Vernon R. Hampton Jr. – Santiam Correctional Institution, Salem

**Portland Metro Area**

Sheriff Craig Roberts – Clackamas County  
Sheriff Bob Skipper – Multnomah County  
District Attorney Bob Hermann – Washington County  
Officer Tina Turner-Morffitt – Coffee Creek Correctional Institution, Wilsonville

**Southern Oregon**

District Attorney Mark Huddleston – Jackson County  
District Attorney Stephen Campbell – Josephine County

**Central and Eastern Oregon**

Sheriff John A. Trumbo – Umatilla County  
District Attorney Michael T. Dugan – Deschutes County  
District Attorney David Schutt – Lake County  
Officer James Buhlinger – Deer Ridge Correctional Facility, Madras

(This information furnished by Matt Blevins, The Better Way To Fight Crime Committee.)

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**Argument in Favor**

Measure 57 Is The Only Measure To Address  
Root Cause of Drug Crimes

**The Problem:**

Drug use and addiction are behind a significant proportion of property crimes committed against Oregonians. Drug addiction also takes its toll on thousands of individuals as they struggle to manage their disease, often without access to treatment services vital to bring their disease under control.

Without proper treatment, the chronic brain disease of alcohol and drug addiction will continue to destroy families, strip innocent citizens of their identities, steal property, and cause fatal and injury crashes that have life-long consequences for unsuspecting victims. There is also no question that without proper drug and alcohol treatment services criminals addicted to drugs will re-offend at some time upon release.

Without proper alcohol and drug treatment for these offenders, Oregon taxpayers will continue to underwrite skyrocketing demands on the criminal justice, child welfare and foster care systems while the same offenders are re-arrested again, and again. The safety of everyone is compromised as untreated offenders re-enter society still addicted and unable to manage their disease.

**How It Breaks Down:**

Measure 57 provides much tougher sentences for repeat property crimes, and those who engage in a life-style of drug trafficking. Repeat offenders will face much harsher penalties, and we will all be safer as a result.

Measure 57 is the ONLY measure that requires urgently needed alcohol and drug addiction treatment for first-time and low risk offenders so they can successfully recover from the disease of addiction and become productive members of society. With proper treatment these offenders will have the medical care necessary to remain alcohol and drug free.

**The Solution:**

Vote "yes" for Measure 57, to keep all of us safer. It is the least costly and the ONLY public safety measure that addresses the root cause of so much of Oregon's property and identity crime, and requires alcohol and drug treatment for offenders.

To learn more visit our website at <http://www.opera-oregon.us>

(This information furnished by Debra Gilmour, Oregon Prevention, Education & Recovery Association (OPERA).)

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## Measure 57 Arguments

### Argument in Favor

#### **END THE CYCLE OF CRIME. VOTE "YES" ON MEASURE 57**

Every day, the parole and probation officers across Oregon work to ensure that criminal offenders reintegrate into society and do not commit additional crimes in their communities.

Of all the factors that contribute to recidivism for offenders who commit property crimes and identity theft, none ranks higher than drug and alcohol addiction.

We see it every day:

**85%** of offenders in jail for property crime have **drug and alcohol addictions**.

Under the current system, less than **15%** get intensive drug or alcohol **treatment**.

**Almost 50%** of property crime offenders go on to **commit additional crimes** when they are released.

Without mandatory treatment, tougher sentences won't stop the revolving door for perpetrators of property crimes and identity theft.

That's why we are supporting Measure 57.

It has tough sentences for drug kingpins and criminals who target out kids and the elderly. But it also has required drug and alcohol treatment to stop the revolving door.

#### **It is the better way to fight crime in Oregon.**

#### **Vote Yes on Measure 57.**

FEDERATION OF OREGON PAROLE AND PROBATION OFFICERS

*(This information furnished by Matt Blevins, The Better Way To Fight Crime Committee.)*

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### Argument in Favor

#### **VOTE YES ON 57 THE BETTER WAY TO FIGHT CRIME**

Oregonians are frustrated that just a small number of criminals are responsible for so many crimes, especially when it comes to drug trafficking, property crimes and identity theft.

Measure 57 toughens sentences for those who prey on the elderly and children, and gives law enforcement the tools it needs to stop the revolving door of Oregon's criminal justice system.

#### **Measure 57 holds criminals accountable.**

Victims of identity theft can have their lives ruined and their savings stolen. It can take years to get good credit again. It just makes sense to treat these crimes – and drug crimes against children – more seriously.

#### **Measure 57 is the only measure that will stop revolving door justice.**

With 85% of incarcerated property criminals fueled by drug or alcohol addiction, Measure 57 ALSO requires mandatory drug treatment, to finally break the cycle of crime. One-size-fits-all solutions aren't the answer, which is why Measure 57 – with tougher sentences AND required addiction treatment – is the better way to fight crime.

#### **JOIN US.**

#### **VOTE YES ON 57.**

[www.betterwaytofightcrime.com](http://www.betterwaytofightcrime.com)

### Oregon Council of Police Associations

### Oregon Police Chiefs for Safer Communities

### Oregon Community Corrections Directors

### Federation of Oregon Parole and Probation Officers

### Juvenile Parole Officers – AFSCME Council 75

### SEIU, Local 503, representing front-line workers at the Oregon Youth Authority, and 45,000 other workers

### Oregon Business Association

### Save Oregon Seniors

### Oregon State Council for Retired Citizens

### Frederick Olson, Co-Chair, Advocacy Coalition of Seniors and People with Disabilities

### Oregon Alliance for Retired Americans

### Elders in Action Commission

### United Way Mid-Willamette Valley

### AARP Oregon, Gerald J. Cohen State Director

### Sheriffs, district attorneys, and law enforcement from all across Oregon

*(This information furnished by Matt Blevins, The Better Way To Fight Crime Committee.)*

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### Argument in Favor

#### **As a Victim of Identity Theft, I Support Measure 57 as the Smart Approach to Fighting Crime**

Dear fellow Oregonian,

For almost a decade, my family has been dealing with the trauma and trouble connected to having my personal information stolen. The impacts of identity theft are long lasting and the victimization is a very real problem that Oregon must address.

In addition to having my bank account emptied, I have had to deal with countless hotel bills, cell phone accounts, and other transactions conducted using my name and Social Security number. In addition to the financial burden this creates, the time and energy it takes to solve these never-ending problems is intense. I am still unsure whether these problems will ever stop.

#### **I don't want what happened to me to happen to anyone else and that is why I support Measure 57.**

We need to hold identity thieves accountable and Measure 57 does that.

Oregon also needs to get smart about this problem. The biggest driver of property crime and identity theft is drug addiction, and countless Oregonians will continue to be victimized if we are not addressing the root cause of these crimes.

I support Measure 57 because it combines tougher sentencing with required drug treatment. We need to do more than lock people up. By getting offenders the addiction treatment they need, we begin to actually break the cycle of crime.

Sincerely,  
Scott Gregory

**Support Measure 57  
It Gets Smart on Crime**

(This information furnished by Matt Blevins, The Better Way To Fight Crime Committee.)

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**Argument in Favor**

**AARP Oregon urges Oregonians to vote "YES" on Measure 57**

**Measure 57 is the better way to bring the kind of change Oregon needs**

Older Oregonians are frustrated that just a small number of criminals are responsible for so many crimes, especially when it comes to drug trafficking, property crimes and identity theft. Measure 57 is the better way to fight crime.

**Measure 57 has provisions that will help seniors and our most vulnerable citizens**

- Identity theft is one of the fastest growing crimes in the United States.
- Oregon is ranked 13th in the country for cases of identity theft, with those over 65 years of age often more vulnerable to having their identity stolen.
- Measure 57 gives tougher sentences to those who steal \$10,000 or more from anyone over the age of 65.

**Measure 57 will help make Oregon safe and it's far more cost-effective**

While Oregon is ranked 18th in the nation for property crime, the bigger problem is that repeat offenders are the ones committing a significant portion of that crime. And nearly 85 percent of repeat property offenders are addicted to drugs or alcohol. The only way to break that cycle and make sure offenders won't repeat their crimes is to make sure drug treatment is required. Measure 57 does just that AND it has tougher penalties for those who refuse treatment.

Dollar for dollar, Measure 57 is a wiser investment for our seniors, families and communities without a more expensive, rigid, one-size-fits-all approach.

**Let's bring better, smarter security to Oregon seniors and families by voting "YES" on Measure 57**

AARP Oregon  
Gerald J Cohen, State Director

AARP Oregon  
Ray Miao, State Volunteer President

(This information furnished by Gerald J Cohen, AARP Oregon.)

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**Argument in Opposition**

The politicians and bureaucrats are trying to pull a fast one.

Every 3.2 minutes, criminals commit "property" crime in Oregon.

They steal your cars, your identity, burglarize your homes and businesses, and sell drugs to your children.

Then.....most of them get **probation**.

In 2007:

57% convicted of motor vehicle theft got....**probation!**

62% convicted of identity theft got....**probation!**

53% convicted of residential burglary got...**probation!**

70% convicted of burglary of a business got....**probation!**

69% convicted for felony drug dealing got....**probation!**

80% convicted for selling cocaine within 1000 feet of a school got....**probation!**

In 1995, citizen sponsored Measure 11 went into effect requiring **mandatory** prison sentences for violent criminals. Oregon had the **highest** violent crime rate of all the western states. We now have the **lowest** violent crime rate of all the western states. They said it would cost too much. They **overestimated** the cost by nearly 50%!

What have we learned?

When you put criminals in jail, the crime rate goes **down**.

Way down.

**Costs too much?**

These are the same politicians who just provided themselves with luxurious \$4400 desks, \$6700 credenzas, \$2500 leather sofas, \$1800 chairs, and new flat screen tv's!

**The politicians are trying to confuse the voters.**

Here's how:

There are **TWO** crime measures on the ballot: **Politician sponsored 57** and **Citizen sponsored 61**. Whichever one has the most votes wins.

Measure 57 is the first crime measure on the ballot. It's the politicians' measure. **VOTE NO!**

The second crime measure on the ballot is Measure 61. **Mandatory** prison time for criminals! You do the crime... you do the time. **VOTE YES!**

**Politician measure 57** puts 3000 less criminals in jail.

**Citizen measure 61** puts 3000 more criminals in jail.

Here's how to remember it:

**Citizen** measure **61** is more than **politician** measure **57**.

**3000** more!

Vote **yes** on **61**....**no** on **57**...because **61** is **more** than **57**!

Steve Doell

(This information furnished by Steve Doell.)

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**Argument in Opposition****STOP****DON'T BE DECEIVED!**

Before you vote on politician Measure 57, please take a good look at citizen **MEASURE 61**. In citizen **MEASURE 61**, 149,000 Oregon voters signed petitions to demand that we all be safe from meth dealers, auto thieves, burglars, and identity thieves. Citizen **MEASURE 61** establishes mandatory minimum prison sentences for these crimes.

Politicians in the legislature polled citizen **MEASURE 61** and realized they could not defeat it by asking voters to vote no. They designed politician Measure 57 to mislead the voters by pretending to be tough on crime, but by actually providing weaker sentences than citizen **MEASURE 61**.

Politician Measure 57 has a Killer Clause which cancels the mandatory minimum prison sentences established in citizen **MEASURE 61**. This Killer Clause is contained in Section 6 of Measure 57. Because of this Killer Clause, a vote in favor of politician Measure 57 is a vote against mandatory minimum prison sentences for convicted meth dealers, auto thieves, burglars (home invasions), and identity thieves.

A vote for politician Measure 57 also maintains probation on a first conviction for these crimes. This is a catch and release clause.

Take a look at citizen **MEASURE 61**, also on this ballot. If you like the simple and effective mandatory minimum prison sentences of citizen **MEASURE 61**, vote **NO** on politician Measure 57 and **YES ON CITIZEN MEASURE 61**. You can't have it both ways.

Steve Doell

Kevin Mannix

*(This information furnished by Steve Doell and Kevin Mannix.)***This space purchased for \$500 in accordance with ORS 251.255.***The printing of this argument does not constitute an endorsement by the State of Oregon, nor does the state warrant the accuracy or truth of any statement made in the argument.***Argument in Opposition****Measure 57: A MISLEADING BALLOT TITLE AND WEAK SENTENCES**

Politician Measure 57 has a ballot title that makes it sound like it is going to go after meth dealers, cocaine dealers, and heroin dealers. But the ballot title is misleading. If you want to go after these drug dealers, you need to vote No on politician Measure 57 and vote Yes on citizen Measure 61, put on the ballot by citizen initiative.

Why? Politician Measure 57 is a legislative referral which pretends to go after drug dealers but actually leaves the vast majority of drug dealers on probation. This is because politician Measure 57 specifies that a drug dealer has to deal a tremendous volume of drugs - over \$40,000 worth - in order to be subject to its sentences.

The typical back-alley or street corner meth, crack, or cocaine dealer never carries more than \$1000 to \$2000 worth of drugs. This is because the dealer might be killed by his customers if he carries that much valuable property.

Under politician Measure 57, these typical drug dealers, who are dealing drugs near schools, in our communities, and even in our backyards, will get - **probation!** That is right; the typical drug dealer will get **probation**. But not just for the first conviction. The typical drug dealer will get **probation** for the first, second, third, and fourth convictions.

Fortunately, we have a strong alternative, citizen Measure 61. Measure 61 will send meth, crack, cocaine, and heroin dealers

to **prison** on their first convictions.

But, we cannot have both politician Measure 57 and citizen Measure 61. The politicians who put Measure 57 on the ballot included a clause which says that Measure 57 kills Measure 61.

So, to really fight crime, vote **No** on politician Measure 57 and vote **Yes** on citizen Measure 61.

Steve Beck  
Oregon State Police Trooper, retired

Duane Fletchall  
Sheriff's Sergeant, retired

*(This information furnished by Steve Beck and Duane Fletchall.)***This space purchased for \$500 in accordance with ORS 251.255.***The printing of this argument does not constitute an endorsement by the State of Oregon, nor does the state warrant the accuracy or truth of any statement made in the argument.*

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**Argument in Opposition**

Measure 57 Sets Criminals Free. Is that what you want?

Vote **No** on the politicians' Measure 57 if you want real punishment for criminals.

Citizen Measure 61, also on this ballot, provides mandatory minimum sentences for meth dealers, auto thieves, burglars, identity thieves, and other criminals. It is "son of 11" in the sense that it follows the example of Measure 11 (mandatory minimum sentences for violent crimes).

But politician Measure 57 was put on the ballot by politicians in the legislature as a cheap and weak alternative to citizen Measure 61. They also put in a killer clause. The killer clause in Measure 57 says that Measure 61 is canceled if Measure 57 gets one more vote than Measure 61.

The politicians know that citizens want strong action against these crimes, so they wrote their own ballot title for Measure 57 to make it sound tough. But here is the reality: over the next 6 years, 3000 convicted criminals will be in a "catch and release" system, if Measure 57 passes.

This catch and release system is all about probation. Over the next 6 years, citizen Measure 61 will actually put nearly 5000 meth dealers, burglars, auto thieves, and identity thieves behind bars. But politician Measure 57 cancels Measure 61 and gives 3000 of these criminals probation.

Citizen Measure 61 is tougher than politician Measure 57 - 3000 more criminals behind bars! Vote **Yes** on 61, and **No** on 57, because 61 is tougher than 57.

Steve Beck  
Oregon State Police Trooper, retired

*(This information furnished by Steve Beck, Oregon State Police Trooper, Retired.)***This space purchased for \$500 in accordance with ORS 251.255.***The printing of this argument does not constitute an endorsement by the State of Oregon, nor does the state warrant the accuracy or truth of any statement made in the argument.***Argument in Opposition****MEASURE 57: A SHEEP IN WOLF'S CLOTHING**

Politician Measure 57 is a sheep in wolf's clothing. For truth in sentencing, vote **No** on Measure 57, which comes from the legislature, and vote **Yes** on the citizen measure which is also on this ballot, Measure 61.

Why is politician Measure 57 a sheep in wolf's clothing? Because it pretends to be tough on crime, but it is actually gentle as a lamb in dealing with meth dealers, burglars, auto thieves, and identity thieves.

Under politician Measure 57, your typical meth dealer will get probation - and gets to demand treatment for his drug addiction, getting in line in front of innocent citizens who cannot afford such treatment.

Under politician Measure 57, the professional identity thief will know that Oregon is the place to go because he will have to be caught and convicted at least 5 times before he faces a prison term.

A June 2008 report by the Oregon Criminal Justice Commission pointed out that 3000 convicted meth dealers, auto thieves, burglars, and identity thieves, over the next 6 years, will get probation rather than prison time under politician Measure 57.

Fortunately, citizens have an alternative on this same ballot. That is citizen Measure 61. It provides mandatory minimum prison terms for these criminals. But you cannot have both citizen Measure 61 and politician Measure 57. This is because the politicians in the legislature put a killer clause in Measure 57, which cancels Measure 61.

So, those of us who want real accountability for serious crime need to vote **no** on politician Measure 57 and vote **yes** on citizen Measure 61.

Duane Fletchall  
Sheriff's Sergeant, retired

*(This information furnished by Duane Fletchall, Sheriff's Sergeant, Retired.)*

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### Argument in Opposition

#### **Vote NO on More Prisons**

**Mandatory prison sentences divert public money from education.** Oregon spends less on education per student than 30 other states, while we spend more per capita than any other state on prisons. Oregon spends more on corrections than higher education. Is this the future we want for Oregon's children?

**Rural communities face serious fiscal crises** and are unable to pay for basic government programs. Our dilapidated roads, bridges, sewers, and ports require new financial commitment. And yet we have two Measures on the ballot, 57 and 61, to increase spending on incarceration, and none to improve schools or bridges.

**Increased prison sentences will worsen our already racially imbalanced criminal justice system.** Oregon incarcerates African-Americans six times more often than Whites. Before mandating any increase in prison sentences, we must address the disproportionate impact our criminal justice system has on racial and ethnic minorities.

**Mandatory minimum sentences have no measurable effect on reducing crime.** Oregon's crime rate began decreasing in the 1990s. The proponents of mandatory minimum laws claim this trend was caused by mandatory sentencing laws. However, in a convenient omission, they fail to mention that during this same period, crime rates decreased throughout the Nation. New York experienced the same violent crime reduction as Oregon yet managed to **decrease** its prison population by 8.4%. Increasing prison time is not the best path to decreasing crime.

**Neither Measure 57 nor 61 is smart on crime.** We understand that the Legislature was trying to avert the disaster of Measure 61 by offering the lesser evil, Measure 57. But we believe Oregonians are smarter than that.

The Portland National Lawyers Guild sees both Measure 57 and 61 as flawed and wrong-headed. No doubt, Measure 61 would be far worse than Measure 57. For this reason, the **Portland National Lawyers Guild urges you to reject both Measures, but if you choose to vote for either, vote Yes on 57 and No on 61.**

*(This information furnished by Kenneth A. Kreuscher, Co-Chair of Portland National Lawyers Guild.)*

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Proposed by initiative petition to be voted on at the General Election, November 4, 2008.

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## **Ballot Title**

# **58**

Prohibits teaching public school student in language other than English for more than two years

### **Result of "yes" vote**

"Yes" vote prohibits teaching public school student in language other than English for more than two years (exception for teaching foreign language to English speakers).

### **Result of "no" vote**

"No" vote retains requiring English courses for students unable to profit from classes taught in English, permitting multiple-language instruction to assist transition to English.

### **Summary**

Current law requires instruction in all school subjects (except foreign languages) to be primarily in English; permits instruction in more than one language so students whose native language is not English can make early transition to English; requires schools to provide English courses for children unable to profit from classes taught in English. Measure provides that no public school student shall be taught in language other than English for more than two years, with exception for classes teaching foreign language to English-speaking students. Limits "English immersion classes" (not defined) to no more than two years for students whose primary language is not English and who are not capable of being taught in English; after that, students shall be taught exclusively in English. Other provisions.

### **Estimate of financial impact**

This measure will require additional local school spending between \$203 million and \$253 million in each of the first two school years. The cost may change in later years, depending upon the number of non-English speaking students in public schools, and their academic performance over time.

The measure does not affect the amount of funds collected for state government, schools, or local governments.

**Explanation of Estimate of Financial Impact**

This proposal mandates a new requirement that all non-English speaking students be "immersed in English" for a limited amount of time. Federal law requires that students continue to make satisfactory academic progress each year. To meet the requirements of both the measure and federal law will require more staff and resources in public schools. The following additional resources would be needed:

- One additional teacher and one additional instructional assistant in each typical elementary school.
- One additional teacher and one additional instructional assistant in each typical middle school.
- Two additional teachers and two additional instructional assistants in each typical high school.
- Additional teaching materials to support English immersion programs – the equivalent of a 10 percent increase in teaching materials.
- Tutoring and/or after school programs for all English Language Learner students in the state (about 13 percent of all students) to help them keep up with their classes in other subjects.
- Four weeks of summer school for English Language Learner students who have fallen behind in other subjects.
- An additional day of professional development for all teachers to learn techniques for assisting English Language Learner students in English-only classrooms.

The cost of these additional resources would be \$253 million in each of the first two years.

**Arizona Experience**

Arizona required English immersion programs for public school students starting in 2006. While the implementation cost estimates vary from district to district, the Arizona School Administrators Association estimated the average additional statewide cost to be \$2,741 per student per year. If Oregon schools spent a similar amount on 74,000 English Language Learner students, an English immersion program in Oregon would cost approximately \$203 million each of the first two school years.

**Committee Members:**

Secretary of State Bill Bradbury  
State Treasurer Randall Edwards  
Scott Harra, Director, Dept. of Administrative Services  
Elizabeth Harchenko, Director, Dept. of Revenue  
Debra Guzman, Local Government Representative

*(The estimate of financial impact and explanation was provided by the above committee pursuant to ORS 250.127.)*

**Text of Measure**

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

A new section shall be added to and made part of the Oregon Revised Statutes, which section shall read:

**Section 1. English immersion required in public schools.**

English is the language of opportunity in America. Learning English opens doors to better jobs and opportunities. The only way to fully learn about American culture, and what makes America truly unique, is through our common bond of the English language. Therefore, it is the policy of the State of Oregon that public school students, who are not proficient in English and students for whom English is a second language, shall be immersed in English, not sidelined for an extended period of time, but mainstreamed with English speaking students in the shortest time possible. To that end:

- (a) If a non-English speaking student first enters the public school system at the kindergarten through the fourth grade level, English immersion classes shall be limited to not more than one year, after which time the student shall be taught exclusively in English.
- (b) If a non-English speaking student enters the public school system at the fifth grade through the eighth grade level, English immersion shall be limited to not more than one year and a half of a year, after which time the student shall be taught exclusively in English.
- (c) If a non-English speaking student enters the public school system at the ninth grade through the twelfth grade level, English immersion shall be limited to not more than two years, after which time the student shall be taught exclusively in English.
- (d) Public school students, who as of the effective date of this 2008 Act already are enrolled in and have participated in an English as a Second Language (ESL) program and are not yet ready to be taught exclusively in English, for the next school year beginning on or after July 1, 2009 shall be enrolled in an English immersion program as set forth in subsection (a), (b), and (c) of this section. This subsection (d) shall not apply to students who will be entering the 11th or 12th grade in the first school year beginning on or after July 1, 2009.
- (e) To insure the cessation of the long term ESL programs currently in use in many of the public schools in Oregon, beginning July 1, 2009, no public school student shall be taught in a language other than English for more than two years. This section does not apply to classes which teach English speaking students a foreign language.
- (f) For purposes of this section, a student shall be considered a "non-English speaking student", if the student's primary language is a language other than English and the student is not capable of being taught in English.
- (g) This 2008 Act supersedes any pre-existing law, rule, or policy with which it conflicts.

**Explanatory Statement**

Ballot Measure 58 amends Oregon statute to prohibit teaching non-English speaking public school students in a language that is not English for more than one to two years. Presently, local school districts are required to provide programs based on research for the learning of English as nonnative speakers. Those programs now are provided until such time as students are assessed as "English proficient."

Under the measure, students who do not understand English may attend English immersion classes for a limited time before being taught only in English. English immersion is not defined by the measure and will require the Oregon legislature to determine what comprises English immersion and what effect that definition will have on instruction in the non-English language. Further, the legislature will have to address the effect of this measure on compliance with relevant federal laws.

Students entering a public school in kindergarten through grade 4 may attend English immersion classes for no more than one year. Students entering a public school in grades 5 through 8 may attend English immersion classes for no more than one and one-half years. Students entering a public school in grades 9 through 12 may attend English immersion classes for no more than two years. After one to two years, English language learners will be mainstreamed, regardless of whether they are English-proficient.

Students enrolled in an English as a second language (ESL) class on the effective date of the measure who still are not English proficient must begin English immersion classes in the 2009-2010 school year. This requirement does not apply to students who will begin grade 11 or 12 in the 2009-2010 school year. Students enrolled in an ESL class on the effective date of the measure may attend English immersion classes for no more than the period of time allowed for students who did not attend an ESL class.

English speaking students who are studying a foreign language may be taught that language for more than two years under the measure.

**Committee Members:**

Alan Grosso	Chief Petitioners
Bill Sizemore	Chief Petitioners
Gary Hargett	Secretary of State
Lynn Reer	Secretary of State
Fred R. Neal	Secretary of State

**Appointed by:**

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

**Argument in Favor****VOTE YES ON MEASURE #58**

**A YES vote for Measure 58 is a vote for improving the education of our immigrant children. It allows up to two years of specialized intensive English instruction, giving English Language Learners grade level skills in literacy and school subjects, and the ability to do regular classroom work in English.**

It is a vote for integration and equity.

Immigrants have come to America for generations and successfully learned English in our public schools. Mastering English is not only essential for personal success in education, work and civic life, but the language unites us as a country.

**Current programs using bilingual, ELD, ESL or ELL models in Oregon are failing our non-English speaking students.** Last year the Oregon Department of Education reported that only 22 of the 129 school districts met minimum standards - an almost 80% failure rate. That is a disaster for the students.

**Limited-English proficiency (LEP) students in Oregon are funded at one and one half times the amount for regular students.** Financial support is not the problem, but the LEP programs that are failing our children are. From 2005-07, among 8th graders learning English, only 15% passed the writing test and only 36% passed math - this is unacceptable.

**The first priority for our LEP students is mastery of English as quickly as possible.**

**A YES vote for Measure 58 benefits all children.**

**Paid for by Oregonians for Immigration Reform PAC**

(This information furnished by Jim Ludwick, Oregonians For Immigration Reform.)

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**Argument in Favor**

Current law lets English students to progress at their own rate. No! Wrong! Measure 58 will require children to learn faster—by force of law. This measure will **outlaw slow English learning!** Cool!

In fact, laws requiring Latinos to learn faster could also **legislate geniuses!** Isn't it amazing what a Sizemore measure can do? Vote for faster English learning—and legalize geniuses! It's that simple! **Sizemore simple!**

My friends, Mexicans should be taught in English because it's **our native tongue.** But American colleges in Mexico City teach in English! By **logical extension**, that is wrong! Students should learn in the national language. Stop teaching military personnel in Germany in English. **Keep the German in Germany!** Students learn better in languages they can't easily understand!

The speed at which children learn is best established by initiative and referendum! The key is to legislate lesson plans by popular vote: **The more lesson plans you vote on, the faster children learn.** It's so simple! So how many hundred Sizemore lesson initiatives do you want to vote on in any one election?

Don't leave teaching to teachers! To make English students progress, all you have to do is vote for Sizemore measures. Bill Sizemore knows better than teaching professionals how to **mandate student advancement by initiative petition.**

The religious right demands democratic dogma, and Sizemore legislates accelerated Latino language learning.

Additionally, this measure establishes the precedent for popular vote on all professional planning. How will your doctor treat your infection? Not by professional knowledge! No! **Let the voters decide!** Yeah!

Teachers should not be left alone to teach, and doctors should be regulated by the whims of popular elections! Professional practices should be set by the lowest common denominator of public prejudice at the ballot box. This is democracy! We want democratic lesson plans and **democratic medical procedures!** Sizemore medicine! Let's vote!

**VOTE FOR INCOMPREHENSIBLE INSTRUCTION AND VOLUMINOUS VOTING!**

Donations: Traditional Prejudices Coalition, Box 1851, Portland 97207.

(This information furnished by M. Dennis Moore, Traditional Prejudices Coalition.)

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**Argument in Favor****VOTE YES ON 58**

The Marion County Republican Executive Committee supports a "Yes" vote on Measure 58.

More and more money is going into our classrooms, but results are not improving.

**Bilingual education** is a major part of the problem. Bilingual or English as a Second Language (ESL) is a set of programs where the majority of those students are primarily there to learn in their native language and not English, as we should expect. Students need to master English to excel.

What you are not told is that these **ESL students receive 50% additional** funding per student than the rest of the student population, **over \$170 million per year.** (ORS 327.013(7) (a) (B) School fund distribution computation)

We believe that, rather than promoting student achievement, ESL has become an incentive to fail. Why? The longer these students are classified ESL, the longer the districts receive the additional 50% funding. Instead of promoting English proficiency, as No Child Left Behind (NCLB) law requires, taxpayers pay greater and greater sums for ESL students for many years longer than needed.

**Measure #58 is not a one-size-fits-all approach.** It sets a reasonable limit to the time taxpayers are required to pay this additional 50% (depending on the student's age).

**Measure #58 won't cost taxpayers any additional money.** The claim that the costs to taxpayers will increase is nonsense.

**Measure #58 is not "Sink" or "Swim."** ESL students will still receive special assistance.

**Measure #58 will stimulate urgency,** as required by Federal Law.

**Measure #58 will provide an opportunity** for ESL students to successfully learn English within two years.

**Do not** be misled into believing we can continue to expect different results while doing the same things. Bilingual education has not proven to be a recipe for success.

**English proficiency assures equal opportunity for all students.**

**All of our students deserve a chance at the American Dream!**

**Measure 58 Arguments**

- Paid for by the Marion County Republican Executive Committee

*(This information furnished by Richard Hickey, Marion County Republican Executive Committee.)*

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**Argument in Favor****Schools Are Rewarded for Not Teaching Immigrant Students English**

One would think that schools would want immigrant students to learn English as quickly as possible. This is not necessarily so.

Under current policies, non-English speaking students are often sidelined in "English as a Second Language" (ESL) classes for many years, sometimes for their entire academic life.

This policy can cause kids irreparable damage. Young students are robbed of adequate English instruction at a time in life when they can most easily learn and master a new language.

Why would schools perpetuate a policy that is so contrary to common sense? Why sideline kids at an age when they could quickly learn the English language and be taught in English along with all the other students? The answer is: Money.

Schools are paid a lot of extra money for keeping kids sidelined in ESL classes.

Schools receive 50% more for each student enrolled in an ESL program. Plainly stated: Schools lose money, if they quickly teach immigrant students English. They literally are punished if they do what is best for the kids.

And here's something that might surprise you about all this extra money: It does not have to be used to insure that non-English speaking students are learning English. Schools are free to use the extra money for anything they want. This process wastes taxpayer dollars fails to help children.

With tens of millions of dollars being handed out to schools across Oregon each year, based on how many kids they keep sidelined in ESL classes, is it any wonder that so many kids in public schools are not reading and writing in English?

Measure 58 requires that non-English speaking students be immersed in English right away and then be taught in English. Education "theories" postulated to justify current ESL programs are highly suspect, given the huge financial incentive behind them.

**FreedomWorks urges a "Yes" on 58**

*(This information furnished by Russ Walker, FreedomWorks.)*

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**Argument in Favor****Current ESL Policies Are a Dismal Failure**

There are children all across Oregon who have spent years in our public schools and yet do not speak, read, or write in English. Many children are victims of widespread, but nonsensical educational theories.

Let's ignore for the moment the fact that under current policies schools are financially motivated to ensure that immigrant students do not quickly become proficient in English. Let's think about the so-called "logic" behind current policies.

One theory currently in vogue is that immigrant students learn English better, if they first become more proficient in their native language. Therefore, instead of immersing immigrant students in English, so they will learn English and can be taught in English, Oregon schools begin teaching them their native language.

Here they are, newly arrived in the United States and we're spending tax dollars and precious education resources teaching them the language of the country they just left.

What sense does it make to spend a year or two teaching a young impressionable child their native Spanish, Russian, or Vietnamese language, when during that same period of time the child could have been taught English? After all, it is without controversy that young minds pick up a new language far faster than an older mind and the sooner a child is immersed in English the better.

Measure 58 requires that non-English speaking students be immersed in English for one to two years, depending on the grade level of the student, and after that be taught exclusively in English.

If after the initial period a student is not capable of being taught in English, the student would be taught English and only English until they are capable of being taught other subjects in English.

Current policies are a dismal failure. Lots of kids are being hurt. English Immersion approach is the logical, common sense remedy we need and deserves our enthusiastic support.

**FreedomWorks urges a "Yes" on 58**

*(This information furnished by Russ Walker, FreedomWorks.)*

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**Argument in Favor****Immersion Works!**

This is America. We speak English here. That's not a racist thing. It's not an arrogant thing. It's a fact of life. English is the language of opportunity in this country. It opens doors to better jobs and makes possible a better future for those who speak it.

Language is assimilated more effectively through immersion. In fact, American foreign exchange students routinely return to the U.S. fluent in the language of the country in which they stayed even though they lived there for less than a year. When asked how they accomplished such an amazing feat, most say something like, "I had to learn it to survive!"

Why, then, do English as a Second Language (ESL) programs pull non-English speaking students out of core academic classes in order to teach them in their native language, when they would be better served by remaining in regular classrooms where they can interact with English speaking students and teachers?

Participation in ESL programs can actually delay language acquisition, and it costs American tax payers hundreds of millions of dollars each year to maintain this ineffective system of instruction.

Measure 58 restructures the process so that students are required to transition from ESL classes back into the mainstream more quickly. (Allowances are made to accommodate students of different ages in recognition of the fact that younger children generally assimilate language faster than older ones.)

Furthermore, limiting ESL instruction saves money! Schools receive 50% more funding for each student enrolled in an ESL program. That translates into more than 2600 additional tax

dollars spent per student, per year! This extra money goes into a district's general fund and can be used for virtually anything, which explains why budget-conscious administrators like these programs.

Thousands of children are trapped in ESL courses across the state. Do the math and then do what is best for these kids AND Oregon taxpayers by voting "Yes" on 58.

(This information furnished by Tim Rohrer, Oregon Tax Payers United.)

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### Argument in Favor

#### Burying You in Voters' Pamphlet Arguments

The other side obviously has tons of money to spend. Not only are they spending millions of dollars on television and radio ads, they also are trying to bury you in voters pamphlet arguments.

Opponents of this measure have called in lots of political favors and submitted dozens of voters' pamphlet arguments in all kind of names.

Their arguments say pretty much the same thing over and over. They just have different people saying the same thing repeatedly. Their strategy is to impress you with how many people or groups agree with their side.

I hope you will think about their strategy. Instead of being impressed with the volume of words and paper they are throwing at you, consider the strong, reasoned arguments we have put forward. Please do not be impressed with their multitude of words or their emotional pleas.

Even if we had as much money as our opponents, we would not spend it buying more voters' pamphlet arguments than a reasonable person would read.

You might want to consider this simple fact: Every argument in the voters' pamphlet cost the state several thousand dollars more to print and distribute than the ones making the arguments actually pay to have their statement included. Taxpayers are hugely subsidizing every argument printed in this pamphlet, including this one.

We have made our case concisely and we hope you find it persuasive. And please take note that we did not need to buy 30 to 50 pages in the voters' pamphlet to do so.

(This information furnished by Tim Rohrer, Oregon Tax Payers United.)

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### Argument in Opposition

#### Oregon PTA Urges You to Vote No on Measure 58

Measure 58 is vague and full of unintended consequences. It takes away local control from principals, school districts, parents, and teachers – the people who know our schools best.

Measure 58 is a one-size-fits-all mandate. Not all children learn in exactly the same way. The reality is that kids have a range of abilities that need to be judged on a case-by-case basis.

Every child in America should learn English so that they can succeed in this country. But this vague, poorly written measure doesn't say how the system would work, who qualifies for it, or how it would be implemented. It could even lead to limiting some students to just one year of learning English.

We believe that our local communities know best how to help their students become good citizens. But Measure 58 would leave those decisions to Salem bureaucrats.

Measure 58 is just the latest unfunded mandate that would take money away from our classrooms.

Measure 58 is the wrong answer – please join Oregon PTA in voting No on Measure 58.

#### Oregon PTA

(This information furnished by Anita Olsen, Oregon PTA.)

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### Argument in Opposition

#### The Oregon Education Association Asks You to Vote No on Measure 58

##### Kids Deserve More Than a One-Size-Fits-All Mandate!

**Measure 58 imposes a one-size-fits-all mandate to teaching our kids.** As educators, we know that not all children learn in exactly the same way. The reality is that kids have a range of ability that need to be judged on a case-by-case basis.

**Measure 58 takes decisions about our public schools away from parents and teachers and puts it in the hands of racketeer Bill Sizemore.** Bill Sizemore has no background in education, but he continues to promote bad ideas that will do real harm to our schools.

**Measure 58 creates obstacles to learning.** Every child in America should learn English in order to succeed in the classroom and in life. But we don't need to put unrealistic deadlines on how many years it takes to learn English. We're setting our kids up to fail. And we're setting our schools up to lose millions of dollars in funding.

**Measure 58 doesn't address the needs of our schools.** Oregon is just now recovering from over a decade of cuts. Our schools have suffered over \$1 billion in painful cuts. Rather than continuing to move forward, this measure will take us backward by **taking nearly half a billion dollars out of the classroom.**

The 48,000 teachers, school employees, and community college faculty of the Oregon Education Association urge you to join us in voting no on Measure 58.

#### Vote No on 58

The Oregon Education Association

Larry Wolf, President  
Oregon Education Association

## Measure 58 Arguments

(This information furnished by Larry Wolf, President, Oregon Education Association.)

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### Argument in Opposition

#### The Oregon Nurses Association Says Vote NO on Measure 58

##### Oregon's Children Deserve Better than Measure 58!

As nurses, we strive to provide the best medical care to children across the state, and we are at the forefront of the effort to provide healthcare for all children. We know that children are the most vulnerable among us and early checkups, combined with preventive care, help ensure that our kids grow up healthy and strong. But along with strong bodies, we believe in making sure children develop strong minds.

##### Measure 58 Ignores Oregon's Unique Communities

Oregon is a state with a diverse set of communities: Urban, rural and coastal. Like our patients, each and every community needs specialized care; a treatment for one patient may not work for another. In the same way, solutions that work in Portland might not be right for Bend or Baker City. Yet Measure 58 ignores this fact and instead writes a one-size-fits-all prescription for schools, and does so at huge expense.

##### Measure 58 Will Cut Hundreds of Millions of Dollars from Already Strapped School Budgets!

This measure will cost schools an astounding \$253 million in each of the first two years, a total of over a half billion dollars in just two years. That is money that would be much better spent reducing class size, providing textbooks and repairing schoolhouses.

##### Measure 58 Hurts The Most Vulnerable Among Us: Oregon's Children!

Most importantly, Measure 58 negatively affects the most vulnerable Oregon school children. The measure offers no exception for students with learning disabilities and places arbitrary deadlines on students, forcing them out of programs whether they are ready or not. This is not just unfair, it is bad education policy.

##### We urge you to vote no on Measure 58.

(This information furnished by Jack Dempsey, Oregon Nurses Association.)

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### Argument in Opposition

#### Oregon's Public School Leaders Urge a "NO" Vote on Measure 58

##### We don't need Measure 58's unintended consequences

We are working together with public school teachers, administrators and parents to ensure that our children are ready to face the challenges of the 21st Century. That's why we oppose Measure 58.

##### Measure 58 is one more unfunded mandate that will take money away from where we need it most—our classrooms. It's vague, poorly worded and full of unintended consequences.

- **Measure 58 will cost over half a billion dollars of unallocated funds in the first two years alone.**
- **Measure 58 imposes a one-size-fits-all mandate on our schools and our kids.**
- **Measure 58 is so poorly written it doesn't specify how the system would work, who qualifies for the program or how it will be implemented.**

Local school boards, parents, teachers and principals know that not all children learn in the same way or at the same rate. Yet Measure 58 imposes a one-size-fits-all mandate to teaching our children. What's more, under Measure 58 some students would be limited to one year of learning English, regardless of proficiency—a policy that is **inconsistent with national best practices**.

Measure 58 creates obstacles to learning. Every American child should learn English because if you don't, you'll never succeed in this country. But we don't need to put arbitrary and unrealistic deadlines on students, nor do we need another unfunded mandate that makes it harder for our students to learn.

Join Us in Voting No on Measure 58.

##### Oregon School Boards Association, Board of Directors' Executive Committee

Craig Prewitt, OSBA President and Member, Phoenix-Talent School Board  
Annette Mattson, OSBA President-Elect and Member, David Douglas School Board  
Beth Gerot, OSBA Vice President and Member, Eugene School Board  
Scott B. Pillar, OSBA Secretary-Treasurer and Board Chairman, High Desert ESD  
Jeff Sanders, OSBA Past-President and Member, Jefferson 509J School Board

(This information furnished by Treasure Mackley, Parents and Teachers Know Better.)

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### Argument in Opposition

Dear Fellow Oregonians,

I believe it is our duty to ensure that every child in Oregon receives a quality education. This is the belief that I have carried with me in every role I have had the privilege of serving, whether as a local School Board Member, Secretary of State, or your Governor.

I know firsthand that every child is unique and that they all learn in different ways and at different speeds. As a ten-year school board member, I learned both the educational and financial realities of services for our district's children. Help and support paid off in successful learners. Measure 58 misses that point completely.

As the grandparent of children adopted from China, I know personally the importance of language support for these young new Oregonians.

Measure 58 unfairly punishes students of all ages. With no exceptions even for students with learning disabilities, Measure 58 fails our most vulnerable students. It places unrealistic deadlines on students, regardless of their proficiency.

Measure 58 takes away local control. I know how important it is that every school district be able to make the best decisions for their communities and students. Instead of allowing local school boards and districts to decide, Measure 58 imposes a one-size-fits-all statewide mandate.

Say "No" to Measure 58. It's not an answer for our children or our state. I hope you will join me in voting No on Measure 58.

Governor Barbara Roberts

*(This information furnished by Treasure Mackley, Parents and Teachers Know Better.)*

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**Argument in Opposition**

**School Superintendents Across Oregon  
Reject Measure 58**

As school superintendents, we work to ensure that our schools are run efficiently and are responsive to the needs of our particular communities. We must guarantee that all students have the tools they will need to compete in today's society, and we must do so in a way that is fiscally responsible. We strongly oppose Measure 58 because it violates these standards.

Measure 58 takes away local control from the parents, teachers and principals who have the ability to craft solutions that work locally. Instead, Measure 58 imposes a one size fits all mandate that does not take into account the demographic realities in a particular district.

The state of Oregon requires all students to learn English, and our schools are meeting that challenge. Measure 58 would undermine the hard work of the teachers who instruct English as a second language and the administrators who develop those programs for learning. Measure 58 relies on an undefined program of "English Immersion," the details of which will not be crafted in our local districts, nor by educators, but by bureaucrats in Salem.

Measure 58 will cost our schools over half a billion dollars during the first two years. School districts will have to commit already strained resources to comply with both the measure and federal law. The high cost of implementing Measure 58 would take valuable funds away from more pressing needs, like smaller class sizes, textbooks and computers.

Measure 58 brings politics to our schools instead of sound education policy. That is bad for our kids and is no way to operate our schools. We urge you to oppose Measure 58.

Sincerely,

Mark S. Mulvihill, Ed.D.  
Superintendent  
Umatilla-Morrow ESD

Craig Roessler  
Superintendent  
Silver Falls School District

*(This information furnished by Mark S. Mulvihill.)*

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**Argument in Opposition**

**Working Families Urge a No Vote on Measure 58  
Parents and Teachers Know Better –  
Vote No on Measure 58**

When it comes to our children's education, the Oregon AFL-CIO believes that parents and teachers know best. That's why our more than 225,000 members are joining parents and teachers across the state to say No to Measure 58.

- Vote No on Measure 58 because it **takes away local control** from teachers, parents and school districts who know what works best for their local schools. What works in one school or community might not work in another.

And parents and teachers know better than politicians and government bureaucrats how best to teach our kids.

- Vote No on Measure 58 because it **creates obstacles to learning** by putting unrealistic and arbitrary deadlines on how long it takes to learn English. We agree that every child in this country should learn English so they will have the best chance of success, but an unfunded mandate won't make that happen.
- Vote No on Measure 58 because it's **poorly written and full of unintended consequences**. It doesn't specify how the system would work, who qualifies for the program or how it would be implemented. And it is so vague that it could mean most students would be limited to only one year of learning English, regardless of what age they started.
- Vote No on Measure 58 because it's **another bad idea by Bill Sizemore**. Bill Sizemore is a racketeer with no background in education, but he continues to promote bad ballot measures that would take away money and control from our local schools.

Please join the working men and women of the Oregon AFL-CIO and parents and teachers across Oregon who know better what's best for our kids and Vote No on Measure 58.

Oregon AFL-CIO

*(This information furnished by Kathryn Grover, Oregon AFL-CIO.)*

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**Argument in Opposition**

Dear Oregon Voter:

It is my mission to ensure that every Oregon child has access to a quality education and that we invest in students from pre-school to graduate school. **Measure 58 will do real harm to our public schools and cut nearly half a billion dollars from local school budgets.** This measure will make it impossible for Oregon to prepare students for college and the workforce and for our state to have the best trained, best skilled, best educated workforce in America. **Our schools and our economy can't afford Measure 58.**

**Measure 58 is a one-size-fits-all, unfunded mandate.**

Local parents, teachers and school leaders know what's best for their kids. This measure will take away a local community's ability to make decisions for its neighborhood schools.

It is estimated that this measure will cost hundreds of millions of dollars to implement. If the measure were in effect today, that would mean 20 percent less funding available for Oregon's schools. 20 percent fewer text books. 20 percent fewer teachers. 20 percent fewer programs like art and music. 20 percent fewer school days. **Our kids deserve more not less.**

We all want our children to succeed and for some Oregon students, learning English is key to that success. **But this measure does nothing to ensure that students will learn English better or faster.** Instead, this ill-conceived measure unfairly punishes students. It doesn't take into account the individual and unique needs of student. **Measure 58 is so extreme that it doesn't even make exceptions for students with learning disabilities.**

Measure 58 is full of unintended consequences and takes Oregon schools down the wrong path. I hope you will join me in voting No on Measure 58.

Sincerely,

**Ted Kulongoski  
Governor**

## Measure 58 Arguments

(This information furnished by Governor Ted Kulongoski.)

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### Argument in Opposition

Public school teachers, administrators and parents are working together to ensure that our children are ready to face the challenges of the 21st Century. That's why we oppose Measure 58.

#### Measure 58 weakens local districts and wastes education funds.

- **Measure 58 takes away local control from parents, teachers, principals and our communities.**
- **Measure 58 is an unfunded mandate that will cost nearly half a billion dollars.**
- **Measure 58 punishes students by setting unrealistic deadlines that will drive students out of programs they need whether or not they are ready.**
- **Measure 58 does not offer an exception for students with special needs.**

Parents, teachers and principals know that the most important part of the education process is the ability to spend time, one-on-one, with individual students. Measure 58 will limit the time teachers can teach English in ways that work. Students would only get one to two years before being forced into a curriculum for which they may not be ready. This is bad for all students.

Measure 58 does nothing to ensure that students learn English. Oregon already requires all students to learn English, and gives local school districts the ability to craft solutions that work in their own communities.

Students don't need more bureaucracy and more wasted dollars. It's not good for students and it's no way to run an efficient school. Measure 58 will introduce politics into our classrooms. That's the last thing our students need.

#### We urge you to oppose Measure 58

Confederation of Oregon School Administrators

(This information furnished by Chuck Bennett, Confederation of Oregon School Administrators.)

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### Argument in Opposition

#### Every Child is Unique

#### Vote No on Measure 58

The Human Services Coalition of Oregon is a statewide group of dozens of organizations and individuals. Our mission is to promote the dignity of all Oregonians through improved public policy and strengthened support of human services. As service providers, we know that every child is unique. In order for children to succeed, they need to be treated as the individuals they are—no single solution will work for all students.

#### Measure 58 is a one-size-fits-all approach to teaching

**Oregon's children.** We know firsthand that children learn best when they are given individual instruction. Measure 58 mandates that all Oregon students learn at the same rate. It hasn't worked in any state where it's been tried, and it will fail Oregon students.

**Measure 58 takes control away from the people who know students best—parents, teachers, and school districts.** Every Oregon community has different needs.

Measure 58 requires that every school district function identically. But what works in Eugene won't necessarily work in Pendleton.

**Measure 58 takes money away from where it's needed most—the classroom.** This measure is a such a sweeping change in education policy that it will cost an estimate quarter of a billion dollars every year. That is money that will come out of Oregon classrooms, leading to larger class sizes and shorter school years.

Oregon's kids should be treated as the individuals they are. Vote NO on Measure 58.

Human Services Coalition of Oregon (HSCO)

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

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### Argument in Opposition

#### Vote No! on Ballot Measure 58—A Cost Too Great!

We are organizations that work daily with Latino immigrant families. There is a strong will and desire to learn English among new immigrants, as they work for better lives for their children and families. Measure 58 would bring deep and long-lasting harm to these families and to Oregon as a whole.

**Measure 58 would make it harder for immigrant children to master the English language,** threatening their economic and professional future and depriving the state of their future contributions. Oregonians don't need another unfunded mandate that does nothing to improve our school's education programs and sets unrealistic deadlines on how many years it takes to learn English.

Education experts around the nation agree that the most effective way to help students learn English and promote high academic achievement has nothing to do with an arbitrary timeline. In fact, children learn English more quickly, along with math, science and other academic subjects, when at least some of their instruction is in their native language. Measure 58 would take effective and proven teaching methods out of the hands of educators.

**Measure 58 would cost Oregonians a quarter of a Billion Dollars.** The Financial Estimate Committee says \$250 million would be spent under Measure 58 in each of the first two years for training new "English immersion" teachers and aides for local school districts. The measure would have a drastic effect on Oregon's General Fund, slashing available funding for colleges and universities, health care, human services, public schools and public safety.

**Oregonians should vote NO! on Measure 58**—a costly one-size-fits-all approach to teaching that takes away local control from parents, teachers and school districts—those who know what works best for our children.

Ramon Ramirez, Pineros y Campesinos Unidos del Noroeste (PCUN)  
 Aeryca Steinbauer, CAUSA  
 Francisco Lopez, Voz Hispana

(This information furnished by Aeryca Steinbauer, CAUSA.)

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**Argument in Opposition**

Oregon AFSCME Council 75 (American Federation of State, County and Municipal Employees) opposes Measure 58. It takes away local control and forces a "one-size-fits-all" solution on teachers and students in a thoughtless manner.

**Only One Year of English**

Students learn differently and sometimes it takes longer to learn some things. It is important for every child to learn English, but the artificial deadline in Measure 58 is no way to learn. Even worse, because of how poorly this measure is written, some students may only get one year of English.

Too many times local governments and school boards have been saddled with one-size-fits-all mandates. As a statewide organization we know that what works in Portland doesn't necessarily work in Coos Bay, or in Salem, or in Harney County. This measure forces local school districts to all be treated the same, regardless of their community needs. We believe that solutions need to be local, well thought-out and be based on evidence and research. Measure 58 doesn't even come close.

**Another Bad Idea by Bill Sizemore**

Who would put a measure on the ballot that could do this much damage to students and teachers and cost Oregonians millions of dollars? **Bill Sizemore**. He makes money by exploiting the initiative system by getting wealthy out-of-state donors to pay him to file dozens of initiatives, with no thought to their impact on Oregonians.

The question is who is better to make sure children learn English, their teachers or Bill Sizemore? We think teachers, and ask you to vote "No!"

**Vote No! on Measure 58.**

*(This information furnished by Joe Baessler, Oregon AFSCME Council 75.)*

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**Argument in Opposition****Ecumenical Ministries of Oregon Urges You to  
Vote NO on 58**

Ecumenical Ministries of Oregon is a statewide association of Christian denominations, congregations, ecumenical organizations and interfaith partners. We have studied Measure 58 and believe it is unfair, unequal and expensive – with unintended consequences.

**Measure 58 is Unfair, Unequal, Expensive and  
full of Unintended Consequences.**

The Bible reminds us that children are gifts from God and are among the most vulnerable members of society. Jesus invited the children "to come unto him" (Mark 10:13-16; cf., Matthew 19:13-15; Luke 18:15-17), and so we are to welcome children, teaching and learning in ways that recognize their cultural diversity, complexity and unique life circumstances.

Unfortunately, Measure 58 imposes a statewide "one size fits all" approach to language learning that takes away local control from the parents, teachers, principals and community leaders who know our children best. It was not written by educational experts. It is a non-educational expedited approach to teaching that is not based on nationally recognized best practices related to the teaching of non-native English speaking students and preparing for academic readiness. Measure 58 is overly simplified and punitive to students who need extra language assistance to be educationally successful.

Measure 58 requires new English immersion programs that will cost millions to implement without providing any funding for these new mandates. As a result, Measure 58 diverts precious resources from other needs of vulnerable children and puts yet another burden on our schools, and on our students and their families--without helping them to carry out the new requirements contained in this measure.

Please Vote NO on Measure 58!

Ecumenical Ministries of Oregon

*(This information furnished by Kevin Finney, Ecumenical Ministries of Oregon.)*

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**Argument in Opposition****The American Civil Liberties Union of Oregon  
Urges You to Vote "No" On Measure 58**

The ACLU of Oregon is dedicated to the preservation and enhancement of civil liberties and rights for all Oregonians.

- **Measure 58 is an attack on Oregon children.** Measure 58 would stifle children's ability to learn English by imposing an unfunded one-size-fits-all mandate without taking into account that every child is unique and learns in a different way.
- **Measure 58 is unfair.** Measure 58 has no exceptions for children with learning disabilities and imposes unfair and arbitrary deadlines on Oregon's children.
- **Measure 58 could cost Oregon schools millions of dollars in lawsuits.** Measure 58 is so poorly worded that it will require more laws or court decisions before it could be implemented. Even then it runs the risk of being in conflict with federal equal education opportunity requirements.
- **Measure 58 could result in local school districts losing federal funds for important programs.** Because the language in Measure 58 is so vague and the concept so ill conceived, local schools could lose federal funding for important programs that benefit all students.

Measure 58 is a bad idea that restricts Oregon children's right to quality education. It is full of unintended consequences. Measure 58 has far-reaching implications that will negatively affect our schools, our children, and our communities for years to come.

Measure 58 endangers quality education for all of our students.

**We urge you to Vote "No" on Measure 58**

David Fidanque, Executive Director  
ACLU of Oregon

*(This information furnished by David Fidanque, Executive Director, ACLU of Oregon.)*

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**Argument in Opposition****Rural Oregonians Urge You to Vote No on Measure 58**

Measure 58 will harm small towns and local school districts. Oregon is made up of a lot more than the I-5 corridor – from Irrigon to Florence to Baker City – and each of our communities is unique.

## Measure 58 Arguments

Measure 58 assumes that what works in Portland will work in Baker City.

The truth is Measure 58 takes away the ability of local parents, teachers and school boards to decide what's best for our children and communities.

Measure 58 is so poorly written that it doesn't specify how the system would work, who qualifies for the program or how it would be implemented.

Under Measure 58 most students would be limited to only one year of learning English, which is no way to make sure that all students have the opportunities they deserve.

Measure 58 will cost Oregon taxpayers \$506 million dollars in the first two years alone.

Oregon's rural communities are losing funds as it is.

Measure 58 will cost Oregon taxpayers money we simply don't have.

The Rural Organizing Project is a statewide coalition of community groups that strives to protect the interests of rural Oregonians.

We urge you to protect Oregon's small towns and school districts and vote No on Measure 58.

Rural Organizing Project

*(This information furnished by Amy Dudley, Rural Organizing Project.)*

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### Argument in Opposition

#### Oregon Democrats Urge a No Vote on Measure 58

Measure 58 is bad education policy, pure and simple. Oregon requires all students to learn English, and that is a good thing. Measure 58 would make the job of our schools to teach English to non-native speakers much harder, and in the process would take hundreds of millions of dollars away from the urgent challenges our schools face.

Bill Sizemore, the man behind Measure 58, is not an educator. In fact, he is a racketeer whose organization has been caught multiple times forging signatures and committing fraud on petitions to qualify measures for the ballot.

Sizemore's measures routinely take aim at working Oregonians like teachers, nurses, and firefighters. These proud public servants can fight back, but what about the most vulnerable Oregonians? Measure 58 would unfairly punish students by imposing arbitrary and unreasonable deadlines for learning, and does not have an exception for children with learning disabilities.

If Measure 58 seems out of touch with Oregon values, it might be because the main funder doesn't live here. Loren Parks, who is a wealthy Nevada businessman, has provided over 80% of the cash used to promote Measure 58. Sizemore's out-of-state benefactor has a history of funding ideologically driven causes, but no record of improving Oregon schools.

Oregonians trust teachers and parents to make the tough choices educating our students because they have the knowledge and commitment to do what it takes to prepare our kids for the future. We strongly oppose this attempt to take decision making away from those who know our local communities best.

Oregon Democratic Party

*(This information furnished by Meredith Wood Smith, Democratic Party of Oregon.)*

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### Argument in Opposition

SEIU Says No on 58

The Service Employees International Union represents 51,000 Oregon workers. Our members are front-line workers who pave our roads and staff our universities. We are health care and child care providers. We clean buildings and we protect abused and neglected kids. Our members are strong supporters of a high quality public education system that gives all of our children the best chance for a successful future.

We oppose Measure 58 because it is **vague, full of unintended consequences and takes away local control** from teachers, school districts and principles who know our schools best.

Measure 58 is an idea that's failed in other states. It proposes a system but it doesn't provide any details on how to make it work, who qualifies for it, or how it will be implemented. It's so poorly written that **most students will be limited to only one year of English**.

Measure 58 will cost money we don't have. In the first two years alone, **Measure 58 will cost Oregon over half a billion dollars**. And Bill Sizemore, the man behind the measure, neglected to figure out how Oregon will pay for it. This is just another one of Sizemore's schemes to take money out of our classrooms.

Measure 58 unfairly punishes students. With no exceptions for students with learning disabilities, Measure 58 is unfair to our most vulnerable students and it **forces our kids into a one-size-fits-all box that simply doesn't work**.

**Like most working people, we rely on public schools to educate our kids. Measure 58 does nothing to improve the quality of our kids' education.**

Join the 51,000 members of SEIU and **Vote No on Measure 58**.

Portia Moye, Childcare Provider

*(This information furnished by Arthur Towers, Political Director, SEIU Local 503.)*

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### Argument in Opposition

Fellow Oregonian:

We are lucky here in Oregon – lucky to have good, quality teachers and dedicated students who want to learn. I am proud of our public school system and the educational opportunities that are afforded to Oregon's children. That's why I am opposed to Measure 58.

There are some things that we can all agree upon. Oregonians place great value in the education of our children in public schools. But Measure 58 fails to live up to the promises and obligations we must meet to educate our children.

**Measure 58 takes away local control from the principals, school districts and teachers who know our schools best.** What works best in Portland may not work well in Pendleton. Measure 58 implements a one-size-fits-all mandate that's not good for schools or students.

**Measure 58 creates obstacles to learning.** Every child in America should learn English because if you don't learn English, you'll never succeed in this country. But Measure 58 puts unrealistic deadlines on how students learn English. We don't need another unfunded mandate that makes it harder for our students to learn.

**Measure 58 could limit some students to only one year of learning English.** Under Measure 58, some students would only receive one year of learning English – that's not fair to our kids and it's not sound education policy.

As a former Governor and a firm believer in education, I know that Measure 58 is not good for Oregon's schools or students. Please join me in voting No on Measure 58.

Sincerely,

Governor Victor Atiyeh

*(This information furnished by Treasure Mackley, Parents and Teachers Know Better.)*

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### Argument in Opposition

#### **NO on 58!**

- As immigrants and refugees, as parents, grandparents, teachers, and community members, we believe every child in Oregon deserves a full and equal education. Our immigrant and refugee children come from all over the world—from Asia, Africa, Latin America, the Middle East and Europe—and success in the classroom ensures their contribution to Oregon's future.
- Measure 58 harms not only immigrant and refugees who need support in learning English – it harms all Oregonians. Across our diverse communities we strongly believe in fairness, equity and a responsive education for all our children.
- **NO on 58!** It is a flawed proposal that harms our public school system by forcing students who aren't yet proficient in English to be "immersed" into an English-only classroom. It eliminates programs and resources that enable the children of Oregon to learn, each according to their ability. This impacts all classrooms, not just English language learners, and ultimately our larger communities.
- **NO on 58!** Its implementation is very costly, estimated at over half a BILLION dollars, \$253 million for each of the first two years. In addition of Measure 58 jeopardizes current and future federal funding that the state needs so critically to help educate students, from kindergarten through high school.
- **NO on 58!** Measure 58 fosters inequities in our public school system and opens the door for discrimination based on national origin, which is a civil rights violation.
- **NO on 58!** It is an attack that does not address the needs of all our children or their schools. When any student is shortchanged, we all lose.

We ask fellow Oregonians to join the **Center for Intercultural Organizing, Latino Network** and the **Asian Pacific American Network of Oregon**, in ensuring equal education to all the children of this state by voting **NO on Measure 58**.

*(This information furnished by Lisa Reed Guarnero, Center for Intercultural Organizing.)*

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### Argument in Opposition

#### **SEIU Local 49 Opposes Measure 58**

SEIU Local 49 represents more than 7,000 members including certified nursing assistants, phlebotomists, laboratory assistants and other health care workers in Oregon and Southwest Washington. Local 49 members also work as janitors, cleaning commercial office space, government buildings and public schools.

The future of an educated health-care work force, as well as career paths for the children of janitors, depend on access to local public schools where they have the flexibility to give every child what they need to learn. SEIU Local 49 is opposed to measure 58.

We urge you to oppose Measure 58:

- **Measure 58 imposes a one-size-fits-all approach to teaching our kids.** The measure does not take into account the fact that kids learn in different ways or that different school districts have different needs.

Oregon Association for the Education of Young Children

*(This information furnished by Treasure Mackley, Parents & Teachers Know Better.)*

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*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 58 Arguments

- Measure 58 takes away local control.** It takes decision making from the teachers, principals and school districts who know our schools best.
- Measure 58 costs \$253 million a year.** Over the first two years, this measure would take over a half billion dollars from our schools and put it into a program that is undefined and untested.

**Measure 58 is wrong for Oregon students and wrong for Oregon schools. Please vote no on Measure 58.**

**SEIU Local 49**

(This information furnished by Felisa Hagins, SEIU Local 49.)

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### Argument in Opposition

#### Parents Say No to Measure 58

As active members of our local schools, we work hand in hand with the teachers in our school district to ensure our kids get the very best education. It is this kind of partnership and cooperation between the people who know our local schools best that we achieve positive results. We much prefer having a direct hand in our children's education to having education policy handed down by government bureaucrats. That is why we oppose Measure 58.

- Measure 58 is a one-size-fits-all mandate
- Measure 58 takes away local control
- Measure 58 is unfair to students and creates obstacles to learning
- Measure 58 is full of unintended consequences

Measure 58 was not written by educators or in collaboration with parents and teachers, and it shows. The measure is so poorly written that the details will have to be worked out by legislators in Salem. It will be up to them to define how the system will work, who will be eligible and how to implement it. This is no way to develop education policy.

As parents of kids who attend Oregon schools, we know a bad idea when we see it. Vote no on Measure 58.

Sincerely,

Leslie Carlson  
Parent, Abernathy School

Amy Edwards  
Parent, Glencoe Elementary School

Mike Rosen  
Parent, Portland

(This information furnished by Treasure Mackley, Parents and Teachers Know Better.)

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### Argument in Opposition

Dear Fellow Voter:

The Oregon School Employees Association (OSEA) represents over 21,000 educational employees working in Oregon school districts, community colleges, education service districts, Head Start agencies, libraries, and park and recreation districts. Our organization represents the second largest membership of educational staff in Oregon, from special education, instructional and library assistants to secretaries, teachers, custodians, and many more. Our members' daily interactions

with students in such a wide variety of situations gives us a unique perspective on the needs of those students.

We oppose Measure 58 because it would impose yet another layer of bureaucracy on our schools. Instead of letting each community determine its own needs and programs for English language learners, Measure 58 would take away that local control and leave an unfunded mandate in its place. And because it's so poorly written, the consequences could range from taking money out of the rest of our classrooms to forcing some students out of programs after only one year.

Measure 58 also fails to specify how the system would work, who qualifies for the program, or how it would be implemented. And it does not make exceptions for students with learning disabilities. That's just not right.

We know that Measure 58 is just another one-size-fits-all mandate that will cost millions to implement and is full of unintended consequences. It's definitely not the help our students need.

OSEA's members continue to work every day to help our students learn and grow.

Please join us in voting no on Measure 58.

Sincerely,

The 21,000 members of the Oregon School Employees Association

(This information furnished by Merlene Martin, President, Oregon School Employees Association.)

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### Argument in Opposition

Dear Oregon Voter,

**I ask you to vote NO on Measure 58—a One-Size-Fits-All mandate for teaching our kids.** In my time as Oregon's Superintendent of Public Instruction I've had the privilege of visiting schools and meeting students in every corner of our state. One important lesson I have learned is that not all children learn in exactly the same way at exactly the same pace. The reality in our schools is that our students have different levels of ability and our teachers need the flexibility to help our students on a case-by-case basis.

#### Measure 58 takes away local control from our teachers and schools.

Our teachers are the best judge of what works for their students. What works in Portland might not work in Pendleton or Coos Bay.

#### Measure 58 punishes students who need extra help.

This measure makes no exceptions for students with special needs or learning disabilities. That puts too much pressure on these students and their teachers.

#### Measure 58 creates new obstacles to learning for our students.

Every child in America should learn English. If you don't learn the language it will be hard to succeed in our country. But we don't need to put unrealistic deadlines on how long it takes to learn English.

#### Measure 58 is just another bad idea from Bill Sizemore that will cost our schools hundreds of millions of dollars to implement.

At a time when our schools are trying to pay for the basics, Bill Sizemore has cooked up another bad idea that will cost up to \$250 million dollars a year to implement. Our schools don't need another unfunded mandate.

Measure 58 is vague, poorly written, and full of unintended consequences. I urge every Oregonian to vote NO on Measure 58.

Sincerely,

Susan Castillo  
Superintendent of Public Instruction

*(This information furnished by Susan Castillo, Superintendent of Public Instruction.)*

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**Argument in Opposition**

**Measure 58 is Bad for Kids  
Oregon Teachers Ask You to Vote No**

As teachers, it's our job to provide the best education for our kids. We won't be able to do that if Measure 58 passes.

We know firsthand that every student learns differently. Every child has a range of abilities and learns at their own pace.

**Measure 58 doesn't recognize the uniqueness of our students and it unfairly punishes kids.**

**Measure 58 will impose a one-size-fits-all mandate on our kids and creates obstacles to learning.** We've seen the harm of cookie-cutter, federal and state mandates and Measure 58 will only make things worse.

We know that for our kids to succeed, they need to learn English and perform well academically. But Measure 58 puts unrealistic deadlines on how many years it takes to learn English. And we don't need another unfunded mandate making it harder for students to learn. **Measure 58 will cost nearly half a billion dollars to implement.** Our schools can't afford that kind of cut. If Measure 58 passes, we'll have to increase class sizes, and cut programs like art and music.

**Measure 58 is vague and full of unintended consequences.** Measure 58 is so poorly written it doesn't specify how the system would work, who qualifies for the program or how it would be implemented. And because it's so poorly written, most students would be limited to only one year of learning English.

**Let teachers, parents and local communities decide what's best for kids!**

**Don't let Bill Sizemore do any more harm to our schools!**

Vote No on Measure 58.

Mary Morton  
2nd Grade Teacher  
Wascher Elementary  
McMinnville, SD

Lori Evans  
5th Grade Teacher  
Eagle Rock Elementary  
Eagle Point, Oregon

Sena Norton  
6th Grade Teacher  
Oregon Trail School District

Gail Grobey  
English/Social Studies  
High School Teacher  
Newberg, OR

*(This information furnished by Treasure Mackley, Parents and Teachers Know Better.)*

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**Argument in Opposition**

Stand for Children Urges Oregon Voters to Reject Measure 58

Stand for Children is a citizen voice for children. Our mission is to teach everyday people how to join together in an effective grassroots voice in order to win concrete, long-lasting improvements for children at both state and local levels. We believe that Measure 58 is wrong for Oregon's schools and students. It's vague and full of unintended consequences, and it will take away local control from the community, principals, school districts and teachers who know our schools best.

**One Size Does Not Fit All**

- Stand for Children knows that not all children learn in exactly the same way. Their unique abilities deserve individual review, not the mandates that Measure 58 would use to force them all into one rigid structure.

**Our Communities Know Best**

- Stand for Children is made up of local groups throughout the state because we know that the people who are closest to our kids in their communities are the ones who understand their needs the best. Measure 58 would take away local control and force every community, from Portland to Prineville to Prairie City, into the same program.

**Unintended Consequences**

- Measure 58 is so vague and poorly written that its consequences are actually unknown. It doesn't say how its system would work, who qualifies for it or how it would be implemented. Let's not risk our kids to an untried and unproven scheme.

Stand for Children believes that learning English maximizes every student's chance for success. But we don't need another unfunded mandate that would cost millions and punish our students to do it. Please join us in voting No on Measure 58.

**Stand for Children**

*(This information furnished by Jonah Edelman, Stand for Children.)*

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**Argument in Opposition**

**Oregon Educational Professionals Oppose Measure 58**

The Oregon chapter of the American Federation of Teachers believes in high quality, universal public education for every child, because that is the ticket to a better future for every child. We have studied Measure 58, and are disappointed to report that it would be a failure for our children.

- **Measure 58 takes away local control** and instead imposes a statewide one-size-fits-all approach to teaching our kids. Children don't all learn in the same way and they have a range of abilities that need to be judged on a case-by-case basis. Measure 58 takes away teachers, parents, school boards and principles ability to decide what's best for our communities and our children.
- **Measure 58 punishes students.** With no exceptions for students with learning disabilities, Measure 58 unfairly punishes our most vulnerable students.
- **Measure 58 is just another bad idea by Bill Sizemore.** With no background in education, Bill Sizemore continues to promote initiatives that take away money and local control from our schools.
- **Measure 58 is too vague and too expensive for Oregon schools.** Measure 58 will cost Oregon taxpayers over half a billion dollars, taking money directly out of the classroom. Measure 58 will replace research-based

**Measure 58 Arguments**

programs with an ill-conceived idea that has failed in other states.

Our students need our support, not another one-size-fits-all mandate that will drain money out of our classrooms.

**Educational professionals of the American Federation of Teachers-Oregon urge you to vote No on Measure 58.**

American Federation of Teachers - Oregon

(This information furnished by Mark Schwebke, President, American Federation of Teachers- Oregon.)

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Senator Suzanne Bonamici  
 Ainsworth United Church of Christ, Justice Commission

For more information and a complete list:  
[www.parentsandteachersknowbetter.com](http://www.parentsandteachersknowbetter.com)  
[www.NoOn58and60.com](http://www.NoOn58and60.com)

(This information furnished by Treasure Mackley, Parents and Teachers Know Better.)

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**Argument in Opposition**

**Parents & Teachers Know Better OPPOSES Measure 58  
 Because it imposes a one-size-fits-all mandate  
 on students and teachers**

Here are just some of the groups from around the state who OPPOSE Measure 58:

- Oregon PTA
- The Oregon Education Association
- Oregon School Employees Association
- American Federation of Teachers-Oregon
- Oregon School Boards Association
- Confederation of Oregon School Administrators
- Stand for Children
- United Way Mid-Willamette Valley
- Oregon Association for the Education of Young Children
- Oregon Alliance of Retired Americans
- Elders in Action Commission
- Oregon Nurses Association
- Oregon Democratic Party
- Ted Kulongoski Governor
- Governor Barbara Roberts
- Governor Victor Atiyeh
- Susan Castillo Superintendent of Public Instruction
- Ecumenical Ministries of Oregon
- SEIU Oregon State Council
- SEIU Local 49
- SEIU Local 503
- Oregon AFSCME Council 75
- Working Families Party of Oregon
- Oregon AFL-CIO
- Human Services Coalition of Oregon (HSCO)
- PCUN
- Rural Organizing Project
- Tax Fairness Oregon
- Basic Rights Oregon
- CAUSA
- Community Action Partnership of Oregon
- Community Alliance of Tenants
- NARAL Pro-Choice Oregon
- ONE Voice for Child Care
- Adelante Mujeres
- Gary Hargett
- Multnomah County Democrats
- Center for Intercultural Organizing
- Central Pacific Conference of the United Church of Christ
- PSU Chapter- American Association of University Professors
- Oregon Health Action Campaign
- Oregon Opportunity Network
- David Fidanque, Executive Director ACLU of Oregon
- Frederick Olson, Co-Chair, Advocacy Coalition of Seniors and People with Disabilities
- Francisco Lopez, Voz Hispana
- Eugene- Springfield Solidarity Network/Jobs with Justice
- Representative Diane Rosenbaum
- Senator Rod Monroe

Proposed by initiative petition to be voted on at the General Election, November 4, 2008.

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## Ballot Title

# 59

Creates an unlimited deduction for federal income taxes on individual taxpayers' Oregon income-tax returns

### **Result of "yes" vote**

"Yes" vote creates an unlimited deduction for federal income taxes on Oregon income-tax returns filed by individual taxpayers; reduces revenue available for state expenditures.

### **Result of "no" vote**

"No" vote retains current law, which allows limited deduction for federal income taxes on individual taxpayers' Oregon income-tax returns (limit generally is \$5500).

### **Summary**

Under current law, personal income taxpayers may deduct a limited amount of federal income taxes when calculating their Oregon taxable income (limit generally is \$5500; limit is adjusted yearly for cost-of-living starting in 2008). This measure creates an unlimited deduction for federal income taxes on individual taxpayers' Oregon returns beginning in 2010. Provides "no Oregon taxpayer shall be required to pay to the state, a local government, or other taxing district, an income tax of any kind on money paid to the federal government as federal income taxes." Deduction applies only to federal income taxes paid on income taxed in Oregon; does not apply to corporate excise/income taxes. Reduces revenue available for state expenditures; provides no replacement funding. Other provisions.

### **Estimate of financial impact**

This measure will reduce state budget revenues by approximately \$360 million in the first year, \$1.0 billion in the second year, and \$1.2 billion per year after that, depending upon growth in personal income and federal tax liability.

The measure may result in a reduction of state-shared revenues to schools and local governments. The measure may result in a reduction of federal revenue sharing to state government.

**Explanation of Estimate of Financial Impact**

Oregon personal income taxes go into the state General Fund. Those taxes are about 89 percent of the General Fund. In the current two-year budget (2007-09), the General Fund was used to pay for:

- Education, including grade schools, high schools, community colleges, and state universities: \$7.5 billion (54%);
- Services for children, the elderly, and the disabled, including medical insurance: \$3.4 billion (24%);
- Public Safety, including prisons, courts and local jails: \$1.8 billion (13%); and
- Other programs: including business regulation, natural resource management and state administration: \$1.2 billion (9%).

\$318 million of the General Fund spending in these categories pays principal and interest on bonds and other debt for the building of prisons, public buildings, and other public facilities. Over a six-year period, the measure would reduce bond capacity by \$130 million per year, or 21 percent, to pay for future infrastructure construction needs of the State.

The State budgets for a two-year period. The measure would reduce expected general fund resources by \$1.3 billion (nearly 9 percent) in the next two-year budget period (2009-2011).

For the 2011-2013 period, the projected revenue reduction of \$2.4 billion will be nearly 14 percent of expected general fund resources. Future legislatures will decide how this revenue reduction will affect spending.

Many state and local government programs are jointly funded with money from the federal government. State funding cuts as a result of this measure could also reduce federal funding. For example, if the Legislature chooses to reduce services to children, the elderly or disabled (including medical), for every one dollar of state funds reduced, two dollars of federal "matching" funds would also be cut.

About 500,000 Oregon taxpayers will be directly affected by this measure. The other 1.3 million taxpayers can subtract all of their federal taxes under current limits and will see no change in their Oregon taxes from this measure.

**Committee Members:**

Secretary of State Bill Bradbury  
 State Treasurer Randall Edwards  
 Scott Harra, Director, Dept. of Administrative Services  
 Elizabeth Harchenko, Director, Dept. of Revenue  
 Debra Guzman, Local Government Representative

*(The estimate of financial impact and explanation was provided by the above committee pursuant to ORS 250.127.)*

**Text of Measure**

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

The following section shall be added to and made part of the Oregon Revised Statutes:

**Section 1. Prohibition on Double Taxation.** Whereas it is unjust for one government to impose an income tax on money a taxpayer has been required to pay to another government as an income tax; therefore, for tax years beginning on or after January 1, 2010, no Oregon taxpayer shall be required to pay to the state, a local government, or other taxing district, an income tax of any kind on money paid to the federal government as federal income taxes. All money paid to the federal government to satisfy, wholly or in part, a taxpayer's federal income tax obligation for tax years beginning on or after January 1, 2010 shall be fully deductible against income on the taxpayer's Oregon income tax return. This section applies only to (i) federal income taxes paid on income subject to tax in Oregon, and (ii) federal income taxes, including capital gains taxes, paid by individuals. This section does not apply to corporate income taxes or corporate excise taxes.

**Section 2.** This 2008 Act supersedes any existing law or rule with which it conflicts. If any phrase, clause or part of this 2008 Act is determined to be invalid by a court of competent jurisdiction, the remaining phrases, clauses, and parts shall remain in full force and effect.

**Explanatory Statement**

Ballot Measure 59 removes from statute the limitation on the amount of federal taxes that individual income taxpayers can deduct in computing Oregon taxable income. Under this measure, federal income taxes would be fully deductible on all individual taxpayers' state income tax returns beginning January 1, 2010.

Under current law, in tax year 2008, Oregonians who owe state income taxes may deduct up to \$5,600 of their federal income tax liability on their state income tax return. Currently, a deduction is not allowed for any amount of federal income taxes that is in excess of \$5,600 in tax year 2008. Today, most people pay less than \$5,600 in federal income taxes and therefore receive the full deduction for federal income taxes paid.

This measure also would require local governments or other taxing districts with an income tax to allow an unlimited income tax deduction for federal income tax payments.

The measure does not apply to corporate excise or income taxes.

Ballot Measure 59 reduces state General Fund revenues available for general government programs and services. The measure does not provide any replacement funding for this revenue reduction.

**Committee Members:**

Bill Sizemore  
 R. Russell Walker  
 Mike Leachman  
 Laurie Wimmer Whelan  
 Jack Roberts

**Appointed by:**

Chief Petitioners  
 Chief Petitioners  
 Secretary of State  
 Secretary of State  
 Members of the Committee

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

### **Argument in Favor**

What your family faces...

- Oregon gas prices hit top ten in the nation
- Food prices rising over 30%
- Utility prices rising as high as 40%

Careless politicians' response...

- Passed over \$856 million in new taxes/fees last year
- Voted to increase state budget by over 20%
- Gave 20% pay raises for many government employees

Politicians further helped themselves by voting themselves...

- \$34 million capitol makeover
- \$1,600 chairs
- \$2,500 leather sofas
- \$4,400 walnut desks
- \$6,700 credenza, wardrobe
- \$600 LCD flat screen TVs

The politicians say they cannot spare taxpayers a tax break during economic tough times yet at the same time vote their offices million dollar makeovers and lavish government pay increases. Tax relief would help your family, boost the economy and create jobs.

#### **Vote Yes on 59**

#### **Taxpayers deserve a tax break**

#### **Politicians need to stop wasting our tax dollars**

Keep an eye on politicians,  
visit

**OregonWatchdog.com**

for daily Oregon political news and tax updates

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

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### **Argument in Favor**

#### **Even Low Income Oregonians Suffer Double Taxation**

Opponents of Measure 59 are claiming that the measure does not benefit low income taxpayers; only the middle class on up. Let's consider what they are really saying.

The real message of the "No on 59" crowd is one of class envy. They are pitting low income taxpayers against middle class income taxpayers. They are saying it is okay to tax the middle class on their income not once, but twice. However, it's not okay to do this to low income people.

But taxes ought to be fair to everyone. No one should be double taxed. No one should be forced to pay state income taxes on money they already paid to the IRS as federal income taxes. It is just not right.

Here's something the "No on 59" crowd is not telling you: they are mostly public employee unions who live off your tax dollars and benefit when you are overtaxed.

They also aren't telling you that lower income people sometimes get bonuses. When they do, they are shocked to discover that they are being double taxed and with a sizeable chunk of their bonus. They are shocked to discover that there's a cap on how much of their federal income tax they can deduct on their state tax return.

When lower income people sell things, like a house or something they inherited. They find themselves double taxed, because of the legislature's sneaky cap on how much federal income tax you can deduct on your state tax return, which suddenly is costing them thousands of dollars in state taxes.

Measure 59 makes Oregon's income tax system fairer for everyone. It removes the legislature's sneaky cap and makes all of your federal income taxes deductible on your state income tax return. Saving middle class and lower income Oregonians money.

Measure 59 is the right thing to do.

#### **FreedomWorks urges a "Yes" on 59**

*(This information furnished by Russ Walker, FreedomWorks.)*

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### **Argument in Favor**

#### **Oregon Needs to Reduce Taxes**

During the current budget cycle, Oregon's general fund grew about \$2 billion. That's a spending increase of approximately 20 percent in just one biennium.

One would think that the legislature would be happy with such a huge increase in state spending, but not so. On top of their \$2 billion increase in the general fund, legislators attempted to pass an additional \$1.6 billion in new taxes and fees, which would have resulted in an increase of more than 30 percent in just one budget cycle.

Here's the problem with such an inordinate level of growth: It has to be sustained.

If there is a downturn in the economy and revenue drops, everything the state funds, from schools to prisons to parks to social programs, could all suffer major cuts. School districts and state agencies will have artificially expanded their budgets to unsustainable levels and will have to cut back, which means they likely will lay off employees, including K-12 teachers, college professors, state police officers, case workers, and even prison guards.

Measure 59 is a fair and measured way to reduce taxes and keep state spending at sustainable levels. If Measure 59 were in place right now, the reduction in revenue would only be about half of the current increase in state spending. In other words, it would not have actually reduced the amount of money the state had from one budget to the next. It would only have reduced the rate of growth to a more sustainable level.

Sure, the tax-and-spend crowd will cry, "Wolf!" They always say the sky will fall if we reduce taxes. But that is the same crowd that is first in line to call for tax increases when the economy slows and state revenue drops.

Oregon needs Measure 59. It will be painful to make major cuts after budgets have been increased excessively during times of plenty. Measure 59 will spare us that.

*(This information furnished by Matt Evans, Americans For Prosperity - Oregon, Communications Director.)*

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### **Argument in Favor**

#### **The Legislature Deserves a Strong Rebuke**

Here's how the state legislature pulled a classic "bait and switch" on Oregon voters.

A measure similar to Measure 59 was on the ballot in 2000. (Unlike that measure, however, Measure 59 does not benefit corporations.)

The 2000 measure was wildly popular with voters, polling two-to-one in favor of passage. State legislators were so worried that it would pass, that they placed a competing measure on the ballot. The plan was to divide the peoples' vote, so both measures would fail.

The legislature's plan only partly worked. Voters were divided enough that they narrowly rejected the measure that was placed on the ballot by initiative petition. However, to the legislature's surprise and dismay, voters passed their competing version. (The legislature's version merely raised the cap to include more people, but still left hundreds of thousands of Oregonians double taxed.)

Putting a competing measure on the ballot to defeat a measure that was placed there by citizen petition was itself a dirty trick, but that's not the end of the story.

How do you think the legislature responded to the peoples' vote, after voters had accepted their compromise measure? Did they honor the will of the people? Hardly! The very next legislative session they voted to overturn the will of the voters.

The money hungry politicians reneged on the promise implicit in their competing measure and left the old cap almost exactly where it was before the people voted to raise it. Legislators decided they needed your money too much to honor your decision and arrogantly overturned your vote!

The old cap has gradually and pathetically increased since 2000, but the cap is still there eight years later, and today about 500,000 of your fellow taxpaying Oregonians remain subject to egregious and immoral double taxation.

You can send a clear message to the State Legislature by voting "Yes" on 59 and end Double Taxation for all Oregonians!

*(This information furnished by Bill Sizemore, Oregon Tax Payers United.)*

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### Argument in Favor

#### The Legislature's Backdoor Tax Schemes

The Legislature likes to raise taxes. No surprise there. Legislators know, however, that taxpayers will revolt, if they increase Oregon's income tax rates, which are already so regressive that currently many poor people pay the highest rate.

What were the politicians in Salem to do? How could they increase taxes without starting a taxpayer revolt? Someone came up with the perfect scheme: Don't increase tax rates; increase the taxpayers' taxable income.

You see, it's really quite simple for politicians to increase your taxable income. All they have to do is remove some of your deductions. Just like that, with one accounting maneuver, you suddenly owe more taxes, even though tax rates have not increased and your income has not increased.

The Oregon legislature has become one of the sneakiest in the country at raising taxes without raising tax rates.

Here are two ways the legislature has employed this scheme in recent years:

First, they don't allow you the same deduction the IRS allows for each of your dependents. Instead of the generous federal exemption, Oregon gives us a tax credit worth about half that amount, which means poorer taxpayers often pay higher state income taxes than they do federal income taxes on the same amount of income.

Second, the legislature has capped how much of our federal income taxes we can deduct on our state tax returns. All income above their artificial cap is essentially double taxed!

Capping how much of our federal income taxes we can deduct increases our tax just as if the legislature had increased the rates. We feel the same pain, but unless we do our own taxes, we don't realize why. Pretty clever ploy really.

Measure 59 removes the legislature's artificial cap and makes all of our federal income taxes deductible on our state tax returns. It is the right thing to do.

Vote "Yes" on Measure 59 to end the legislature's "double taxation" scheme.

*(This information furnished by Tim Rohrer, Oregon Tax Payers United.)*

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### Argument in Favor

#### Burying You in Voters' Pamphlet Arguments

The other side obviously has tons of money to spend. Not only are they spending millions of dollars on television and radio ads, they also are trying to bury you in voters pamphlet arguments.

Opponents of this measure have called in lots of political favors and submitted dozens of voters' pamphlet arguments in all kind of names.

Their arguments say pretty much the same thing over and over. They just have different people saying the same thing repeatedly. Their strategy is to impress you with how many people or groups agree with their side.

I hope you will think about their strategy. Instead of being impressed with the volume of words and paper they are throwing at you, consider the strong, reasoned arguments we have put forward. Please do not be impressed with their multitude of words or their emotional pleas.

Even if we had as much money as our opponents, we would not spend it buying more voters' pamphlet arguments than a reasonable person would read.

You might want to consider this simple fact: Every argument in the voters' pamphlet cost the state several thousand dollars more to print and distribute than the ones making the arguments actually pay to have their statement included. Taxpayers are hugely subsidizing every argument printed in this pamphlet, including this one.

We have made our case concisely and we hope you find it persuasive. And please take note that we did not need to buy 30 to 50 pages in the voters' pamphlet to do so.

*(This information furnished by Tim Rohrer, Oregon Tax Payers United.)*

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**Argument in Opposition****The League of Women Voters of Oregon urges you to vote "No" on Measure 59.**

Measure 59 would make our tax system less fair by giving a huge tax break to the wealthiest Oregon taxpayers, and **no** tax break at all to more than 70% of us! The loss of tax revenue would put our communities at risk by forcing large cuts in the services we all depend on, like public safety, education, and health care.

**Measure 59 would hurt vulnerable communities.**

Oregon's rural communities are already struggling to keep up with drastic funding cuts, with libraries closing, bridges going without needed repairs, schools without important programs, and sheriff offices with fewer deputies. Measure 59 would make those problems worse.

**Measure 59 is simply poor public policy.** As this measure depletes funding for Oregon schools and educational opportunities, the state would be the likely victim of brain drain, where the best and brightest leave the state in search of better opportunities. We need to ensure that our state offers the opportunities that keep our citizenry educated, engaged, and participating in their communities.

**The League of Women Voters of Oregon opposes**

**Measure 59.** The League is a non-partisan political organization, which conducts research and studies issues, adopting positions based on member agreement. We believe in representative government and a fair tax system that provides its citizens with adequate education, healthcare, and public safety services. Measure 59 puts such services in jeopardy.

**Please join the League of Women Voters of Oregon in voting "No" on Measure 59.**

(This information furnished by Jessica Stevens, Defend Oregon.)

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**Argument in Opposition****AARP Oregon urges a "NO" vote on Measure 59****Oregon seniors, families, and communities can't afford Measure 59.**

The proponents of Measure 59 want you to believe that this measure provides tax breaks, but the fact is that more than three-quarters of Oregon taxpayers will save less than a dollar per year. But at the same time, funding will be slashed for services like public safety, education, health care, and home and community-based care.

**Measure 59 will create far more problems than it solves.**

**Most seniors and their families will receive no benefit from Measure 59.** The vast majority of Oregonians of all ages won't see any savings from this measure. Instead, most people will have to pay more out-of-pocket for fewer and fewer services, and likely lose access to an array of invaluable, cost-effective programs. For seniors and their family caregivers, this could mean the loss of Oregon Project Independence and other critical services that help older adults maintain independence, choice, and dignity in their homes and communities.

**Measure 59 cuts \$1.3 billion in revenue from the state budget over the next two years.** And after those two years, the impact grows and grows as the measure reduces state revenues by \$2.4 billion every two years thereafter.

That's money that will have to come from vital services: public safety, health care, transportation infrastructure, and education. These cuts will have an amplifying effect, making

everything more expensive in the long run.

**Measure 59 is a flawed formula that will hurt Oregon.**

**Let's make sure Oregon seniors, families, and communities have the care and services they need and deserve.**

**Join AARP Oregon in voting "NO" on Measure 59.**

AARP Oregon  
Gerald J Cohen, State Director

AARP Oregon  
Ray Miao, State Volunteer President

(This information furnished by Gerald J Cohen, AARP Oregon.)

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**Argument in Opposition****Oregon Teachers Oppose Ballot Measure 59****Don't let Bill Sizemore do any more damage to Oregon's schools****Measure 59 is another false promise from Bill Sizemore.**

If the measure passes, only the wealthiest Oregonians would benefit and parents will see their child's education suffer. It will do nothing to help average families who are already struggling.

Bill Sizemore, who wrote this measure, exploits Oregon's initiative system by getting wealthy, out-of-state, ultraconservative donors to pay him to file dozens of initiatives. He doesn't care how any of his measures affect the state, but then we all have to live with the unintended consequences.

Sizemore's organizations have been held liable for fraud, racketeering, and forgery, and his initiatives are currently under investigation by the Secretary of State for signature fraud. **We shouldn't trust Sizemore's measures any more than we trust him.**

**Ballot Measure 59 will force deep cuts to Oregon schools.**

Measure 59 would take \$2.2 billion from the state's budget every two years. That kind of money could pay for tens of thousands of new teachers. If Measure 59 passes, it will mean that students around the state will not have the materials, the class sizes, and the instruction days they need to be successful in their education and in life.

**Oregon's kids have had enough of Bill Sizemore.****Please Vote No on Ballot Measure 59**

Karen Watters, 3rd Grade Teacher Sutherlin Schools	Johanna Vaandering, Elementary School P.E. Teacher Beaverton Schools
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(This information furnished by Jessica Stevens, Defend Oregon.)

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**Argument in Opposition****Vote NO on Measure 59****Ecumenical Ministries of Oregon Opposes Ballot Measure 59**

Oregon's churches and faith-based charities are committed to caring for our communities—to ensuring that Oregonians' basic physical, mental, and spiritual needs are being met. We are dedicated to ministry through service and to advocating for the well-being of all Oregonians.

## Measure 59 Arguments

Measure 59 is harmful to families and individual Oregonians because it will result in significant funding cuts to the services that we all depend on, like state roads, public safety, public education, health care, and many other services.

Measure 59 is unwise and unfair. It reduces badly-needed public services to provide a new tax break that benefits only the wealthiest. Please join us in voting NO on Measure 59.

### Oregon Families, Seniors, and Children Will Bear the Burden of Measure 59

- Measure 59 is unfair. The vast majority of Oregonians won't see any savings from this measure, yet they will end up paying more in fees for fewer services—especially seniors, students, and low-income families.
- Measure 59 sacrifices the needy and vulnerable populations for the benefit of only a very few. Stable, safe communities require equitable, fair tax policies, not more gimmicks.
- Measure 59 will cost Oregon families more in the long run and cut vital services. What kind of legacy is that to leave our children and grandchildren?

Measure 59 will require billions in cuts to important services. This will place a greater burden on churches and faith-based charities to care for society's most needy. We cannot replace \$2.4 billion worth of services alone, without the partnership of the state and others.

#### Join with faith leaders in voting NO on Ballot Measure 59.

For more information on EMO's positions on all ten ballot measures, go to [www.emoregon.org](http://www.emoregon.org)

(This information furnished by Kevin Finney, Ecumenical Ministries of Oregon.)

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### Argument in Opposition

#### Oregon PTA urges a NO vote on Measure 59

#### Our kids deserve better than false promises

Oregon PTA has members in every corner of Oregon and we have been on the front lines fighting to protect our public schools. That's why we oppose Measure 59.

#### Measure 59 will harm schools across the state.

This measure would result in significant cuts to the state budget, most of which will come directly out of Oregon classrooms. That means shorter school years, larger class sizes, overcrowded schools, and cuts to important programs.

#### Measure 59 is too far-reaching and is filled with unintended consequences.

If Measure 59 passes, revenue will be reduced by billions each budget cycle. Oregon's school districts are just beginning to recover from years of budget cuts, and can't absorb such a large reduction in funding.

**75 percent of Oregon taxpayers will save less than a dollar, but will pay more in fees and new taxes.** The vast majority of Oregon families won't save any money under Measure 59, but they'll end up paying more and more for fewer and fewer services.

This means we will be paying more fees for basic education programs. Families will have to pay higher fees for athletics, art and music classes, and college prep. This is unfair to the students, families, and communities that will be hardest hit.

#### Our kids deserve better. Vote NO on Measure 59.

Oregon PTA says please vote NO on Measure 59.

#### For more details on Measure 59 impacts to K-12 education:

[www.DefendOregon.org](http://www.DefendOregon.org)

(This information furnished by Anita Olsen, Oregon PTA.)

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### Argument in Opposition

#### The Oregon Consumer League Urges a NO Vote on Measure 59

**Measure 59 is False Advertising.** The proponents of Measure 59 would like you to believe that this measure is a tax cut—the fact is, more than 75 percent of Oregon taxpayers will see less than a dollar in savings per year. 1.3 million Oregonians will get nothing.

**Measure 59 is a Terrible Deal for Oregonians.** Here's what average Oregonians will get in exchange for their less than \$1 per year in savings:

- Billions of dollars in cuts to education, public safety, and health care.
- Higher fees and new taxes on all of us to try to pay for it. Measure 59 will cost most Oregonians more in the long run.

**Measure 59 is a Bill of Goods.** Measure 59 will lead to even shorter school years, more overcrowded classrooms, fewer teachers and school supplies, fewer firefighters and equipment, fewer libraries, and the list goes on. Areas of the state—especially rural Oregon—that are already struggling to survive will be the hardest hit.

**Measure 59 Doesn't Solve Oregon's Problems.** One of the biggest problems Oregon's budget has is the influence of special interest lobbyists. This measure does nothing to address that problem, and Measure 59 will do nothing to hold state government more accountable.

Measure 59 doesn't solve anything.

Measure 59 will end up costing us more.

Measure 59 will mean deep cuts to education, public safety, and health care.

#### Vote NO on Measure 59 – It's a Bad Deal for Oregon.

Oregon Consumer League

(This information furnished by Jim Davis, Oregon Consumer League.)

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### Argument in Opposition

#### Measure 59 Threatens Vital Health Care Programs

#### Join the Oregon Nurses Association in Voting "NO" on Measure 59

**Measure 59 will significantly reduce money for health care**

Under Measure 59, three-quarters of Oregonians will save less than a dollar per year, but we'll all be paying much more in new hidden costs and cuts to services we all depend on.

Measure 59 will cause deep cuts to the Oregon Health Plan, which will lead to many more Oregonians being denied essential health coverage. There are already nearly 600,000 uninsured Oregonians—including more than 100,000 children

— and Measure 59 will cause that number to increase. When those without insurance need health care, they will turn to emergency rooms and then hospitals will pass the costs on to all of us.

#### **Measure 59 threatens programs Oregonians depend on**

Measure 59 will cause cutbacks in programs that protect abused and neglected kids, as well as programs that ensure a high standard of care in nursing homes. It will cut funding for health care, children's programs and senior services. We cannot jeopardize the health of our most vulnerable citizens.

#### **Oregon citizens can't afford Measure 59's unintended consequences**

As nurses and health care professionals, our job is to focus on providing medical care to those who need it. But Measure 59 hurts our ability to do that job by threatening our health care facilities, our ability to provide needed services and our jobs. Our patients deserve the best care from us. Please help us to continue to provide it by voting NO on Measure 59.

#### **Measure 59 Will Have Serious and Harmful Unintended Consequences for Every Oregon Family.**

#### **Oregon's Nurses Ask You to Vote "NO" on Measure 59**

(This information furnished by Jack Dempsey, Oregon Nurses Association.)

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#### **Argument in Opposition**

##### **Racketeer Bill Sizemore is Up to His Same Old Tricks**

##### **Oregon Education Association Urges You to Vote NO on Measure 59**

#### **What you should know about Racketeer Bill Sizemore, the author of Measure 59:**

A jury found that Sizemore's organizations engaged in **fraud, racketeering, and forgery** in order to get on the ballot, and his operations have been caught multiple times committing outright forgery. In one case, a man signed a legal document saying he was in jail on a day he was allegedly "collecting" signatures.

Sizemore's initiatives—including Measure 59—are currently being investigated by the Secretary of State for **signature fraud**.

Sizemore makes money by **exploiting the initiative system**. He gets wealthy, out-of-state, right-wing donors to give him hundreds of thousands of dollars to file dozens of initiatives. He doesn't care what happens to the state, as long as he gets paid.

Sizemore's only mission is to **attack working class Oregonians**, like teachers, nurses, fire fighters, and police officers, by forcing cuts in critical services like education, health care, and public safety. Measure 59 would cut billions from these vital programs, and would do nothing to help working Oregonians.

**We shouldn't leave the fate of Oregon in the hands of a racketeer.**

**Our schools, students, and communities cannot afford more of Sizemore's attacks.**

**Please join 48,000 teachers and education professionals in voting "No" on Ballot Measure 59**

Larry Wolf, President  
Oregon Education Association

(This information furnished by Larry Wolf, President, Oregon Education Association.)

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#### **Argument in Opposition**

##### **Vote NO on Measure 59**

##### **The Human Services Coalition of Oregon Opposes Measure 59**

The Human Services Coalition of Oregon represents dozens of social service providers, hospitals, health associations, and individuals who work on the frontlines for Oregon's elderly, vulnerable, and medically fragile residents. Many of our members work in partnership with the state and the private sector on a shoestring budget. They do it because they are committed to helping people in need.

##### **Cutting Revenue, Gutting Needed Services**

##### **Children, Seniors and Vulnerable Citizens Can't Afford Measure 59**

Measure 59 would significantly reduce funding that pays for state police, education, public safety, and health care. These budget cuts unfairly punish low-income Oregonians.

Measure 59 will only benefit the wealthy, and it does nothing to help average Oregonians – but we will all have to deal with its unintended consequences.

##### **Measure 59 would:**

- Cause the state to lose federal matching funds, making the hole even deeper
- Jeopardize community-based, long-term care and nursing home care for seniors and people with disabilities
- Place healthcare services for thousands of Oregonians on the chopping block

##### **Measure 59 goes too far**

We ask voters to take a close look at Measure 59. It would not help most taxpayers, but it would definitely harm a vast number of Oregonians. We all must depend on each other to care for Oregon.

##### **Join HSCO in opposing Measure 59**

##### **Vote NO on 59**

##### **For More Information Log On To: [www.DefendOregon.org](http://www.DefendOregon.org)**

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

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#### **Argument in Opposition**

##### **Re-runs: Bad for TV, bad for Ballot Measures**

Most of us don't like re-runs. Our TV viewing patterns prove it.

Ballot Measure 59 is a re-run — a Bill Sizemore re-run of Measure 41 from 2006. Measure 41 was defeated 63 percent to 37 percent. When network TV has a program with numbers that bad, the show doesn't make it to re-runs. Unfortunately for us, Mr. Sizemore makes his living by simply getting measures on the ballot, so for him, any re-run is a good re-run. Unlike the networks, he's not concerned about ratings.

The reasons to vote against Measure 59 haven't changed in the past two years. When Oregonians understand the impact on services Measure 59 would have, we are confident you'll reject the idea—again! — just as 63 percent of us did only two years ago on Measure 41.

Why? Because like the system or not, the reality is that our Oregon income tax money goes into the state's General Fund. And the General Fund is the fund that pays for our state's most popular programs: public safety, health care, services to our senior citizens and social services for less fortunate Oregonians.

Should Measure 59 pass, the General Fund would lose millions and millions of dollars. There's no magic wand to wave that will fix that—the result would be cuts to public safety, cuts to health care and cuts to senior services. Those aren't scare tactics, those are cold, hard facts.

We are Oregon AFSCME Council 75 (American Federation of State, County and Municipal Employees), and our members proudly deliver public safety, health care and senior and social services throughout the state. Join us in rejecting this tired re-run.

#### **Vote NO! on Ballot Measure 59.**

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

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Sincerely,

Pete Sorenson  
Lane County Commissioner  
Eugene, OR  
info@petesorenson.com

(This information furnished by Pete Sorenson, Pete Sorenson Committee.)

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#### **Argument in Opposition**

##### **Oregon State Police Officers' Association Says No to Measure 59**

##### **Keep Oregon Roads Safe and Secure**

For years now, the Oregon State Police has been so under-funded that we have gone from nearly 700 patrol troopers to less than 300 patrol troopers, resulting in the lack of 24/7 coverage anywhere in Oregon. That left Oregon's highways vulnerable to deadly crashes and gave free rein to drug traffickers.

##### **Measure 59 will cut funds to OSP, once again putting Oregon at risk.**

The more eyes and ears we have on the highways, the more drug traffickers we can track down and put behind bars before they deliver their meth to Oregon neighborhoods.

We've all seen the devastation meth wreaks on communities, and the enormous costs that come with it, like the destruction of families and lives, and the creation of toxic hazards.

##### **Measure 59 will make it harder for us to stop dealers before they show up in your community.**

The Legislature has just begun to invest in rebuilding the OSP patrol trooper numbers, but Measure 59 would stop that effort in its tracks and undo the important progress we've made.

Measure 59 will mean:

- Fewer state troopers
- Faltering equipment that won't get replaced
- Fewer emergency responders
- More uninsured people using emergency rooms as their health care.

##### **Measure 59 is a recipe for disaster.**

##### **Let's keep Oregon safe and moving.**

##### **Join Oregon Troopers and Vote No on Measure 59.**

Oregon State Police Officers' Association

(This information furnished by Jessica Stevens, Defend Oregon.)

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#### **Argument in Opposition**

##### **School Board Members Say NO to Measure 59**

**Measure 59 is filled with unintended consequences that will harm Oregon schools.** Measure 59 will significantly reduce funds for vital services like state police, public safety, healthcare, and education.

As school board members serving the diverse communities of Oregon, including communities struggling to survive, we have seen the painful results of budget cuts. Whether you go to school in Pendleton or Portland, Oregon's kids can't afford

#### **A BUM DEAL FOR OREGON FAMILIES**

This measure is designed to siphon money away from our education and social services and create more wealth for the richest 1% of our state. This measure, if passed, will reduce the state budget by almost \$1.2 billion by the year 2011, and by \$2.2 billion by the year 2013. Reduction of the state budget means less money for schools, roads, parks, health care, and many other state-run services. If we pass this, there will be significantly less money for our children and our grand-children.

#### **A PERSONAL PLEA FROM A FATHER & HUSBAND**

Oregonians, the Chief Petitioner of this initiative has been found guilty of racketeering. I am not only terrified of the repercussions that this measure will have on my home of Lane County, but of the future of my family. As a former State Senator and current Lane County Commissioner, I swore an oath to protect the citizens from special interests and corruption. If passed, this measure will hurt us, but, most importantly, it will hurt our children.

#### **I ASK ALL OF YOU TO JOIN ME IN VOTING NO ON MEASURE 59**

Please feel free to contact me at [www.petesorenson.com](http://www.petesorenson.com) or for my recommendations on the other ballot measures.

more cuts.

**Measure 59 cuts billions from schools and other essential services.** It cuts \$1.3 billion from the 2009-2011 budget and \$2.4 billion from the 2011-2013 budget. And the state also risks losing federal funds from matching grants. In some cases, that would total \$2 lost for every \$1 of state funds lost.

We've finally begun to see improved investments that will lead to better results and higher performing schools in the coming years. But Measure 59 would reverse that, significantly cutting important investments made in Oregon education.

#### **Oregon students deserve better than Measure 59.**

Measure 59 will lead to shorter school years, overcrowded classrooms and fewer teachers, placing us near the bottom of the list in education quality. Our kids deserve better.

**Measure 59 won't solve Oregon's problems.** 90% of the state budget goes to fund education, healthcare and public safety. Cutting services to kids and seniors isn't the way to force government to become more accountable.

#### **Oregon Kids Need Your Support Join Us in Voting No on Measure 59**

#### **Oregon School Boards Association**

Craig Prewitt, OSBA President and Member, Phoenix-Talent School Board

Annette Mattson, OSBA President-Elect and Member, David Douglas School Board

Beth Gerot, OSBA Vice President and Member, Eugene School Board

Scott B. Pillar, OSBA Secretary-Treasurer and Board Chairman, High Desert ESD

Jeff Sanders, OSBA Past-President and Member, Jefferson 509J School Board

(This information furnished by Jessica Stevens, Defend Oregon.)

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#### **Argument in Opposition**

#### **The Oregon School Employees Association Urges Oregon Voters to**

#### **VOTE NO on MEASURE 59 - Leave Our Schools Alone!**

OSEA represents more than 21,000 educational employees working in schools all over Oregon. OSEA members are school secretaries, library assistants, custodians, school bus drivers, food service workers, nurses, teachers, and many others. We work with Oregon's students every day and we are asking you to Vote No on Measure 59.

#### **Measure 59 Adversely Affects Oregon's Students**

If passed, Measure 59 would cut millions of dollars currently available to Oregon's education system, depriving our students of the educational tools they need to help them grow to be successful adults.

These cuts would force schools to increase class size, and reduce the number of teachers and educational assistants, as well as school activities requiring transportation. Schools would be forced to choose between clean, safe buildings and educational programs. More school nurses, librarians and counselors could be let go.

Measure 59 would cut education resources that are already stretched too thin. It is a short-sighted initiative that would hurt the students who are Oregon's future!

#### **Measure 59 Adversely Affects Oregon Families**

In addition to education cuts, Measure 59 could take away much-needed state revenue dollars currently funding local

services upon which Oregon families rely. If these budgets are cut, there will be more pressure to raise local taxes to replace lost revenue.

#### **Worse, Measure 59 is a false promise. It would do nothing to help three-quarters of Oregon families.**

#### **Don't Be Fooled Into Hurting Our Schools - Vote NO on Measure 59!**

*(This information furnished by Merlene Martin, President, Oregon School Employees Association.)*

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#### **Argument in Opposition**

#### **Measure 59 will hurt Oregon's children and families**

#### **We can't risk the health and safety of Oregon's vulnerable children**

As a child welfare worker, I see on a daily basis how children's lives are devastated by abuse, neglect, drug addiction, mental health issues, and poverty. These children are placed in terrible situations through no fault of their own, but they're the ones who pay the price.

**Measure 59 would cut funding to the programs these children need most.** I'm honored to be on the frontlines helping to add stability and safety to these kids' lives. But Measure 59 would place these vulnerable children at risk by cutting critical services that can help them reunite with their families.

**Cutting critical services that vulnerable families and abused children depend on won't make government more accountable.**

Three quarters of Oregon taxpayers will see less than a dollar in savings from this measure. Most will see none. But it will significantly reduce funding for state police, education, public safety, and health care. We shouldn't punish low-income families, students, and seniors on a fixed income, who will be hardest hit by these cuts.

#### **We Urge A 'NO' Vote on Measure 59.**

There are over 40,000 SEIU members in Oregon – frontline workers – who help deliver the vital public services we all count on every day. We've looked closely at Measure 59 and we urge you to oppose this complicated and confusing ballot measure.

**My job is to protect abused and neglected kids. These kids cannot afford Measure 59.**

Sarah Cochran,  
Child Welfare Worker  
SEIU Local 503

*(This information furnished by Arthur Towers, Political Director, SEIU Local 503.)*

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#### **Argument in Opposition**

#### **Stand for Children Urges a No Vote on Measure 59**

#### **Support Oregon School Children!**

Stand for Children is an independent, statewide, grassroots organization that brings together people from all walks of life – parents, grandparents, people who work with children, and others who care about the next generation – to make children

## Measure 59 Arguments

and their schools a top priority.

### **Measure 59 will cause lasting harm to schools.**

This confusing and complicated change to the tax code would cut \$2.4 billion from the state's budget every two years. For school districts around the state, this is equal to:

- **Portland** \$61 million
- **Salem-Keizer** \$81.9 million
- **Hillsboro** \$32.7 million
- **North Clackamas** \$29.1 million
- **Coos Bay** \$6.9 million
- **Medford** \$21.5 million

### **Measure 59 damages our ability to educate Oregon's children.**

Every child in Oregon should have an equal opportunity to succeed. In order to achieve that goal, we need to strengthen our public schools – not cut funding, which will result in larger class sizes, less effective teachers, and fewer instructional days.

### **Measure 59 punishes schools and kids.**

Measure 59 results in deep cuts to education and other services Oregonians and their children need to thrive. Oregon schools are doing a good job – test scores are rising and schools are spending taxpayer dollars wisely. Measure 59 would impact our students' ability to compete with students educated in states and countries that invest far more in education.

**Let's make sure Oregon's students have what they need to succeed.**

### **Join Stand for Children in Voting No on Measure 59**

(This information furnished by Jonah Edelman, Stand for Children.)

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### **Argument in Opposition**

#### **Please Don't Make Things Harder For Oregon's Seniors**

##### **Vote NO on Measure 59**

**Measure 59 would slash funding for the services we depend on most.** Like all Oregonians, we depend on services like public safety and healthcare, and we know that the communities we're part of depend on safe, vibrant, successful schools. Measure 59 would take away more than a billion dollars per year from those vital services.

Much of that money would come directly from services that help Oregon's senior citizens lead full, independent lives. Such a deep budget cut would result in less money for things like medication, healthcare, and independent living programs.

### **Measure 59 would mean higher fees.**

Most Oregonians—especially senior citizens—won't see any savings from Measure 59. But we will be stuck with the added costs that the state will have to impose to keep these services available. That's money that will have to come directly out of our pockets.

Many of Oregon's senior citizens live on a fixed income. The more we have to pay for prescription medication, for instance, the less money we have to pay for things like food. Measure 59 will force seniors to have to make more impossible choices just like this.

Measure 59 will have the biggest impact on the most vulnerable Oregonians. It won't make government more accountable, but it will punish Oregon's senior citizens.

**We're Voting No on Measure 59.  
Please Join Us.**

### **United Seniors of Oregon**

*(This information furnished by Jim Davis, United Seniors of Oregon.)*

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### **Argument in Opposition**

#### **Measure 59 Will Have a Negative Impact on Oregon's Health**

Keep Oregon Safe and Healthy—Vote NO on Measure 59

Just a few years ago, Oregon was forced to make some wrenching budget decisions that resulted in drastic cuts to healthcare. Many Oregonians—especially children and senior citizens—were hurt when thousands of people were dropped off of the Oregon Health Plan. For many, this meant losing access to lifesaving medical care.

Measure 59 would force many more deep cuts to the services like healthcare and public safety, putting all Oregonians at risk.

### **Measure 59 Will Force Cuts to Vital Public Services**

Most of the \$1.3 billion in budget cuts from Measure 59 would come directly out of vital services like healthcare, education, and public safety. These cuts will have the biggest impact on working families, children, senior citizens, students, and people with disabilities.

### **Measure 59 Will Cost Us More**

Already, more than 600,000 people—including nearly 120,000 children—are uninsured. If Measure 59 passes, more Oregonians will be forced to seek care in emergency rooms, driving up costs for everyone. Worse, thousands of Oregon families will go without preventive check-ups and lifesaving medicines because they can't afford a visit to the doctor or the cost of their prescription drugs. And we'll all pay for the increased fees and hidden costs for uninsured health care.

### **Measure 59 Will Hurt Rural Clinics and Hospitals**

As more Oregonians are forced to go without healthcare, rural clinics and hospitals will bear the burden through increased costs. We already have a nursing shortage in rural Oregon, and Measure 59 will push many of the healthcare providers to the breaking point.

#### **Join these Healthcare and Human Service Advocates in Opposing Measure 59**

**American Heart Association**

**American Lung Association of Oregon**

(This information furnished by Jessica Stevens, Defend Oregon.)

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### **Argument in Opposition**

Oregon's University Presidents ask you to join them in voting NO on Measure 59

**Oregon's universities have served the state well by creating family wage jobs and economic growth in every county of the state.** Most importantly, Oregon's universities create unimaginable possibilities for our graduates who go on to participate productively in every economic sector—from high tech to agriculture.

Measure 59 will put the brakes on the contributions our universities make to our economy, hurting us all.

- If Measure 59 passes, the State General Fund will lose \$1.3 billion** from the 2009-2011 budget. A significant part of that money will come from Oregon's community colleges and universities.

**Measure 59 will reduce opportunities for young Oregonians.** A college education is key to succeeding in today's economy, preparing students for careers with living wage incomes. Measure 59 would put college out of reach of many Oregonians.

Measure 59's impact extends beyond those students, however. Without an educated workforce, Oregon will have difficulty succeeding in the global economy, and our state will be left behind.

**Please join us in voting NO on Measure 59.**

Dave Frohnmayer  
President, University of Oregon\*

Edward J. Ray  
President, Oregon State University\*

Wim Wiewel  
President, Portland State University\*

\*Titles used for identification purposes only and do not constitute an endorsement of or opposition to the measure by the Oregon State Board of Higher Education or Institutions of the Oregon University System

(This information furnished by Jessica Stevens, Defend Oregon.)

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**Argument in Opposition**

**Oregon's Health Care System Can't Afford More Cuts**  
**Join Oregonians for Health Security in**  
**Voting NO on Measure 59**

The high cost of health care impacts all of us: businesses, families and government budgets. The rising cost of maintaining even the most basic insurance plan is leaving many Oregonians without any choices, and many families are just one illness away from financial ruin.

**Measure 59 puts families at greater risk of being denied needed health care.** The deep budget cuts in Measure 59 will lead to more families, seniors, and children being denied vital health care services that are already scarce enough. Prior budget cuts already led to over 85,000 Oregonians joining the ranks of the uninsured. Oregon can't afford more cuts to life-saving health care services, such as home care and Project Independence, which help seniors stay in their homes with dignity.

**Measure 59 will cost every Oregonian.** This measure really only benefits the wealthiest people. More than three-quarters of Oregon taxpayers will see less than a dollar in savings from this measure. Yet those same working families will be hardest hit by the budget cuts this measure will cause. The average family health insurance premium is now over \$12,000 per year! Coupled with the rising costs of food and gas, Oregon families can't afford to be squeezed any more.

**Measure 59 doesn't address any of Oregon's pressing problems.** To make sure that all Oregonians have access to affordable health care, Oregon's health care system needs stable funding. Measure 59 will lead to more Oregon families and businesses being unable to afford health care.

**Oregon families and small businesses need access to quality, affordable and secure health care, not more of Bill Sizemore's tax schemes.**

**Let's work together for a healthy Oregon.**  
**Please join Oregonians for Health Security in a resounding NO vote on Measure 59.**

(This information furnished by Maribeth Healey, Oregonians for Health Security.)

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**Argument in Opposition**

**Governor Kulongoski Urges a No Vote on Measure 59**  
**Oregon Can't Afford Reductions in State Resources for Schools, Human Services and Public Safety**

We have worked too hard over the last several years to get Oregonians back to work and to begin reinvesting in our schools, health care and public safety to allow Measure 59 to reverse our progress.

Oregonians have learned the hard way how difficult it is to dismantle a state budget, when 90% of that budget goes to schools, public safety, senior services and health care. In the past, we have had to make painful cuts to those essential services, when our economy tightened and state revenues tumbled.

We need to invest in schools and other basic services for our economy to grow and for our state to continue moving forward. Measure 59 will reduce funding for those services by more than \$1 billion dollars. And it only gets worse in the years ahead.

Measure 59 will force us to choose between larger classes or shorter school years. Health care for children will compete with state police on our highways and prison space for convicted felons. Project Independence and in-home care for seniors will be at odds with the Oregon Health Plan for low-income working families.

Measure 59 is not the answer to the problems with our tax system. It is the wrong solution at the wrong time. We should be focusing our attention on fixing the inequities in our tax system – not making them worse.

Oregonians deserve services that provide opportunities for our children, security for our families and a healthy business climate for our economy.

Don't let Measure 59 close the door on a better Oregon.

Please join me in voting No on Measure 59.

Ted Kulongoski  
Governor

(This information furnished by Governor Ted Kulongoski.)

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**Argument in Opposition**

**MEASURE 59 HURTS OREGON CHILDREN**  
**PLEASE JOIN US IN VOTING NO ON MEASURE 59**

Children First for Oregon works to make Oregon a place where children are healthy, safe and secure. Measure 59 will cut services that working families depend on—and Oregon children will pay the price.

**Measure 59 Leaves Oregon's Children Unprotected.**  
Did you know that more than 16 percent of Oregon children live in poverty? Or that more than 100,000 children in this state don't have health insurance? Or that more than 12,000 children

## Measure 59 Arguments

suffered abuse or neglect last year? Oregon needs to protect its children, but Measure 59 will only make these problems worse by eliminating the services that vulnerable children need most.

### **Measure 59 Cuts Billions from Vital Services.**

When the budgets for child welfare, health, public safety and education are cut, children will be hurt the most. Oregon's children need safe homes and neighborhoods, good schools, and access to health care. Measure 59 will limit Oregon's ability to make sure its children's needs are being met.

### **Measure 59 is a Tax on Working Families**

Three quarters of Oregon taxpayers won't save anything under Measure 59; only the richest will receive a windfall. Meanwhile, working families will pay more in hidden fees and new taxes to pay for vital services for children. The rising price of gas and food is already squeezing Oregon families. Measure 59 only makes things worse.

**Oregon's children and families deserve better than Measure 59.  
Join us in protecting Oregon's most vital asset: its children.**

**Vote NO on Measure 59.**

**Robin Christian, Executive Director  
Children First for Oregon**

(This information furnished by Robin Christian, Children First for Oregon.)

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### Argument in Opposition

#### **Oregon's Students Need Your Support**

#### **Vote No on Ballot Measure 59**

**Ballot Measure 59 provides NO financial relief for 75 percent of Oregonians**, and takes money away from Oregon's schools and the quality education that all students deserve. It would divert money that goes to smaller class sizes, quality text books, teacher training and resources, and vital educational programs.

**Measure 59 is a bad deal for the majority of Oregon families.** When public funding is cut, working families pay more out-of-pocket in increased fees and hidden costs for the same or fewer services. Oregonians would pay one way or another.

**Now is the time to be investing in our children's future, not taking money out of their classrooms.**

**Measure 59 creates the wrong kind of legacy for Oregon's future.** With countries like India and China graduating more engineering and science students than the U.S. every year, we need to ensure that our students are able to compete in the world economy. By severely cutting funding for K-12 schools, community colleges and universities, Measure 59 harms our ability to give students the kind of solid education and training they need to succeed in the new world economy.

**Please join the 12,500 members of the American Federation of Teachers-Oregon in Voting NO on Ballot Measure 59.**

**For More Information visit: [www.DefendOregon.org](http://www.DefendOregon.org)**

(This information furnished by Mark Schwebke, President, American Federation of Teachers- Oregon.)

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### Argument in Opposition

#### **Oregon Food Bank Urges You to Vote NO on Measure 59**

**'How am I going to make it? How am I going to eat all month? How can I pay my light bill? Am I going to get kicked out because I cannot pay my rent?'**

These are the concerns of thousands of Oregonians who turn to the Oregon Food Bank Network for help.

### **Measure 59 will cut vital services to children and families.**

Many of the families who experience hunger and poverty are the same families who are in need of essential services our state provides.

Measure 59 would cut the state budget by \$1.3 billion in the next biennium and \$2.4 billion in 2011 – 2013. About 90% of Oregon's general fund goes to support human services, health care, schools and public safety. These budget cuts would severely limit the ability of the state to provide vital services which serve the poor and the hungry.

### **Measure 59 hurts working Oregonians.**

Making Oregon's deduction unlimited does not benefit the average working Oregonian: the average tax cut for the middle 20 percent of wage earners would be \$2, the tax cut for the lowest 20 percent would be \$0.

### **Measure 59 is a step in the wrong direction.**

Oregon has made great strides in reducing its hunger rate from one of the highest in the nation. Measure 59 would threaten the gains we have made by cutting programs and increasing costs.

Oregon Food Bank sees the faces behind these programs and dollars.

Today in Oregon, one in five children live in a food-insecure home. Over 70 percent of adults who receive emergency food boxes are working, retired or disabled. Where will these children and families go if they cannot access the services they need from the state?

Join Oregon Food Bank in moving the state forward and vote NO on Measure 59.

Phil Kalberer, Board Chair  
Oregon Food Bank Board of Directors

(This information furnished by Philip A. Kalberer, Chair, Oregon Food Bank Board of Directors.)

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### Argument in Opposition

**Jesus said:** "...why are you trying to trap me? Show me the coin used for paying the tax." They brought him a denarius, and he asked them, "Whose portrait is this? And whose inscription?" "Caesar's," they replied. Then he said to them, "Give to Caesar what is Caesar's, and to God what is God's." - Matthew 22:18-21

**Jesus said:** "Do not store up for yourselves treasures on earth, where moth and rust destroy, and where thieves break in and steal. But store up for yourselves treasures in heaven, where moth and rust do not destroy, and where thieves do not break in and steal. For where your treasure is, there your heart will be also. -- "No one can serve two masters. Either he will hate the one and love the other, or he will be devoted to the one and despise the other. You cannot serve both God and Money." - Matthew 6: 19-21

**Jesus said:** "For I was hungry and you gave me nothing to eat, I was thirsty and you gave me nothing to drink, I was a stranger and you did not invite me in, I needed clothes and you did not

clothe me, I was sick and in prison and you did not look after me.' "They also will answer, 'Lord, when did we see you hungry or thirsty or a stranger or needing clothes or sick or in prison, and did not help you?' - "He will reply, 'I tell you the truth, whatever you did not do for one of the least of these, you did not do for me.'

- Matthew 25:42-45

**Measure 59** takes 1.3 Billion from programs that educate our children, heal the sick, and care for the vulnerable, while overwhelmingly benefitting the wealthy. The cost will grow to 2.4 Billion. Oregon's children and the vulnerable amongst us cannot afford to pay this price. The Oregon Center for Christian Values urges you to **Vote NO!**

(This information furnished by Shoshon Tama-Sweet, Oregon Center for Christian Values.)

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#### Argument in Opposition

**Oregon Businesses Urge you to  
Vote NO on Measure 59**

**Measure 59 will harm Oregon's future.** At a time when Oregon needs to make strategic investments in education, transportation, infrastructure and health care, Measure 59 will take billions of dollars away from these critical services.

**Measure 59 will force damaging cuts that could hurt our state's educational system.** Oregon businesses depend on a strong educational system, from the early childhood levels through the community college and university system. Oregon has been making strategic investments in K-12 education, including increasing the state's high school graduation requirements and investing more money into Head Start. We cannot afford to disinvest in our children at a time when they need to be better prepared to compete in today's global economy.

**Measure 59 will impact Oregon's economy.** In communities across Oregon, the need for increased transportation and infrastructure investment is obvious. A vital economy requires strong investment in infrastructure for traffic and freight mobility. Measure 59 could jeopardize funds on which Oregon's economy depends.

**Measure 59 will jeopardize health insurance coverage for Oregon's most vulnerable citizens.** Not only is this the wrong thing to do to our most vulnerable citizens, the costs for covering the newly uninsured will be shifted to businesses and consumers. When the uninsured require health care, they often end up going to the emergency room – the least efficient and most expensive health care available. Every time an uninsured person has to go to the emergency room for care, we all end up paying for it.

**Let's continue to invest in Oregon and our bright future.**

**Please join us in voting NO.**

Ryan Deckert  
Oregon Business Association

Jill Eiland  
Intel Corporation

Julia Brim-Edwards  
Oregon Business Association Board  
Nike, Inc.

Peter Bragdon  
Vice President and General Counsel  
Columbia Sportswear Company

Duncan Wyse  
Oregon Business Council

Marcy Eastham  
Hewlett-Packard Company

(This information furnished by Ryan Deckert, Oregon Business Association.)

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#### Argument in Opposition

**Associated Oregon Industries Opposes Measure 59**

Measure 59 has several unintended consequences that will hurt the ability of Oregon companies to compete in the national and global marketplace.

For starters, Measure 59 will reduce the state budget by an astounding \$2.4 billion every biennium. It will significantly reduce the amount of money that's spent on education, public safety, and health care. These budget cuts will adversely affect every Oregon business that depends on an educated workforce, a reliable court system, adequate public health services, and strong public safety.

Measure 59 will cripple Oregon's ability to compete for high-paying industries. With Measure 59, Oregon companies will struggle to create high-paying careers. If Oregon business is to compete in the global economy, we need a strong, well-educated workforce and schools that create innovators. The education budget cuts required by Measure 59 will deal a major blow to Oregon's ability to compete in just a few short years. Oregon simply won't be able to provide the workforce, and the job opportunities will move elsewhere.

Measure 59 will require increased taxes on individuals and small businesses. Because core public services will lose their funding as a result of Measure 59, the state will be forced to raise taxes and fees in other areas. We are most concerned that any tax increase that results from Measure 59 will target middle-class families and small businesses—precisely those that are already shouldering a heavy tax burden. This will squeeze Oregon families and businesses that are already overburdened. Instead of putting money into the economy and creating more jobs, they'll be paying more just to maintain basic services.

Associated Oregon Industries (AOI) urges a "NO" vote on Measure 59.

(This information furnished by James L. Wilson, Associated Oregon Industries.)

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#### Argument in Opposition

**Defend Oregon OPPOSES Measure 59  
Because it does nothing to help Oregon families  
and is filled with harmful unintended consequences**

Here are just some of the groups from around the state who OPPOSE Measure 59:

AARP Oregon  
Advocacy Coalition of Seniors and People with Disabilities  
American Federation of Teachers – Oregon  
American Heart Association  
American Lung Association of Oregon  
Association of Oregon Corrections Employees  
Basic Rights Oregon  
Children First for Oregon  
Community Action Partnership of Oregon  
Community Alliance of Tenants  
Community Health Charities of Oregon  
Community Providers Association of Oregon  
Confederation of Oregon School Administrators

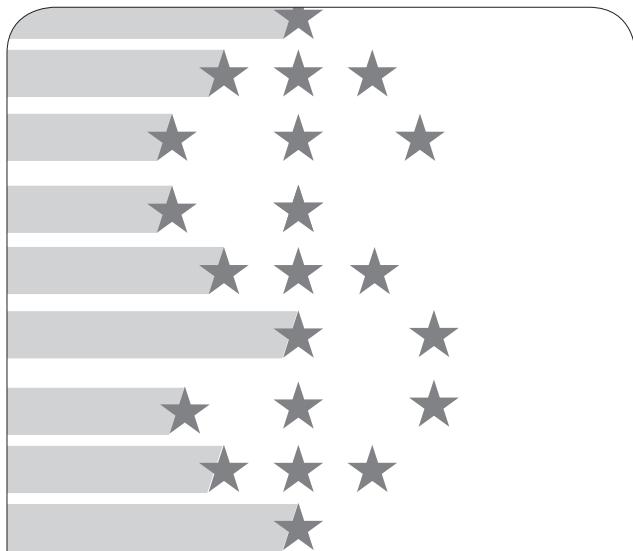
**Measure 59 Arguments**

Ecumenical Ministries of Oregon  
 Elders in Action Commission  
 Eugene-Springfield Solidarity Network/Jobs with Justice  
 Federation of Oregon Parole and Probation Officers  
 Ted Kulongoski Governor  
 Human Services Coalition of Oregon  
 League of Women Voters of Oregon  
 Multnomah County Democrats  
 NARAL Pro-Choice Oregon • NAMI Oregon  
 Northwest Oregon Labor Council, AFL-CIO  
 ONE Voice for Child Care  
 Oregon AFL-CIO • Oregon AFSCME Council 75  
 Oregon Alliance of Retired Americans  
 Oregon Business Association • Oregon Business Council  
 Oregon Consumer League  
 Oregon Council of Police Associations  
 Oregon Education Association  
 Oregon Health Action Campaign  
 Oregon Health Care Association  
 Oregon League of Conservation Voters  
 Oregon Natural Resources Council ACTION  
 Oregon Nurses Association  
 Oregon Opportunity Network • Oregon PTA  
 Oregon School-Based Health Care Network  
 Oregon School Boards Association  
 Oregon School Employees Association  
 Oregon State Council for Retired Citizens  
 Oregon State Fire Fighters Council  
 Oregon State Police Officers' Association  
 Parkinson's Resources of Oregon  
 PCUN  
 Planned Parenthood Advocates of Oregon  
 Portland Jobs with Justice  
 Representative Diane Rosenbaum  
 Rural Organizing Project  
 Save Oregon Seniors  
 SEIU Local 49 • SEIU Local 503  
 Senator Mark Hass • Senator Peter Courtney  
 Senator Richard Devlin  
 Senator Rod Monroe • Senator Suzanne Bonamici  
 Stand for Children  
 Tax Fairness Oregon • United Seniors of Oregon  
 United Way of Mid-Willamette Valley  
 For more information:  
[www.DefendOregon.org](http://www.DefendOregon.org)

(This information furnished by Jessica Stevens, Defend Oregon.)

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## Follow the Money with ORESTAR



### What is ORESTAR?

ORESTAR (Oregon Elections System for Tracking and Reporting) is a web-based electronic filing and disclosure system for elections information in Oregon.

### What information can I find in ORESTAR?

Anyone with internet access can use ORESTAR to search for political committees registered in Oregon, campaign finance information filed by political committees, and candidacy filings for candidates running for state office.

Public search of ORESTAR can be found by clicking on the link at:

[www.oregonvotes.org](http://www.oregonvotes.org)

Proposed by initiative petition to be voted on at the General Election, November 4, 2008.

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## **Ballot Title**

# 60

Teacher “classroom performance,” not seniority, determines pay raises; “most qualified” teachers retained, regardless of seniority

### **Result of “yes” vote**

“Yes” vote makes teacher pay raises dependent on “classroom performance,” without regard to seniority; specific subject training, teaching performance determine retention if lay-offs occur.

### **Result of “no” vote**

“No” vote retains current laws allowing local school boards to pay and retain teachers by qualifications, including teaching competence, experience, educational attainments, licensure and seniority.

### **Summary**

Local public school district boards currently fix salaries, and retention and other contract terms of employment for teachers within their respective districts, subject to state laws regarding collective bargaining, merit, competence, licensure and the Accountability for Schools for the 21st Century Law. Measure eliminates seniority as criterion for pay raises and requires that pay raises for teacher be based solely on that teacher’s “classroom performance” (undefined); provides that if a school district reduces teaching staff, the district must retain the “most qualified” teacher, identified by “past classroom experience successfully teaching the specific subject” and academic training in that subject. Measure supersedes any conflicting law or policy, but applies only to teacher contract extensions and new contracts made after the effective date of measure. Other provisions.

### **Estimate of financial impact**

The measure will require between \$30 million and \$72 million in additional state and local spending in the first school year. Thereafter the measure will require between \$30 million and \$60 million in additional state and local spending each year.

The measure does not affect the amount of funds collected for state government, schools, or local governments.

**Explanation of Estimate of Financial Impact**

The measure requires that a teacher's pay and job security be based on classroom performance. This will require new systems for evaluating teacher performance. Two approaches were considered in estimating the cost of this measure, a combined state and local evaluation system and a local evaluation system.

**Combined State and Local System**

The combined state and local system would require approximately \$12 million of one-time costs in the first year and \$60 million in operating costs each year.

A combined state and local system would use student scores from Oregon's state-administered tests, and local personal evaluations. The state does not currently have standardized tests in all subject areas. Therefore the state would need to add new student tests for more subject areas. It is estimated that the state would have one-time costs of \$9 million to develop new test standards and scoring systems, and to develop tests for special needs students. School districts would have one-time costs of \$4 million for student testing, including special needs students.

The on-going costs for operating and maintaining these systems is estimated to be \$29 million each year. This includes staff, technology, test development, test administration, tests for special needs students and data system maintenance.

In addition to student testing, school districts would need to obtain information based on teacher observation and teacher interviews, since student assessment data alone cannot fully describe the performance and effectiveness in the classroom. It is estimated that a typical high school would need the equivalent of a half-time position for evaluations. A typical middle school and elementary school would need the equivalent of a quarter-time position. These staffing costs would total roughly \$30 million per year for all school districts. School districts would also need to change their payroll accounting systems and staff to support the additional positions. This is estimated to cost nearly \$1.5 million statewide each year.

**Strictly Local Systems**

Strictly local teacher evaluation systems would not use student test scores. Instead, they would be based on teacher observation and teacher interviews by district staff who are trained in performance evaluation. It is estimated that approximately twice as many evaluation staff would be required. This would cost between \$30 million and \$60 million per year statewide.

**Committee Members:**

Secretary of State Bill Bradbury  
 State Treasurer Randall Edwards  
 Scott Harra, Director, Dept. of Administrative Services  
 Elizabeth Harchenko, Director, Dept. of Revenue  
 Debra Guzman, Local Government Representative

*(The estimate of financial impact and explanation was provided by the above committee pursuant to ORS 250.127.)*

**Text of Measure**

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

A new section shall be added to and made part of the Oregon Revised Statutes, which section shall read:

**Section 1. Teacher pay raises and job security shall be based on job performance.**

(a) After the effective date of this 2008 Act, pay raises for public school teachers shall be based upon each teacher's classroom performance and not related or connected to his or her seniority. If a school district reduces its teaching staff; the district shall retain the teachers who are most qualified to teach the specific subjects, which they will be assigned to teach. A determination as to which teacher is most qualified shall be based upon each teacher's past classroom experience successfully teaching the specific subject(s) or class, as well his or her academic training in the relevant subject matter.

(b) This 2008 Act shall be called the "Kids First Act" and shall supersede any previously existing law, rule, or policy with which it conflicts. This Act shall not be implemented in a manner so as to violate or impair the obligation of any contract in existence as of the effective date of this Act, but shall govern later extensions to those contracts and new contracts entered into after the effective date of this Act.

**Explanatory Statement**

Current law allows school districts to give pay raises based on a teacher's qualifications, including licensure, postgraduate study, seniority, performance, competence, and experience. Ballot Measure 60 prohibits giving pay raises to a public school teacher based on seniority but, requires that pay raises be given based on the teacher's classroom performance. The measure does not define "seniority" or "classroom performance."

The measure also directs school districts that are laying off teachers to keep the teachers who are most qualified to teach specific subjects, which the teachers will be assigned to teach. A teacher is determined to be most qualified based on the teacher's academic training in the subject and the teacher's past classroom experience successfully teaching the subject. The measure does not define "successfully teaching." Current law authorizes school districts reducing staff to retain teachers based upon seniority as well as competence and merit.

The measure does not apply if the measure would violate or impair a contract existing on the effective date of the measure, but would apply to a contract entered into or extended after the effective date of the measure. In future contracts, cost of living adjustments unrelated to classroom performance are prohibited.

**Committee Members:**

Bill Sizemore  
 R. Russell Walker  
 Chuck Bennett  
 Becca Uherbelau  
 Jack Roberts

**Appointed by:**

Chief Petitioners  
 Chief Petitioners  
 Secretary of State  
 Secretary of State  
 Members of the Committee

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

**Argument in Favor****What's Best for Students?**

Obviously this should be everyone's first concern when deciding education policy. It is remarkable how quickly muddy waters can clear when we begin by asking, "What policy is best for the kids?"

That's the question Measure 60 forces to the forefront.

Imagine this scenario: A high school principal calls the English Literature teacher into his office to discuss class assignments. A talented, young math teacher has been laid off for budget reasons, and the resulting reduction in staff has created a dilemma. Three sections of Algebra I and II and two sections of Geometry need to be parsed out to the remaining staff members—none of whom are certified to teach math.

The literature teacher leaves the meeting feeling that he has no choice but to accept what is obviously a serious mis-assignment. He quickly tracks down the appropriate textbook and starts cramming, hoping he will be able to stay ahead of the students—and the probing attention of their concerned parents—who probably know more about the subject than he does.

In subsequent discussions with other teachers, he learns that several of them have had their class schedules disassembled, shuffled and then reassembled in order to solve the problem.

Does this really happen? Are teachers forced to teach subjects in which they have little expertise? Unfortunately, teaching mis-assignments are not uncommon when there are lay-offs due to budget shortfalls and the "seniority rule" is indiscriminately applied.

Exceptional teachers are sometimes first in line to be let go, while other teachers are retained without regard to how good they are or what classes they will be required to teach, but simply because they have been around longer.

Current "seniority first" policies can result in the loss of some of our best teachers. Ask yourself, "How is this best for kids?" and vote "Yes" on Measure 60.

**Tim Rohrer**  
Former teacher and member of the NEA and OEA from  
1977-2006

(This information furnished by Russ Walker, FreedomWorks.)

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the State of Oregon, nor does the state warrant the accuracy or truth of  
any statement made in the argument.

**Argument in Favor****Unions Protect Teachers at Students' Expense**

Oregon law permits public education administrators to evaluate and then retain or release teachers based on a number of legitimate criteria, including—but not limited to—the following:

- Subject area certification
- On-going professional development
- Academic expertise
- Classroom/behavior management
- Student performance assessment
- Planning and goal setting
- Record keeping/reporting
- Communication skills
- Interpersonal relationship skills
- Professional deportment

However, established practice in public education allows teachers to demonstrate fitness for continued employment based almost solely upon seniority, which may have little to

do with teaching ability and even less to do with student performance.

Why this disparity between what the law permits and established practice dictates?

The unfairly weighted importance of seniority is easily linked to the influence exerted by national, state and local education associations, which work together to hamstring the teacher evaluation process. Contract language often trumps common sense. Pay raises are doled out according to how long one has taught and how many post-graduate hours one has amassed. Hard-working, creative, effective teachers are compensated at exactly the same rate as their less devoted, less productive peers. Then, if budget woes require a reduction in the labor force, guess whose job is at risk simply because someone else has been in the district longer?

The unions' message is clear: Protecting a tenured teacher's job is more important than providing the best teacher for the job! This mindset hurts students and teachers alike and erodes the educational process.

Measure 60 empowers administrators to use the evaluation process to identify, reward and retain good teachers—whether they have taught three years or twenty-three—while also releasing supervisors to more effectively manage unmotivated, unproductive or burned-out personnel.

And it sends a clear message back to the unions: Protecting a student's education is more important than providing job security for a teacher!

**FreedomWorks urges a Yes on Measure 60**

(This information furnished by Russ Walker, FreedomWorks.)

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**Argument in Favor**

As a former legislator who attended and raised children who attended Oregon schools, I can say one thing for certain about teachers: anyone paying attention knows which teachers are good and which to avoid. Kids know. Parents know. Principals know.

I still remember specific lessons from elementary school with teachers that were fun, intelligent, and understood how kids learn. In high school where multiple teachers taught each subject, everyone was aware of those who actually knew the material versus those who merely regurgitated lessons written by others.

It seems obvious to me that teachers' pay should be based on their performance in the classroom, not the length of time they have been a teacher. It doesn't seem fair to pay an older teacher more money than someone newer at teaching, if the newer teacher is doing a better job.

The current "standard operating procedure" when enrollment declines is to lay-off the younger teachers first and keep the teachers with more seniority (and the highest salaries) regardless of the talent of the younger teacher. Why should younger teachers work their hardest for the lowest wages when they know they will be laid off first no matter how good they are? That doesn't even make sense.

It is human nature to work harder, if we know doing so will earn us a bigger reward. That concept is what has made this country excel over our two centuries of existence. Socialist countries have risen and fallen, yet we remain because of the simple principle of greater reward for those who earn it, which is basic to freedom.

## Measure 60 Arguments

In the end, it comes down to this: Which is more important, job security for older teachers or making sure kids get the best teachers possible? Remember back when you were in school and could remember certain things taught by certain teachers better than others? Those are the teachers we should keep and reward.

Measure 60 is a good measure.

*(This information furnished by Jeff Kropf, Americans For Prosperity - Oregon, State Director.)*

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### Argument in Favor

#### Measure 60 is Not an Attack on Teachers

Measure 60 has two primary goals.

- 1) To change the focus of public education from teacher seniority to teacher performance.
- 2) To change the focus from what the teachers unions want to what's best for the kids.

That's why I wrote Measure 60 and put it on the ballot.

Currently, about 95 percent of a teacher's pay is determined by how many years he or she has been a teacher. It makes almost no difference whether those years were spent being the most effective and talented teacher in the district or as someone who just showed up and collected a paycheck, while the kids were bored to tears.

The current "seniority based" system exists because teachers unions want it that way and because a lot of timid administrators do not have the courage to stand up and do what's best for the kids, i.e., reward good teachers and eliminate the ones that everyone knows are dead wood.

Here's how lay-offs work under the current system: If a district decides to make staff reductions, perhaps for budget reasons, their contract with the teachers union dictates that the district in almost every case must keep the teachers who have been there the longest, even if that means laying off the best teachers and keeping the worst.

That's precisely why I put this measure on the ballot. The current system is simply not about the kids. There is no way a district would ever lay off the best teachers and keep the worst, if their first concern was the kids.

Since this measure became public knowledge, several teachers have contacted me to tell me they support the measure, because they are good at their jobs and are not afraid to be paid based on their performance.

Under Measure 60, kids will be better served, good teachers will be rewarded, and taxpayers will get more education bang for their buck.

*(This information furnished by Bill Sizemore, Oregon Tax Payers United.)*

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### Argument in Favor

#### Was Bill Sizemore Railroaded?

For more than a decade, labor unions and liberal newspapers have smeared Bill Sizemore nonstop. However, before you believe absurd claims that Sizemore was "convicted" of using fraud and forgery to get measures on the ballot, consider these

facts:

**Fact one:** Both at the beginning and end of the Oregon Taxpayers United trial, teachers union lawyers told the jury that the case was not about Bill Sizemore; that Sizemore was not a defendant, not being sued and, in fact, not even a party to the case.)

**Fact two:** Before the trial began, teachers union lawyers removed every Republican from the Multnomah County jury pool, leaving Sizemore's organization a stacked jury of 14 Democrats and one Pacific Green Party member.

**Fact three:** For the three years he presided over the case, Judge Jerome LaBarre concealed the fact that his son was an activist/member of the Oregon Education Association, the same union that was suing in his dad's court. The judge's son has even been elected a teachers union president.

**Fact four:** Judge LaBarre kept from the jury evidence that was critical to Oregon Taxpayers United's defense.

**Fact five:** Nothing in the jury's verdict even mentions Bill Sizemore. No witness in the trial claimed that Bill Sizemore was involved in or authorized any forgeries whatsoever.

**Fact six:** Notwithstanding media reports that Sizemore was convicted of racketeering, Sizemore has never been so much as charged with a crime in his entire life.

**Fact seven:** After the trial, another Portland judge ordered Sizemore to personally pay the OEA's multimillion dollar judgment. Sizemore never received a trial or opportunity to defend himself.

**Fact eight:** The OEA has offered not to pursue their ill-gotten judgment against Sizemore if he would drop his appeal and agree to stay out of politics for 15 years. Sizemore refused.

Oregon's liberal establishment has gone to the extreme, even railroading him in court, trying to get Bill Sizemore out of politics.

*(This information furnished by Bill Sizemore, Oregon Tax Payers United.)*

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**Argument in Opposition**

Oregon PTA Asks You to Vote No on Measure 60.

As parents and teachers involved in our schools every day, we urge you to vote no on Measure 60. **Measure 60 takes away local control from the principals, school districts and teachers who know our schools best, and places it in the hands of government bureaucrats.**

Measure 60 is vague, poorly worded, and full of unintended consequences:

- It does not define how teachers' performance will be measured, though their jobs and pay depend on it.
- It does not define who is judging teachers or how they are being judged, which leaves critical decisions about our local schools in the hands of Salem bureaucrats.
- It adds another round of testing, which forces "teaching to the test," rather than teaching kids to think, solve problems and develop the skills they need to succeed.

Measure 60 does little to improve our schools, and takes money away from where our schools need it most – in the classroom.

**Please join Oregon PTA in voting no on Measure 60.**

Oregon PTA

(This information furnished by Anita Olsen, Oregon PTA.)

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*(This information furnished by Treasure Mackley, Parents and Teachers Know Better.)*

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**Argument in Opposition**

**The Oregon Education Association  
Asks You To Vote No On Measure 60  
Because Every Child In Oregon Counts!**

**Measure 60 shortchanges our students.** Instead of teaching kids to think, solve problems and develop the skills they need to succeed, teachers will be forced to spend their time preparing students for more standardized tests.

**Vote No on 60.**

**Measure 60 is undefined and full of unintended consequences.** It creates a statewide bureaucracy for teacher pay based on Bill Sizemore's idea of "classroom performance," but there is no clear definition of how classroom progress would be measured or how it will be implemented. It removes decision-making by local school boards on how each of their teachers should be paid. It creates more bureaucracy and administrative overhead and will cost millions of dollars to implement. These are dollars better spent on investing in programs we know improve Oregon's public schools.

**Vote No on 60.**

**Measure 60 is just another attempt by Bill Sizemore to take money away from our schools.** Bill Sizemore's measure will cost Oregon schools millions of dollars that we simply don't have. This is money better spent on textbooks, smaller class sizes or adding back lost programs. Once again, Bill Sizemore, who doesn't even have a background in education, is trying to take away local control from those who know our schools best.

**Vote No on 60.**

Please join thousands of Oregon public school teachers and me.

**Vote NO on Ballot Measure 60.**

Larry Wolf, President  
Oregon Education Association

(This information furnished by Larry Wolf, President, Oregon Education Association.)

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**Argument in Opposition**

As your former Governor and a ten year School Board Member, I strongly urge Oregonians to vote No on Measure 60.

Improving Oregon schools should be a top priority, but Measure 60 will do just the opposite. With a hefty price tag of \$120 million dollars, it will take money out of our classrooms to pay for a complicated bureaucratic process that will not improve student instruction.

Measure 60 will lead to more standardized tests. I have been an advocate for education for over 30 years, because I know that every child is unique and deserves the best education. But Measure 60 will force teachers to teach to the test, instead of teaching children to think, solve problems and develop the skills they need for their future.

Measure 60 is full of unintended consequences. This measure sets no standard for how teachers' performance will be

**Argument in Opposition**

**Oregon's Teachers of the Year  
Urge You to Vote No on Measure 60.**

**It Doesn't Help Teachers or Students.**

We are teachers representing all corners of Oregon. We all share a deep dedication to our students, their families and our communities. We also share the same humbling honor of being recognized as past Oregon Teachers of Year. We accept this recognition on behalf of the tens of thousands of Oregon teachers who work wonders in classrooms everyday.

**Measure 60 is unfair to students and teachers.** It is poorly written, vague, unrealistic and unfair. It does nothing to improve our public schools or teaching quality. **It is a risky scheme that takes millions of dollars away out of the classroom.** Measure 60 doesn't provide more dollars for public education. It doesn't put back lost programs. It doesn't decrease class sizes. It doesn't even improve student learning.

Measure 60 does not promote critical thinking or a well-rounded curriculum that prepares students for the new century. **Measure 60 simply forces teachers to prepare students for more standardized tests.** Standardized tests measure only a small portion of the successes teachers see each day in the classroom. And logic would dictate that test scores are not a good measure of the incredible work Oregon teachers do in cultivating young minds and preparing students to be life-long learners.

In our teaching careers we've taught thousands of students and worked with hundreds of other teachers. We all know that students learn better when teachers collaborate, but instead of encouraging collaboration between teachers, Measure 60 fosters competition. **That is unfair and unrealistic.**

**Measure 60 works against what teachers do best - teaching! Please join us in voting no on Measure 60.**

Allan Bruner, 2006 Teacher of the Year

Catie Thurber-Brown, 2004 Teacher of the Year

## Measure 60 Arguments

measured, even though their jobs and pay depend on it. Measure 60 takes away the ability of local school districts and elected school boards to decide what's best for their children and communities.

Measure 60 is unfair to the teachers with challenging assignments. Under Measure 60, teachers with the toughest jobs, those with special education students and who teach in low-income areas, will be punished, because their students may not do as well on constrictive standardized tests.

Oregon's children will be short-changed under Measure 60. Say "No" to Bill Sizemore and one more of his anti-Oregon schemes.

Governor Barbara Roberts

*(This information furnished by Treasure Mackley, Parents and Teachers Know Better.)*

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### Argument in Opposition

#### Oregon Business Association Opposes Measure 60

Measure 60 is Bad Business for Oregon's Schools.

- **Measure 60 is a bad investment.**

- Measure 60 would cost millions of dollars a year to implement—dollars that would be better spent investing in smaller classes, more teachers and better technology.

- **More testing means less class time.**

- Measure 60 relies on more standardized testing in our schools, which puts a heavy burden on teachers, principles and students with little impact on student success.

- **Already rejected by Oregon voters.**

- In 2000, Oregon voters rejected a similar measure by over 60%. Why revisit an idea that Oregon voters already know is bad?

The Oregon Business Association believes that a healthy business climate depends on strong, vibrant public schools. We're always looking for great new ideas, but Measure 60 isn't one. It's another vague, poorly worded ballot measure that will cause more problems than it solves, and cost our state and our schools millions in unnecessary spending. We do not think it is the right approach.

Vote No on Measure 60.

Oregon Business Association

*(This information furnished by Ryan Deckert, Oregon Business Association.)*

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### Argument in Opposition

#### The Oregon Nurses Association Says NO on Measure 60.

##### **Measure 60 is unfair to students and teachers!**

As nurses, we strive to provide the best medical care to children across Oregon, and we understand that teachers provide a valuable public service by training young minds. Measure 60 is unfair to both students and teachers.

##### **Measure 60 Ignores Oregon's Unique Communities!**

Oregon is home to a diverse set of communities: urban, rural

and coastal. Like our patients, every community needs specialized care; a treatment for one patient may not work for another. In the same way, solutions that work in Portland might not work in Bend or Baker City. Measure 60 ignores this fact, instead writing a one-size-fits-all prescription for schools, at huge expense.

##### **Measure 60 is unclear and confusing!**

Teachers should be rewarded for furthering their education and gaining additional training, and should be respected for dedicating years to their profession, just like nursing professionals. Yet Measure 60 would eliminate these considerations from determining teacher pay and replace them with a system based on "classroom performance."

"Classroom performance" is undefined in Measure 60, as is the system for evaluating it. This really means more testing. Measure 60 will force students and teachers to spend more time preparing for and taking standardized tests, and less time developing critical thinking skills.

##### **Measure 60 will discourage teachers from taking jobs in schools that need them most!**

Nurses know firsthand the challenges and dangers of understaffing. Measure 60 would discourage teachers from taking tough assignments because, by tying pay to performance, teachers are encouraged to seek out the best schools, not the schools that need them most. It's already difficult to attract teachers to challenging assignments in underfunded districts. Measure 60 makes this problem worse.

##### **The Oregon Nurses Association cares about all of Oregon's children. Vote no on Measure 60.**

*(This information furnished by Jack Dempsey, Oregon Nurses Association.)*

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### Argument in Opposition

#### Confederation of Oregon School Administrators Say Vote No on 60.

Public school teachers, administrators and parents are working together to ensure that our children are ready to face the challenges of the 21st Century. That's why we oppose Measure 60.

##### **Measure 60 is unfair to students and teachers.**

- **Measure 60 takes away local control from parents, teachers, principals and our communities.**
- **Measure 60 is another unfunded mandate that creates a new state bureaucracy that will cost millions to implement and run.**
- **Measure 60 is vague, poorly worded and full of unintended consequences.**
- **Measure 60 shortchanges students and diverts money from the classroom.**

Parents, teachers and principals know that the most important part of the education process is the ability to spend time, one-on-one, with individual students. Measure 60 will prevent teachers from doing what they do best--teaching. Under Measure 60, teachers will spend more time teaching to the test and less time giving individualized attention to students.

Instead of teaching kids to think and problem solve, teachers will focus on test preparation. Measure 60 does not define student or teacher performance, so we have no way of measuring students' or teachers' success.

Students don't need more tests, more red tape and more bureaucracy. It's not good for students and it's no way to run an efficient school. Measure 60 will introduce politics into our

classrooms. And that's the last thing our students need.

**Measure 60 is unfair to students and teachers.**

**We urge you to vote "NO" on Measure 60.**

**Confederation of Oregon School Administrators**

(This information furnished by Chuck Bennett, Confederation of Oregon School Administrators.)

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**Argument in Opposition**

Dear Oregon Voter:

**I ask you to oppose Measure 60—an unfair and unnecessary measure that threatens our public school system.** Measure 60 takes away local control and eliminates a school district's ability to recognize and reward a teacher's experience in the classroom - which is one of the best measures of a quality teacher. **This just doesn't make good sense.**

The language of the measure is vague and gives no direction as to how teachers' "classroom performance" will be evaluated. Measure 60 will force Oregon to rely on a system that bases teacher pay on how their students perform on standardized tests.

**Measure 60 will lead to more standardized testing.**

Standardized testing does not promote critical thinking or a well-rounded curriculum that prepares students for college or the work force. Standardized tests measure only a small portion of the successes teachers see each day in the classroom.

**Measure 60 will cost hundreds of millions of dollars to implement.** This is money better spent reinvesting in reducing class size, adding back lost programs, hiring more teachers, fixing leaky roofs or buying new textbooks.

**Measure 60 is unfair to teachers.** Rather than spending money creating more bureaucracy, we should be investing in the proven tools – such as access to professional development and mentoring – teachers need to help students succeed.

**Measure 60 is unsustainable and unpredictable.**

Oregonians have long advocated for stable and adequate funding for public schools. In other states, funding for performance-based pay is unsustainable and programs often run out of money. Districts will not be able to predict what their budget will be from year to year, which will directly harm programs for students.

**I urge my fellow Oregonians who want the best public schools to join me in voting No on Measure 60.**

Sincerely,

**Ted Kulongoski**

**Governor**

(This information furnished by Governor Ted Kulongoski.)

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**Argument in Opposition**

**Measure 60: Another Bad Idea for Working Families**

**Measure 60 is vague and full of unintended consequences.**

If passed, teachers' jobs and pay would depend on performance standards that aren't even spelled

out in the law. And, Measure 60 doesn't define student performance either, so we have no way of assessing teachers' impact on their students.

**Measure 60 takes away local control.** Even its supporters don't know what Measure 60 would do. All we do know is that instead of letting local school districts work with principals, teachers, parents and school boards to provide the best education for all of their students, Measure 60 just creates more confusing bureaucracy.

**Measure 60 is another bad idea from racketeer**

**Bill Sizemore.** In 2000, Oregon voters rejected a similar measure by over 60%. But that didn't stop Bill Sizemore from putting yet another initiative on the ballot to take away money and control from our local schools. What part of "No" doesn't Bill Sizemore understand? **Voters have already said "No" but Bill Sizemore doesn't understand.**

Oregon's working families reject false "solutions" to Oregon's education challenges. Measure 60 is bad for kids, bad for schools and bad for Oregon.

Please Vote No on Measure 60.

Oregon AFL-CIO

(This information furnished by Kathryn Grover, Oregon AFL-CIO.)

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**Argument in Opposition**

**Measure 60 takes away local control.**

We don't need bureaucrats in Salem to tell communities how to pay their teachers, or which teachers to hire or fire. Let our locally elected school boards do their job.

**Measure 60 is wasteful.**

Measure 60 adds a new level of bureaucracy that will cost millions to establish and maintain. That money belongs in the classroom, not creating more bureaucracy.

**Measure 60 is unrealistic.**

Standardized tests aren't the answer, and neither is more "teaching to the test." Children need to do more than memorize facts--they also need to learn to cooperate with others and to think clearly--skills not measured on tests alone.

**Measure 60 sidetracks Oregonians from the real issues our schools face.**

Schools need real solutions, not attempts at a quick fix that cost millions of dollars. Oregon's schools need stable funding, smaller classes and more teachers, not Measure 60.

**Vote "No" on Measure 60.**

**American Association of University Women of Oregon**

(This information furnished by Treasure Mackley, Parents and Teachers Know Better.)

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**Argument in Opposition**

**NONPROFIT CHALKBOARD PROJECT STRONGLY OPPOSES MEASURE 60**

The Chalkboard Project and its parent organization, Foundations for a Better Oregon, rarely take positions on ballot measures. **But we oppose Measure 60 so strongly that** we were among the first to speak out against it. **We urge you to vote NO.**

## Measure 60 Arguments

This measure undermines the significant efforts local districts are making to support their teachers with professional development, comprehensive performance evaluations and new career options. These pilot projects in Sherwood, Tillamook and Forest Grove come from the ground up. Local teachers are designing these projects with the aim of enhancing student performance.

Ballot Measure 60 takes just the opposite approach. It is a simplistic one-size-fits-all mandate from the state.

Our research shows the best way to raise student achievement is to make sure there is an excellent teacher in every classroom. Yet one of the biggest challenges facing schools is that Oregon loses more than a third of its new teachers within five years. Ballot Measure 60 does nothing to help. Our collective efforts need to focus on supporting these new teachers, fostering their creative energies and mentoring them into the best practices of their profession.

The Chalkboard Project is an independent nonprofit organization funded by 25 foundations. There is a broad diversity of political views among the citizens that make up our movement, with Democrats, Republicans and Independents alike. We are united in our goal to make Oregon schools among the best in the nation. **We urge you to vote NO on Measure 60.**

Orcilia Zúñiga Forbes, Chair, Chalkboard Project Board of Directors

*(This information furnished by Phil Donovan, Chalkboard Project.)*

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### Argument in Opposition

#### Oregon Democratic Party Urges a No Vote on Measure 60

Teachers are most effective when they spend quality instructional time with their students. In that environment, students learn to think, solve problems and develop the skills they need to succeed. Measure 60 would base teacher pay on undefined "classroom performance," leading to a system of evaluation that includes even more standardized testing. This imposes a heavy burden on teachers, principals and students with little impact on student success.

Bill Sizemore, the man behind Measure 60, is not an educator. In fact, he is a racketeer whose organization has been caught multiple times forging signatures and committing fraud on petitions to qualify measures for the ballot. Often these measures are hostile to public education and the teachers who want to see our kids succeed. Measure 60 is no exception.

Teachers spend years building experience and often continue their own education while working, gaining certifications and advanced degrees. Measure 60 would remove these factors as consideration for salary increases. And since those teachers who teach in the best schools would earn more money, underperforming schools would have little chance of attracting the teachers needed to improve achievement.

If Measure 60 seems out of touch with Oregon values, it might be because the main funder doesn't live here. Loren Parks, who is a wealthy Nevada businessman, has provided over 80% of the cash used to promote Measure 60. Sizemore's out-of-state benefactor has a history of funding ideologically driven causes, but no record of improving Oregon schools.

Oregon voters defeated a similar measure in 2000 by an overwhelming margin. We weren't fooled then, and we won't be fooled this time.

**Measure 60 is bad education policy, pure and simple.** It harms teachers, students and our schools.

### Vote no on Measure 60.

Oregon Democratic Party

*(This information furnished by Meredith Wood Smith, Democratic Party of Oregon.)*

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### Argument in Opposition

#### Measure 60 — Bad, bad and bad

Measure 60 is bad for students, bad for teachers and bad for Oregon.

Oregon AFSCME Council 75 (American Federation of State, County and Municipal Employees) opposes Measure 60. It doesn't make any sense. This measure says that teachers should be paid based on how they perform — and then the measure doesn't explain how they will be evaluated. It doesn't explain what that means. It's not only an unfunded mandate, it's an "unthought-out" mandate.

The only way to make this poorly written and foolish measure work is to base it on test scores. **We do not need more test scores.** Testing isn't a reliable way to evaluate a teacher's ability and skill. Studies show that tests may not even be a good way to evaluate students. Combine that with the fact that you are tying a teacher's pay to performance on a test and the teachers are forced to teach to the test. This measure will force teachers to focus only on the test and not on making sure all their kids are truly learning.

Measure 60 won't make better teachers, it just punishes students. The end result will be that the students with the best test scores will get the highest-paid teachers. Just like under Bush's No Child Left Behind Act, the students in the most need will get the least resources. Public education is about giving every student the equal opportunity to succeed. This measure is the opposite of that.

This measure leaves force schools to spend an unknown amount of money to implement this foolish measure. Do we need to spend more money to develop more tests so that we can shortchange students? We don't think so.

Let's give all students the tools they need to succeed.

#### Vote NO! on Measure 60.

*(This information furnished by Joe Baessler, Oregon AFSCME Council 75.)*

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### Argument in Opposition

The Service Employees International Union represents 51,000 Oregon workers. Our members are frontline workers who pave our roads and staff our universities. We are health care and child care providers. We clean buildings and we protect abused and neglected kids. Our members are strong supporters of a high quality public education system that gives all of our children the best chance for a successful future.

SEIU's members oppose Measure 60 because it takes away local control of parents, school districts and principles to decide what's best for our schools and students.

Measure 60 is so poorly worded that it leaves our local teachers and districts without any definition of how teachers will be judged or who will be judging them, even though their jobs and pay depend on it. That will leave critical decisions about our

teachers and schools in the hands of Salem bureaucrats.

Measure 60 is unfair to our children. Just like George Bush's No Child Left Behind Act, Measure 60 will result in more standardized testing. Forcing teachers to "teach to the test" instead of preparing our children for the future.

Bill Sizemore, a racketeer with no background in education, is the man behind the measure. And this isn't his first time; in 2000 Oregonians rejected a similar measure by a vast majority.

SEIU's 51,000 Oregon members urge you to join with us and Vote No on Measure 60.

John "Marty" Olson

*(This information furnished by Arthur Towers, Political Director, SEIU Local 503.)*

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### Argument in Opposition

#### Please join us in voting NO on Measure 60

#### **Ecumenical Ministries of Oregon Urges You to Vote No on Measure 60**

Ecumenical Ministries of Oregon is a statewide association of Christian denominations, congregations, ecumenical organizations and interfaith partners. Our mission is to bring together Oregon's diverse faith community for dialogue, ministry and community ministries in service to God's people and creation.

People of Faith are called to protect the most vulnerable among us, especially children. Measure 60 does not protect Oregon's children.

Good teachers are the key to improving student learning, particularly in high-poverty areas. When children live in poverty and come to school hungry, their academic progress, especially on standardized tests, is adversely affected. Good teachers help struggling students catch up, often in only a few years.

Because Measure 60 relies excessively on standardized testing, good teachers who work in schools with large numbers of poor children may be evaluated unfairly due to conditions beyond their control. Measure 60 will also require new bureaucracy to implement and monitor it, and divert precious state resources from critical needs of both schools and efforts to reduce poverty.

We desperately need to recruit and retain Oregon's best teachers willing to serve where they are most needed. But Measure 60 will produce the opposite effect: it will drive the best teachers from the very schools where they can make the biggest difference in the lives of Oregon's most vulnerable children.

Moving toward a performance-based system that undermines teacher commitment to quality education for all of Oregon's children and increases competition rather than collaboration among teachers is a bad idea. It will lead to loss of qualified teachers from our schools.

#### Please join us in voting NO on Measure 60

#### **Ecumenical Ministries of Oregon**

*(This information furnished by Kevin Finney, Ecumenical Ministries of Oregon.)*

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### Argument in Opposition

#### **Rural Oregonians Urge a No Vote on Measure 60**

##### **Measure 60 takes money out of our classrooms.**

Measure 60 will cost millions of dollars a year to implement and rural communities could be hit hard. Measure 60 could force local school districts to divert money away from critical programs and classroom necessities and into a complicated bureaucratic process.

##### **Measure 60 will result in more testing.**

Rural school districts already struggle with No Child Left Behind. Measure 60 will require even more standardized testing and force teachers to teach to the test. What's worse, Measure 60 does not define student performance, so we have no way of assessing teachers' impact on their students.

##### **Measure 60 takes away local control from local school districts.**

Measure 60 puts critical decisions about our local schools into the hands of Salem bureaucrats. It does not define how teacher's performance will be measured, even though their jobs and pay depend on it. Nor does it define who is judging teachers or how they are being judged.

##### **Oregonians have already said No to Measure 60.**

In 2000, Oregonians rejected a similar ballot measure by an overwhelming majority of more than 60%. This is just another attempt by Bill Sizemore to take money away from our local schools and mislead Oregon voters.

Since 1992, The Rural Organizing Project has given a voice to rural Oregonians.

We urge you to vote No on Measure 60.

Rural Organizing Project

*(This information furnished by Amy Dudley, Rural Organizing Project.)*

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### Argument in Opposition

#### **The Oregon Association for the Education of Young Children Opposes Measure 60**

The Oregon Association for the Education of Young Children is dedicated to improving the quality of educational and developmental services that enhance the well-being of all young children. We know that teachers are on the front lines, meeting this challenge every day. They deserve our support. That's why we oppose Measure 60.

Teachers earn a modest salary in return for educating our children in a tough working environment. They can expect to earn more after years of dedication or by continuing their education and gaining certifications. In some cases, teachers who take on tough assignments at underperforming schools earn incentives, like assistance repaying their student loans.

Measure 60 would undermine – or end outright – these few pathways to increased compensation. Instead, Measure 60 would pay teachers according to "classroom performance." This is troubling for many reasons:

- 1) Since Measure 60 bases pay on "classroom performance," teachers who work in underperforming schools are unlikely to get pay increases. It is already difficult to attract quality teachers to these challenging assignments. Measure 60 would make this task even harder.
- 2) Oregon students already dedicate many hours preparing for and taking standardized tests. In order to judge "classroom performance," we can count on an even more extensive system of standardized tests. Do you want more tests or a strong, well-rounded education?

## Measure 60 Arguments

3) The state of Oregon doesn't yet have standardized tests for some subjects and grade levels, so tests will have to be developed. It would cost Oregon \$9 million to develop new test standards and scoring systems. Oregonians would then have to pay \$60 million a year to maintain the program.

Measure 60 is unfair to teachers, students, and Oregonians.  
Vote no on Measure 60.

Oregon Association for the Education of Young Children

*(This information furnished by Treasure Mackley, Parents & Teachers Know Better.)*

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### Argument in Opposition

I am an Oregon teacher. This fall will be my ninth year teaching special education. As I prepare to receive my students and plan lessons, I am worried about what the future will look like for my students and me if Ballot Measure 60 passes. **Measure 60 is unfair to teachers and bad for students.**

The measure is poorly written, vague, and unrealistic. It assumes that "classroom performance" is something that is easily measured with universal criteria that can be fairly and equally applied. That's just not true. **What is true is that this measure will result in more standardized testing.**

I didn't enter into teaching to spend my time as a drill instructor, cranking out good test takers. I chose this profession because I want to help kids learn, grow and succeed in the classroom and in life. **Measure 60 does nothing to help students succeed.**

What helps me succeed as a teacher is learning from and sharing ideas with my fellow teachers. Students learn better when their teachers collaborate, but instead of encouraging collaboration, Measure 60 forces teachers to compete with each other. **Measure 60 does nothing to ensure that students receive a quality education.**

Teaching is a calling for me, not just a profession. But if **Measure 60 passes I don't know if I'll be able to continue working in the classroom.** Under this measure, teachers won't know what their salary will be from year to year and won't be able to plan their family budgets.

Oregonians have already said no to this bad idea before. Let's do it again. **Please join me in voting no on Measure 60.**

Sincerely,

Jennifer Nelson  
Special Education Teacher  
Rainier School District

*(This information furnished by Treasure Mackley, Parents & Teachers Know Better.)*

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

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

### Argument in Opposition

#### School Board Members Oppose Measure 60

We care about our schools, our children and our communities, which is why we have dedicated our time to serve on our local school boards. We've been elected by our communities to decide what's best for our neighborhood schools. We are opposed to Measure 60.

Measure 60 will take away the ability of local school boards and communities to decide what's best for our children. Instead, Measure 60 will place these critical decisions in the hands of government bureaucrats.

Measure 60 will force our local teachers to "teach to the test" and take away valuable classroom instruction time that prepares our students for the real world. It imposes a heavy burden on teachers, students and school principles with little impact on student success.

Measure 60 will divert money from our local classrooms and into a complicated bureaucratic program. Measure 60 will cost Oregon schools millions of dollars to implement and manage, but it doesn't define how a teacher's performance will be measured, who is judging teachers or how they are being judged.

Measure 60 has been rejected by Oregonians once before. As local school board members, we listen to our communities and our constituencies. Oregonians have spoken out loud and clear, rejecting a similar ballot measure in 2000.

Because we care about our schools and our communities, we are speaking out and urging Oregon voters to reject Measure 60. It's not good for students or our schools.

Please Vote No on Measure 60.

Linda Brown, Lake Oswego School Board Member

Anne Schuster, Corvallis 509J School Board Member

*(This information furnished by Treasure Mackley, Parents & Teachers Know Better.)*

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### Argument in Opposition

Support your kids and mine by voting no on Measure 60.

We are parents of kids in Oregon public schools. We believe that a strong public education system is the most important thing in a society. That's why our kids attend public schools and we volunteer in their classrooms.

Every time we volunteer, we see all of the challenges and rewards that our children's teachers face every day. As a whole, they are talented, dedicated, and as determined as we are to making sure our kids get the kind of well-rounded education they need to succeed as adults. But every time we volunteer, we also see the roadblocks to that success that statewide mandates and standardized testing present.

We're concerned that Measure 60 would add another layer of standardized tests to our children's curriculum because it requires teachers to be paid based on "classroom performance." Rather than focusing on the kids and leading their natural interests into learning experiences, the teachers will be forced to fill out reams of paperwork and follow rigid guidelines to "teach to the test" of the standardized tests that already plague our schools.

And Measure 60 would add another statewide mandate that would take away local control from teachers and principals. Just what we DON'T need in our schools – a misguided, costly, one-size-fits-all bad idea masquerading as a solution.

Sure, there are plenty of things that our schools need. More volunteers like us, smaller class sizes, and state-of-the-art facilities. But Measure 60 won't accomplish any of those things with its vague, poorly worded proposals and their unintended consequences.

Please, help us help our kids, and vote no on Measure 60. Thank you.

Sincerely,

Karen Starchvick, Parent  
Medford

Janeen Sollman, Parent  
Hillsboro

*(This information furnished by Treasure Mackley, Parents & Teachers Know Better.)*

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### Argument in Opposition

Dear Oregon Voter,

The most important part of my job as Superintendent of Public Instruction is making sure that all students in our public schools have an equal opportunity to learn the academic and life lessons that will prepare them for work or college.

We are very fortunate in Oregon to have dedicated, quality teachers who help their students reach their maximum potential. Oregonians place a high value on our public schools and have a strong tradition of supporting teachers. That's why I urge you to vote NO on Measure 60.

**Measure 60 is unfair to teachers.** This measure is so poorly worded that it does not even define how a teacher's performance will be measured, even though their jobs and pay depend on it.

**Measure 60 takes away local control from the teachers, principals and locally elected school boards who know what's best for their schools.** At a time when many of our schools are facing new challenges, this measure is just another distraction from the pressing needs of our schools and students.

**Measure 60 will cost millions of dollars and take money away from the classroom where it is needed most.** A

non-partisan review of this measure concluded that it will cost at least thirty million dollars a year to implement. That money would be better spent reducing class size, hiring more teachers or buying new books and computers.

We've seen this type of vague, poorly worded measure before. In 2000, Oregon voters overwhelmingly rejected a similar measure. Oregonians have already said no to this bad idea because of all the unintended consequences for our schools.

**I urge every Oregonian to vote NO on Measure 60.** Send a message that we won't be fooled by deceptive ballot measures that do nothing to improve our schools.

Sincerely,

Susan Castillo  
Superintendent of Public Instruction

*(This information furnished by Susan Castillo, Superintendent of Public Instruction.)*

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### Argument in Opposition

Dear Fellow Voter,

The Oregon School Employees Association (OSEA) represents over 21,000 educational employees working in Oregon school districts, community colleges, educational service districts, Head Start agencies, libraries, and park and recreation districts.

Our organization represents the second largest membership of educational staff in Oregon, from special education, instructional, and library assistants, to school secretaries, custodians and many more.

Our members serve as education support professionals in schools all across the state. It is this unique role that enables us to speak confidently about the pitfalls of Measure 60.

Measure 60 is not fair to teachers or students. Every day our members see the challenges teachers face in the classroom, but Measure 60 will unfairly punish those teachers who take on the most challenging positions, like special education or working with homeless students.

Measure 60 is bad for Oregon students. Instead of teaching students to think, solve problems and prepare for their future, Measure 60 will force teachers to focus on preparing students to take standardized tests or risk losing potential earnings.

Measure 60 takes money out of our classrooms. Measure 60 will divert over \$120 million dollars from our classrooms and force schools to spend that money on developing a complicated bureaucratic process. Measure 60 takes money and resources away from what our schools need the most, smaller class sizes and adequate learning materials such as up-to-date textbooks.

OSEA's members continue to work every day to help our students learn and grow.

Please join us in voting No on Measure 60.

The 21,000 members of the Oregon School Employees Association

Oregon School Employees Association

*(This information furnished by Merlene Martin, President, Oregon School Employees Association.)*

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### Argument in Opposition

#### Join Stand for Children in Voting Against Measure 60

Stand for Children is a citizen voice for children. Our mission is to teach everyday people how to join together in an effective grassroots voice in order to win concrete, long-lasting improvements for children at both state and local levels.

We believe that every child is an individual and that every child counts. Measure 60 would force teachers to give less attention to students with special needs, which means that some will be left behind. That is unfair and unnecessary.

#### Measure 60 is unfair.

Measure 60 sends a message to teachers that their pay is based on the progress of the entire class, not the progress of individual students. No one wants a system where one child may be sacrificed because they didn't catch on as quickly.

#### Measure 60 says that the only kind of progress worth rewarding is the kind that can be measured on a standardized test.

Different students learn things at different times and in different ways. If teachers are forced to leave one student behind to focus on the rest of the class, we are failing all students.

#### Measure 60 will leave our at-risk and special needs students behind.

At a time when our students need more individualized attention, Measure 60 creates more bureaucracy, more tests and more paperwork for our teachers to fill out. Teachers will have less time to give one-on-one attention.

## Measure 60 Arguments

**Measure 60 will hurt, not help, the neediest children in Oregon. We urge you to vote "NO" and to ensure all children have the opportunity to reach their full potential.**

### Stand for Children

(This information furnished by Jonah Edelman, Stand for Children.)

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### Argument in Opposition

#### Oregon's Education Professionals Oppose Measure 60.

Measure 60 has no merit – it's a **vague, poorly worded** measure that will punish those who take on the most challenging assignments.

**Measure 60 will punish teachers** who work in low-income areas or have a lot of special education students by paying them less if their students do not perform well on standardized tests.

**Measure 60 will saddle students** with more standardized testing and more teaching to the test, which will mean less individual attention and classroom time.

**Measure 60 is costly and takes money away from classroom.** The millions estimated to implement this measure would be better spent on reinvesting in smaller classrooms, adding back lost programs, hiring more teachers, fixing leaky roofs or buying more textbooks.

**Measure 60 has been rejected by voters before.** In 2000, more than 60 percent of voters rejected a similar measure.

Public schools need our support to focus on students' learning experience as a whole, not just their scores on standardized tests. Measure 60 will impose a heavy burden on teachers and schools, and will not improve student success.

Education professionals of American Federation of Teachers-Oregon ask that you join them in voting **No on Measure 60.**

American Federation of Teachers-Oregon

(This information furnished by Mark Schwebke, President, American Federation of Teachers-Oregon.)

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### Argument in Opposition

#### The Elders in Action Commission Urges You To Oppose Measure 60

Don't fall for Measure 60. The proponents want you to believe that they want to reward good teachers and get rid of inadequate teachers. We've studied the issue. Here's the truth about Measure 60.

**They Say:** "Measure 60 will help schools get rid of bad teachers."

**The Truth:** Nobody wants to see a bad teacher in our classrooms, least of all other teachers. The Oregon Legislature has ended teacher tenure, and poorly performing teachers are shipped out if they don't shape up. Measure 60 will do nothing to weed out bad teachers.

**They Say:** "Measure 60 will make our schools more efficient, like a business."

**The Truth:** Measure 60 will add another layer of bureaucracy to our public school system, which will cost millions to implement and maintain. Think of how many teachers we

could hire or how many new books or computers we could buy with that money!

**They Say:** "Measure 60 will help us more accurately measure student performance."

**The Truth:** Measure 60 sets up a system where standardized test scores are the only way to measure a student's performance. Measure 60 does not consider external factors that impact our students. Students don't all have the same skills and abilities—some have special needs that can impact their progress. Others live in poverty, come to school hungry, or come from troubled families – all factors which can affect their progress. Measure 60 draws attention away from kids who need special help and reduces their value to a score on a standardized test.

**Don't deal another blow to our public schools.**

#### Vote "NO" vote on Measure 60.

The Elders in Action Commission, a powerful voice of older adults since 1968, has been tackling important issues that affect the quality of life of Oregonians, and has helped shape the aging policy on all levels.

(This information furnished by Treasure Mackley, Parents & Teachers Know Better.)

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### Argument in Opposition

#### Parents & Teachers Know Better OPPOSES Measure 60

**Because it takes local control of classrooms away from the teachers, parents, and principals who know our schools the best**

Here are just some of the groups from around the state who OPPOSE Measure 60:

Oregon PTA  
The Oregon Education Association  
Oregon School Employees Association  
American Federation of Teachers-Oregon  
Confederation of Oregon School Administrators

Stand for Children  
The Chalkboard Project

Oregon Association for the Education of Young Children

Oregon Alliance of Retired Americans

Oregon Business Association

Elders in Action Commission

Oregon Nurses Association

Oregon State Fire Fighters Council

Oregon Democratic Party

Ted Kulongoski Governor

Governor Barbara Roberts

Susan Castillo Superintendent of Public Instruction

Ecumenical Ministries of Oregon

SEIU Oregon State Council

SEIU Local 49

SEIU Local 503

Oregon AFSCME Council 75

Working Families Party of Oregon

Oregon AFL-CIO

PCUN

Rural Organizing Project

Tax Fairness Oregon

Basic Rights Oregon

American Association of University Women of Oregon

Community Action Partnership of Oregon

Community Alliance of Tenants

NARAL Pro-Choice Oregon

ONE Voice for Child Care

Adelante Mujeres

Carpenters Local 247  
Multnomah County Democrats  
PSU Chapter- American Association of University Professors  
Eugene- Springfield Solidarity Network/Jobs with Justice  
Representative Diane Rosenbaum  
Senator Richard Devlin  
Senator Suzanne Bonamici  
Senator Rod Monroe  
Portland Jobs with Justice  
Catie Thurber-Brown, 2004 Teacher of the Year  
Allan Bruner, 2006 Teacher of the Year

For more information:  
[www.parentsandteachersknowbetter.com](http://www.parentsandteachersknowbetter.com)

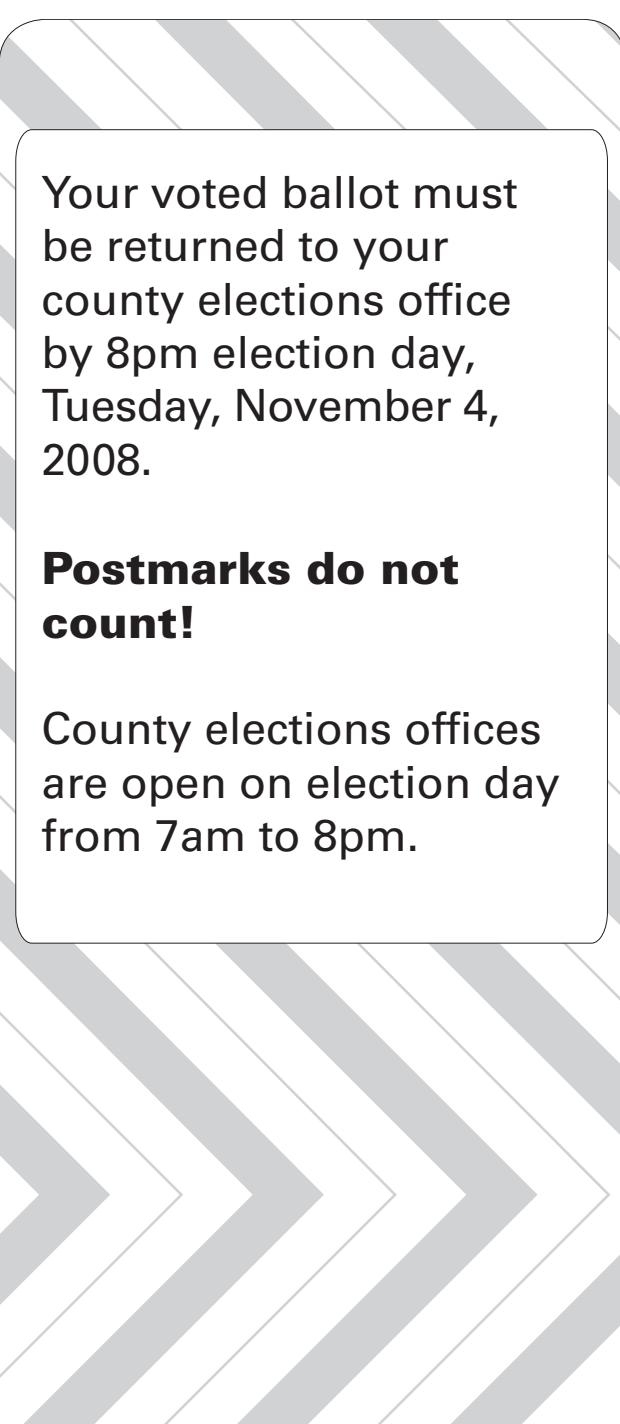
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Your voted ballot must  
be returned to your  
county elections office  
by 8pm election day,  
Tuesday, November 4,  
2008.

## Postmarks do not count!

County elections offices  
are open on election day  
from 7am to 8pm.



for more information about  
voting in Oregon

**call      1 866 ORE VOTE/673 8683**  
*se habla español*

**visit      [www.oregonvotes.org](http://www.oregonvotes.org)**

**TTY      1 800 735 2900**  
*for the hearing impaired*

Proposed by initiative petition to be voted on at the General Election, November 4, 2008.

<b>Explanation of Estimate of Financial Impact</b>	86
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## **Ballot Title**

# **61**

Creates mandatory minimum prison sentences for certain theft, identity theft, forgery, drug, and burglary crimes

### **Result of "yes" vote**

"Yes" vote creates mandatory minimum prison sentences for certain crimes, including burglary, forgery, theft, manufacture/delivery of methamphetamine, heroin, cocaine, or methylenedioxymethamphetamine, under specified circumstances.

### **Result of "no" vote**

"No" vote retains current law, which does not require that persons convicted of the crimes specified in the measure serve mandatory minimum prison sentences.

### **Summary**

Measure creates mandatory minimum prison sentences for specified crimes for which current law does not require mandatory minimums. Requires 36-month minimums for identity theft, first degree burglary, and Class A felony manufacture/delivery of methamphetamine, heroin, cocaine, or methylenedioxymethamphetamine; 30-month minimums for Class B felony manufacture/delivery of same specified controlled substances. For offenders with one or more prior felony convictions, or two or more prior misdemeanor convictions, measure requires 18-month minimums for first degree forgery, motor vehicle theft; 14-month minimums for first degree theft, second degree burglary. Prohibits reductions in sentences required by measure. Sentences must be served in state prisons, not in county jails. State must reimburse counties for pretrial incarceration costs for persons sentenced under measure. Other provisions.

### **Estimate of financial impact**

The measure will require additional state spending of \$8 million to \$10 million in the first year, \$67 million to \$88 million in the second year, \$122 million to \$178 million in the third year, \$164 million to \$247 million in the fourth year, and \$161 million to \$274 million in each year after that. The measure does not require additional local government spending.

The measure will require the state to borrow between \$1.1 billion and \$1.3 billion to build new prisons between 2010 and 2017. The state will repay those amounts plus interest of \$709 million to \$844 million over 25 years.

The measure requires state payments to local government of \$2 million to \$5 million in the first year and \$10 million to \$19 million each year after that.

The measure does not affect the amount of funds collected for state government.

**Explanation of Estimate of Financial Impact****The measure**

The measure sets new minimum sentences for certain drug and property crimes. The measure also directs the state to pay local governments for the cost of holding defendants in jail until they are convicted.

**State impact**

The costs of the measure are due to keeping more criminals in prison for longer periods of time. Those costs include: running prisons, providing temporary prison beds, supervising criminals after they are released from prison, and building more prisons. Other costs include: providing foster care for some children whose parents are convicted of the measure's crimes, providing lawyers for defendants who cannot afford legal counsel, and defending the state against inmates' lawsuits.

The measure will cost between \$8 million to \$10 million in the first year, and increase to between \$161 million and \$274 million per year after the fourth year.

The state will borrow \$1.1 billion to \$1.3 billion from 2010 to 2017 to build new prisons. The state will repay those amounts plus interest of \$709 million to \$844 million over 25 years.

**Local impact**

The measure does not require additional spending by local government.

The measure requires the state to pay counties for the cost of holding those accused of the measure's crimes in county jails before they are convicted. The state does not currently pay this cost. The state will reimburse the counties for the cost of holding prisoners from \$2 million to \$5 million in the first year and \$10 million to \$19 million each year after that.

**Implementing the measure**

The current prison population is around 13,600. When the measure is fully implemented, it could add between 4,100 and 6,300 inmates to the prison population, depending on the number of people convicted of crimes under this measure. The total cost of the measure could change depending on the length of time to build new prisons, inflation, and the cost to hire and train new prison staff.

The measure does not identify a funding source. Today the costs of prisons are paid for out of the General Fund, which comes from income taxes. The General Fund is also used to pay for public education, services for vulnerable citizens, public safety, and other programs.

**Committee Members:**

Secretary of State Bill Bradbury  
State Treasurer Randall Edwards  
Scott Harra, Director, Dept. of Administrative Services  
Elizabeth Harchenko, Director, Dept. of Revenue  
Debra Guzman, Local Government Representative

*(The estimate of financial impact and explanation was provided by the above committee pursuant to ORS 250.127.)*

**Text of Measure**

**PREAMBLE.** The manufacturing and dealing of street drugs are especially damaging to our communities. Certain property crimes are especially damaging to our citizens because they create a sense of personal violation. Criminals who commit these crimes need to be held accountable commensurate with the damage they do to our communities and citizens. There is also a connection between a heavy incidence of drug addiction and a heavy incidence of property crime, as addicts turn to crime to feed their habits. Both these crime cycles are addressed in this Act to better protect our communities.

**SECTION 1.** When a person is convicted of one of the offenses listed in Section 2 of this Act and the offense was committed on or after January 1, 2009, the court shall impose, and the person shall serve, at least the entire term of imprisonment listed in Section 2. The person is not, during the service of the term of imprisonment, eligible for release on post-prison supervision or any form of temporary leave from custody. The person is not eligible for any reduction in the sentence for any reason whatsoever under any statute. The court may impose a greater prison sentence, if otherwise permitted by law, but may not impose a lower prison sentence than the sentence specified in Section 2.

**SECTION 2.** The offenses to which Section 1 of this Act applies and the mandatory minimum prison sentences are:

(a) Illegal manufacture or illegal delivery of methamphetamine, heroin, cocaine, or 3,4-methylenedioxymethamphetamine under circumstances constituting a Class A felony under ORS Chapter 475	36 months
(b) Illegal manufacture or illegal delivery of methamphetamine, heroin, cocaine, or 3,4-methylenedioxymethamphetamine under circumstances constituting a Class B felony under ORS Chapter 475	30 months
(c) Identity theft as defined in ORS 165.800	36 months
(d) Burglary in the first degree as defined in ORS 164.225	36 months
(e) Forgery in the first degree as defined in ORS 165.013, when the person has a serious criminal record	18 months
(f) Motor vehicle theft as defined in Section 4 of this Act, when the person has a serious criminal record	18 months
(g) Theft in the first degree as defined in ORS 164.055, when the person has a serious criminal record	14 months
(h) Burglary in the second degree, as defined in ORS 164.215, when the person has a serious criminal record	14 months

**SECTION 3.** For purposes of this Act, a person has a serious criminal record when the person has at least one previous conviction of a felony or at least two previous convictions of misdemeanors.

**SECTION 4.** For purposes of this Act, "motor vehicle theft" means theft, as defined in ORS 164.015, of a passenger motor vehicle as defined in ORS 801.360, a motor truck as defined in ORS 801.355, or a motorcycle as defined in ORS 801.365. Motor vehicle theft is classified as a Class C felony.

**SECTION 5.** For purposes of this Act, "previous conviction" includes any conviction occurring before, on, or after January 1, 2009, and any conviction entered in any other state or federal court for any offense comparable to any Oregon misdemeanor or felony.

**Measure 61**

**SECTION 6.** The sentences imposed under this Act shall be served in state prison facilities and work camps. The sentences shall not be served in county jails, except as to time served pending trial. The state shall reimburse the county as to the actual cost of pretrial incarceration for each person sentenced under this Act.

**SECTION 7.** If any part of this Act is found to be unconstitutional, the remaining parts shall survive in full force and effect. This Act shall be in all parts self-executing.

**SECTION 8.** This Act takes effect on January 1, 2009.

**Explanatory Statement**

Ballot Measure 61 sets mandatory minimum sentences for certain drug and property crimes and identity theft. This measure also establishes a new felony crime of motor vehicle theft. When a person is sentenced under this measure, the person must serve the full sentence and may not have the sentence reduced for any reason.

This measure also requires that:

- These sentences be served in state prison facilities and work camps.
- The state reimburse counties for the cost of pretrial detention for persons sentenced under this measure.

This measure requires that persons convicted of the following crimes serve at least the following sentences:

- Persons convicted of manufacturing or dealing heroin or ecstasy must serve a prison sentence of 36 months.
- Persons convicted of manufacturing or dealing methamphetamine or cocaine within 1,000 feet of a school, or dealing methamphetamine or cocaine to a minor, must serve a prison sentence of 36 months.
- Persons convicted of manufacturing or dealing methamphetamine or cocaine in any other circumstance must serve a prison sentence of 30 months.
- Persons convicted of burglary of a residence or identity theft must serve a prison sentence of 36 months.

This measure requires that persons with a previous felony conviction or two previous misdemeanor convictions who are convicted of the following crimes serve at least the following sentences:

- Persons convicted of forgery in the first degree or felony motor vehicle theft must serve a prison sentence of 18 months.
- Persons convicted of theft in the first degree or burglary of a nonresidential building must serve a prison sentence of 14 months.

**Sentencing Comparison**

Crime	Current Sentencing Guideline Range Depending on Facts of the Case and Criminal History	Measure 61 Mandatory Minimum Sentence Which Judge Must Impose
Manufacturing or dealing heroin or ecstasy; manufacturing or dealing methamphetamine or cocaine within 1,000 feet of a school; or dealing methamphetamine or cocaine to a minor	Probation to 45 months*	36 months
Manufacturing or dealing methamphetamine or cocaine in any other circumstance	Probation to 45 months*	30 months

Identity theft	Probation to 30 months*	36 months
First degree burglary	Probation to 36 months*	36 months
First degree forgery when the person has a serious criminal record	Probation to 30 months*	18 months
Motor vehicle theft, when the person has a serious criminal record	New crime: no current law prosecutors generally charge under Unauthorized Use of a Motor Vehicle with a Guideline Sentence of probation to 30 months*	18 months
First degree theft when the person has a serious criminal record	Probation to 30 months*	14 months
Second degree burglary of a non-residential building when the person has a serious criminal record	Probation to 30 months*	14 months

\*These sentences can be reduced up to 20% for "earned time" and an additional 20% for successfully completing Alternative Incarceration Programs.

Under Measure 61 "serious criminal record" means the person has at least one previous conviction of a felony or at least two previous convictions of misdemeanors.

**Committee Members:**

Steve Doell  
Kevin Mannix  
Mary Botkin  
Dave Rogers  
Dale Penn

**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**

The politicians and bureaucrats are trying to pull a fast one.

Every 3.2 minutes, criminals commit "property" crime in Oregon.

They steal your cars, your identity, burglarize your homes and businesses, and sell drugs to your children.

Then.....most of them get **probation**.

In 2007:

57% convicted of motor vehicle theft got....**probation!**

62% convicted of identity theft got....**probation!**

53% convicted of residential burglary got...**probation!**

70% convicted of burglary of a business got....**probation!**

69% convicted for felony drug dealing got....**probation!**

80% convicted for selling cocaine within 1000 feet of a school got....**probation!**

In 1995, citizen sponsored Measure 11 went into effect requiring **mandatory** prison sentences for violent criminals. Oregon had the **highest** violent crime rate of all the western states. We now have the **lowest** violent crime rate of all the western states. They said it would cost too much. They **overestimated** the cost by nearly 50%!

What have we learned?

When you put criminals in jail, the crime rate goes **down**.

Way down.

**Costs too much?**

These are the same politicians who just provided themselves with luxurious \$4400 desks, \$6700 credenzas, \$2500 leather sofas, \$1800 chairs, and new flat screen tv's!

**The politicians are trying to confuse the voters.**

Here's how:

There are **TWO** crime measures on the ballot: **Politician sponsored 57** and **Citizen sponsored 61**. Whichever one has the most votes wins.

Measure 57 is the first crime measure on the ballot. It's the politicians' measure. **VOTE NO!**

The second crime measure on the ballot is Measure 61. **Mandatory** prison time for criminals! You do the crime... you do the time. **VOTE YES!**

**Politician measure 57** puts 3000 less criminals in jail.

**Citizen measure 61** puts 3000 more criminals in jail.

Here's how to remember it:

**Citizen** measure **61** is more than **politician** measure **57**.

**3000** more!

Vote **yes** on **61**....**no** on **57**...because **61** is **more** than **57**!

Steve Doell

(This information furnished by Steve Doell.)

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**Argument in Favor****Vote Yes on Citizen Measure 61.****Make Sure that Meth Dealers, Auto Thieves, Burglars, and Identity Thieves Receive a Prison Sentence.**

The legislature put a competing measure, Measure 57, on this same ballot. Politician Measure 57 sounds like it will be tough on crime, but it is much weaker than citizen Measure 61. Politician Measure 57 has a killer clause which cancels citizen Measure 61. So, if you want to fight crime effectively, vote **no** on Measure 57 and vote **yes** on Measure 61.

Currently, 65% of the criminals convicted for meth dealing, auto theft, burglary, and identity theft get **probation** (Source: Oregon Criminal Justice Commission). Oregon puts them right back on the streets, and the politicians wonder why we have a high crime rate for these crimes. Measure 61 puts 100% of these criminals in prison.

Mandatory minimum prison sentences make a big difference. When Oregonians passed Measure 11 in 1994, with mandatory minimum prison sentences for violent criminals, we got results: for the next ten years, Oregon was number 1 out of 50 states in the best reduction in violent crime.

But, Measure 11 didn't affect the criminals covered by this Measure 61. Now we need to go after these predators.

The sentences in Measure 61 are tough but fair; if a criminal deals meth in your neighborhood, he will get 30 months in prison; if he deals meth near a school, he will get 36 months in prison.

If a criminal breaks into your home or steals your identity, he will get 36 months in prison.

These prison sentences avoid the loopholes that politicians have given criminal defendants. With Measure 61, the crime defines the minimum time. Sentences can be higher, but they cannot be lower.

Make a difference for the safety of your family and your neighborhood. **Vote yes on citizen Measure 61 and no on politician Measure 57.**

Wayne Brady  
Duane Fletchall  
Kevin Mannix  
Directors, Oregon Anti-Crime Alliance

(This information furnished by Wayne Brady, Duane Fletchall and Kevin Mannix, Directors, Oregon Anti-Crime Alliance.)

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**Argument in Favor****Hold Criminal Predators Accountable**

**Vote yes on citizen Measure 61**, if you want to see an effective fight against crime across Oregon.

Studies have shown that every dollar we spend fighting crime saves our citizens and communities more than \$1 in other costs. These other costs, not reflected in taxes, include the injuries and damages suffered by the victims, the lost time from work while witnesses and victims participate in the legal process, the costs of insurance and security services, and the lost economic development opportunities when businesses stay away from crime-ridden communities.

What should matter most is that we hold predators accountable for the harm they are doing to our communities. The sentences in citizen Measure 61 are tough but fair. If someone breaks into your home, he goes to prison for 36 months. If he steals your identity (which often takes years to repair), he goes

## Measure 61 Arguments

to prison for 36 months. If he deals drugs in your neighborhood, he gets at least 30 months in prison.

Measure 61 is not the only thing we need to do to fight crime, but it is a giant step in the right direction.

I must add this: if you like citizen Measure 61, you need to vote no on politician Measure 57. The politicians put Measure 57 on the ballot with a clause which kills Measure 61. If you want mandatory minimum prison sentences for drug dealers, auto thieves, identity thieves, and burglars, you need to vote **yes** on citizen Measure 61 and **no** on politician Measure 57.

Wayne Brady

Director, Oregon Anti-Crime Alliance

*(This information furnished by Wayne Brady, Director, Oregon Anti-Crime Alliance.)*

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### Argument in Favor

#### This is No Time to Weaken Our Crime Laws

I am a retired Sheriff's Sergeant. I ask you to vote for citizen Measure 61, so that we can turn around the sentencing system for drug dealers, identity thieves, auto thieves, and burglars.

I became a chief petitioner on this measure because I saw the dramatic reduction in violent crime in Oregon after Oregonians passed Measure 11. I wondered why we have not taken the same approach to serious crimes such as drug dealing, burglary, auto theft, and identity theft, which are so affecting our neighborhoods.

Sadly, the political leadership in the legislature talk about fighting crime but are not willing to change our sentencing policies to get the job done. So, we put together this citizens' initiative, and 149,000 Oregonians joined us in putting citizen Measure 61 on the ballot, so we can really improve the safety of our communities.

I am sorry to say that the same politicians in the legislature who refused to do anything about holding criminals accountable have written their own measure, which is also on this ballot. Their measure is politician Measure 57, and it contains a clause which cancels Measure 61. So, I have to ask you to vote **no** on politician Measure 57 and vote **yes** on citizen Measure 61, so we can have real sentencing reform in Oregon.

I committed my career to working for public safety. Now that I am retired, I feel good about continuing to fight for public safety as a citizen advocate. Please join me in voting **yes** on citizen Measure 61 and **no** on politician Measure 57.

Duane Fletchall  
Chief Petitioner

*(This information furnished by Duane Fletchall, Chief Petitioner.)*

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### Argument in Favor

#### The Legislature is Attempting to Fool You... Don't Fall for It.

Please vote **yes** on citizen Measure 61 - and vote **no** on politician Measure 57.

Let me explain.

In my 10 years in the Oregon legislature, I sponsored more than 60 successful bills to fight crime. This includes our anti-stalking

law, murder by abuse law, and laws to protect domestic violence victims. But I couldn't get legislators to toughen sentencing laws.

So, I authored Measure 11 which passed in 1994 with 66% of the vote.

Some political interests predicted that Measure 11 would be horribly expensive. They were wrong. The cost estimates of Measure 11 proved to be twice as high as the real costs.

Over the next 10 years, Oregon was number 1 of the 50 states in the reduction of violent crime because we put these violent criminals behind bars rather than release them to the streets.

Now we need sentencing reform as to drug dealers, auto thieves, identity thieves, and burglars. Currently 65% of these criminals get **probation**.

Measure 61 ends this revolving door. It provides mandatory minimum prison terms. The mandatory sentences include 36 months for drug dealers, identity thieves, or home burglars.

With citizen Measure 61, your home, identity, and neighborhood will be safer.

The politicians in the legislature have put another measure on this ballot, politician Measure 57, which **cancels** the mandatory minimum prison sentences of Measure 61. They wrote their own ballot title to make politician Measure 57 sound tough. Politician Measure 57 continues to give probation to nearly every criminal on a first conviction. There is not one minute of mandatory minimum prison time in politician Measure 57.

If politician Measure 57 gets more votes, it will cancel citizen Measure 61. I ask you to join me and the 149,000 Oregonians who signed our petitions and vote **yes** on citizen Measure 61. Vote **no** on politician Measure 57.

Thank you.

Kevin L. Mannix  
Chief Petitioner

*(This information furnished by Kevin L. Mannix, Chief Petitioner.)*

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### Argument in Favor

#### Measure 61 Helps Fight Meth. Measure 57 Sets Criminals Free.

Please join me in voting **yes** on citizen Measure 61, so we can fight back against the meth epidemic which is hurting Oregon so much.

Last year, Oregon had the tenth highest amount of meth seized of all 50 states. This is especially bad when you consider that our population is much lower than most states. You know as well as I do the terrible affects of meth on our communities - and our children. Yet, today, 69% of criminals convicted of drug dealing in Oregon get **probation!** (Source: Oregon Criminal Justice Commission, 2007 statistics)

Citizen Measure 61 will send every single convicted meth dealer to prison - no exceptions. The sentences are tough but fair: 30 months for dealing meth, 36 months for dealing meth to a child or near a school. These are mandatory minimum prison sentences, so a judge can impose a higher sentence. But, we need a mandatory minimum to guarantee that these predators will not get probation.

The politicians who have failed to do anything about sentencing policies for many years have put an alternative measure on this same ballot - it is politician Measure 57. Measure 57 has a clause which cancels all of the mandatory minimum prison

sentences of citizen Measure 61. The politicians wrote the ballot title to make it sound tough, but it actually gives probation to everyone on their first conviction, and it gives probation to most repeat drug dealers.

If you want to send drug dealers to prison, vote **no** on politician Measure 57 and vote **yes** on citizen Measure 61.

Steve Beck  
Chief Petitioner

*(This information furnished by Steve Beck, Chief Petitioner.)*

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**Argument in Favor**

**MULTNOMAH COUNTY SHERIFF BOB SKIPPER ENDORSES MEASURE 61**

Multnomah County Sheriff Bob Skipper is joined in **endorsing** Measure 61 by Kenneth W. Matlack, Morrow County Sheriff, by Glenn E. Palmer, Grant County Sheriff, and by Gil Gilbertson, Josephine County Sheriff.

These Sheriffs understand the terrible effects of crimes committed by meth dealers, burglars, identity thieves, and auto thieves.

Yet our current sentencing laws for these crimes make a mockery of justice.

In 2007, **75%** of criminals convicted of the crimes covered by Measure 61 got **probation**, not prison. This includes all such criminals, whether on first or repeat convictions.

Yet, for each of these crimes: a person has been victimized. Law enforcement needs to investigate, develop evidence, charge, and prosecute. The defendant gets a lawyer (almost always paid for by the taxpayer). The courts must use their resources to try the case (unless there is a guilty plea).

After all of that – we have a “catch and release” sentencing system where 75% of convicted criminals get **probation**.

Measure 61 will put a stop to this, with **reasonable mandatory minimum prison sentences** for these crimes.

Measure 61 is the only measure on this ballot with **mandatory** sentences. Another Measure, 57, has “guideline” sentences, and those sentences will still give 3,000 criminals **probation**.

Voters have a choice: mandatory minimum prison sentences for meth dealers, identity thieves, burglars, and auto thieves (Measure 61) or leave 3,000 of these criminals in our neighborhoods, free on probation (Measure 57).

For real justice, vote **Yes on 61** and No on 57.

Oregon Anti-Crime Alliance

*(This information furnished by Wayne Brady, Duane Fletchall, and Kevin Mannix, Oregon Anti-Crime Alliance.)*

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**Argument in Opposition**

A Message from Ron Louie, Retired Police Chief

**Vote No On Measure 61**

- **Less Effective**
- **More Expensive**

As a former Police Chief with over 33 years of experience, I was part of the fight against crime on two levels:

- Community level: leading the Hillsboro police department with the goal of keeping residents and neighborhoods safe.
- Countywide level: working with my fellow law enforcement leaders to coordinate the various pieces of the public safety system to ensure that it works for you as citizens and taxpayers.

I oppose Measure 61 because it is a one-size-fits-all sentencing approach that could weaken the rest of the public safety system.

**Just Warehousing Criminals Won't Solve Our Crime Problem.**

Measure 61 will force the public safety system to spend its resources on building more and more warehouses for criminals, without doing anything to stop them from committing new crimes once they are released. Measure 61 does nothing to stop the revolving door!

**Measure 61 just isn't the kind of change Oregon needs. It's the wrong approach.**

Please Join Me in voting “NO” on Measure 61.  
RON LOUIE, RETIRED POLICE CHIEF

*(This information furnished by Matt Blevins, The Better Way To Fight Crime Committee.)*

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**Argument in Opposition**

**STOP THE REVOLVING DOOR.  
VOTE NO ON MEASURE 61.**

Every day, the parole and probation officers across Oregon work to ensure that criminal offenders reintegrate into society and do not commit additional crimes in their communities.

Of all the factors that contribute to recidivism for offenders who commit property crimes and identity theft, none ranks higher than drug and alcohol addiction.

We see if it every day:

- **85%** of offenders in jail for property crime have **drug and alcohol addictions**.
- Under the current system, less than **15%** get intensive drug or alcohol **treatment**.
- **Almost 50%** of property crime offenders go on to **commit crimes** when they are released.

Without mandatory treatment, tougher sentences won’t stop the revolving door for perpetrators of property crimes and identity theft.

That’s why we are opposing Measure 61.

Oregon needs the tougher sentences and required treatment found in Measure 57, not more sentencing gimmicks like Measure 61.

**Vote No on Measure 61.**

## Measure 61 Arguments

### FEDERATION OF OREGON PAROLE AND PROBATION OFFICERS

*(This information furnished by Matt Blevins, The Better Way To Fight Crime Committee.)*

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#### Argument in Opposition

##### Measure 61: A Bad Choice for Oregon

###### Two Stories from One Family

###### A Victim of Identity Theft: Scott's Story

For almost a decade, my family has been dealing with the trauma connected with having my personal information stolen. My bank account was emptied, and countless hotel bills, cell phone accounts and other transactions were conducted using my name and Social Security number.

I don't want to see other Oregonians experience the same victimization, but that means we need real solutions.

Measure 61 is a gimmick that doesn't address the root causes of property crime: drug addiction. Measure 61 makes it harder to get offenders drug treatment, which means it does nothing to stop the cycle of crime.

For a better way to fight identity theft—look at Measure 57. That's the measure I'm supporting. It provides strong accountability and treatment.

###### Working within a State Prison: Jessica's Story

When my husband Scott's identity was stolen, it started a never-ending ordeal for our family. Because I work within a prison, I have an additional perspective that leads me to oppose Measure 61 as the wrong approach.

Measure 61 focuses on one thing only: incarceration. If Measure 61 passes, hundreds of millions of our tax dollars will get sunk into building more prisons. I've seen firsthand what happens when we spend all our money on prison beds but don't offer prisoners treatment and rehabilitation programs. Offenders get out and recommit crime. Warehousing people does nothing to stop future crime.

We need more than just tough talk and gimmick solutions. We need a smart approach to addressing crime that focuses on both accountability and prevention. My husband and I are supporting Measure 57 because it is the better way to fight crime.

**Fellow Oregonians, we know these issues firsthand,  
Measure 61 won't work.**

**Scott Gregory and Jessica Katz**

**Vote "NO" on Measure 61.**

*(This information furnished by Matt Blevins, The Better Way To Fight Crime Committee.)*

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#### Argument in Opposition

##### GRANDPARENTS, PARENTS, AND YOUR NEIGHBORS SAY **NO ON 61**

We recognize the need to stop repeat offenders and have tougher sentences for drug traffickers who prey on our kids and grandkids, but Measure 61 is simply not the right way.

**We're supporting the other crime measure because it's smarter, tougher, and more targeted.**

**We're supporting the other crime measure.**

- We know how damaging identity theft can be for any person, but for people on fixed incomes, the setbacks can be permanent and even life threatening. Measure 61 doesn't even have any provisions for tougher sentencing for those who steal from senior citizens. This in a state where elder financial exploitation has tripled in the last two decades.

**We're supporting the other crime measure.**

- We want to stop the cycle of crime, not just put a band-aid over it. Warehousing people in prison isn't the answer. That is why the other measure, which offers tougher sentences and required addiction treatment, is the better answer.

**We're supporting the other crime measure.**

- Measure 61 is not cost effective. Besides the billions it will take to build new prisons, everyone knows that rigid, one-size-fits-all approaches and sentencing gimmicks like "three strikes you're out" are not good investments.

**Oregon citizens deserve better and  
Measure 61 is not the way.**

**Join us in saying NO ON 61 and make sure  
you are saying "yes" on 57.**

ADVOCATES FOR SENIORS SAY NO ON 61

Save Oregon Seniors

Oregon State Council for Retired Citizens

Frederick Olson, Co-Chair, Advocacy Coalition for Seniors and People with Disabilities

Oregon Alliance for Retired Americans

Elders in Action Commission, a powerful voice of older adults since 1968, who tackle important issues that affect the quality of life for Oregonians, and help shape the aging policy on all levels.

*(This information furnished by Matt Blevins, The Better Way To Fight Crime Committee.)*

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#### Argument in Opposition

##### **"I WILL BE VOTING NO ON MEASURE 61."**

**By John Kroger**

Former Federal Prosecutor

Democratic and Republican Nominee for  
Oregon Attorney General

As a Federal Prosecutor, my job was to protect America from crime. I've convicted mafia killers, drug traffickers and corrupt government officials.

So why am I voting NO on Measure 61?

Measure 61 may sound like it's tough on crime, but we need to fight crime in ways that are both tough and smart. Measure 61 fails that test.

The vast majority of property and identity theft crimes in Oregon are committed by drug addicts. We need to tackle this problem more aggressively. Unfortunately, Measure 61 will take us in the wrong direction. Measure 61 fails to put first-time property and drug crime offenders into treatment for their drug addictions – the thing which drives them into crime in the first place. Law enforcement professionals like me know that the only way to reduce crime is to couple tough sentences with effective drug treatment – something Measure 61 fails to do.

If you believe we need a tough and smart strategy to stop crime, please vote against Measure 61 and for the better alternative – Measure 57. I support Measure 57 because it will provide longer prison sentences for repeat property crime offenders, and tough sentences for big dealers who sell drugs to our children and identity thieves who target seniors. It also does what Measure 61 fails to do -- put drug-addicted criminals into treatment. It's the best way to keep drug-addicted criminals from committing more crimes after they get out of prison.

**Please join me by voting No on Measure 61—it's the wrong approach.**

JOHN KROGER  
Former Federal Prosecutor / Nominee, Oregon Attorney General

(This information furnished by John R. Kroger.)

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**Argument in Opposition**

**THE REAL COST OF MEASURE 61**

The high end of the government's financial estimate for the cost of Measure 61 in the next biennium (2009-2011) is \$266 million.

For every dollar the government spends fighting this kind of crime, citizens **save** more than a dollar. So, with Measure 61, Oregonians will save over \$266 million, in terms of the reduced cost impact of crime, next biennium.

While the \$266 million cost to government of Measure 61 is not cheap, it is only a small part of the state's budget. The Oregon all-funds budget for 2007-2009 is \$42.78 Billion. Even in the current budget, a Measure 61 cost of \$266 million (the top estimate) is **less than one percent** of the all-funds budget (in fact, it is six-tenths of one percent of the all-funds budget).

Looking at the all-funds budget, with Measure 61 in place, Oregon will still spend over \$15 Billion on Education and less than \$1.5 Billion on Corrections (a 10-1 ratio) in the next biennium.

Another cost of crime which we need to remember is Quality of Life: if we don't control meth dealing, identity theft, auto theft and burglary, it has a tremendous negative effect on our Quality of Life.

We **can** afford the government financial costs of Measure 61. We **cannot** afford the costs to our people if we do not enact Measure 61.

Wayne Brady  
Retired aerospace engineer

(This information furnished by Wayne Brady, Retired Aerospace Engineer.)

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**Argument in Opposition**

**Oregon's Corrections Professionals  
Urge a NO on Measure 61**

As the men and women who work in Oregon's prison system, represented by AFSCME Council 75, we oppose Measure 61. Few people understand the adult prison system better than we do. We spend years with the people convicted of victimizing citizens and our communities.

We all want to be sure that offenders are held accountable when they deal drugs, sell meth, steal our property or, worse, our identity. But this measure does not do that. It has no funding options and no program alternatives.

This measure imposes a one-size-fits-all, quick-fix scheme that ties the hands of corrections professionals. **Worse, Measure 61 does nothing to stop crime before it starts.**

Measure 61 does nothing to **require** drug and alcohol treatment. We know that when these offenders beat their drug or alcohol addiction they are less likely to commit new crimes.

**Measure 57 is a much better alternative because it has required drug treatment for addicted offenders and harsher sentences for those who refuse treatment.**

We know that the corrections system needs a variety of tools to hold offenders accountable for their criminal acts, not just another catchy slogan that does noting to solve the real problems of addiction and criminal behavior.

We are urging you to join us and vote **NO on Measure 61** and then look back and make sure you voted **YES on 57**, the measure that gives us a better way to fight crime.

Joyce Armstead  
Counselor at the Oregon Youth Authority

Tyler Brickey  
Corrections Officer at Eastern Oregon state prison, Pendleton

Larry W. Campbell  
Corrections Officer at OSP Minimum prison, Salem

Vernon R. Hampton, Jr.  
Corrections Officer at Santiam prison, Salem

Amanda Rasmussen  
Corrections Officer at Coffee Creek women's prison, Wilsonville

Tina Turner-Morfitt  
Corrections Intake Counselor at Coffee Creek women's prison, Wilsonville

(This information furnished by Mary Botkin, Oregon AFSCME Council 75.)

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**Argument in Opposition**

**A RECIPE FOR FAILURE**

- TAKE one bad idea
- ENHANCE with irresponsible fiscal policy
- MIX IN a special interest with lots of out-of-state money
- HOPE no one notices the resulting mess

**ONE BAD IDEA**

Rigid, one-size-fits-all sentencing gimmicks like "three strikes you're out" are a bad idea. Measure 61 makes that bad idea worse. The best way to fight crime is to balance accountability with prevention strategies. 85% of property offenders have an identified addiction problem, but Measure 61 has NO drug treatment. Measure 61 does nothing to break the cycle of crime.

**A DASH OF IRRESPONSIBLE FISCAL POLICY**

The cost for Measure 61's flawed approach? The official state estimates say this measure could cost up to \$274 MILLION a year when fully operational. In addition, the state would have to borrow over a BILLION dollars to build three new prisons. Throwing more money at prison construction is the least effective and most expensive approach to the problem. In tough economic times, we don't have money to burn.

## Measure 61 Arguments

### SPECIAL INTEREST

#### Who's backing Measure 61?

- Well, it's not law enforcement because most of them seem to be backing the other measure, Measure 57.
- And Measure 61 is primarily funded by Loren Parks, an out-of-state businessman from Nevada. Parks is as likely to make the news for his work as an amateur on-line sex therapist as he is for his questionable political contributions.

So where did Measure 61 come from? Measure 61 is brought to you by a failed Oregon politician funded by a strange millionaire from Nevada.

**Only the better crime measure, Measure 57, has the support of a broad coalition of the law enforcement and community leaders we trust.**

#### MEASURE 61 IS A RECIPE FOR FAILURE. WE URGE YOU TO VOTE NO.

-The Partnership for Safety and Justice

(This information furnished by David Rogers, Partnership for Safety and Justice.)

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### Argument in Opposition

#### OUR FOCUS IS KIDS

Our job is to make sure all of Oregon's kids have the opportunity to grow up healthy, educated, and safe.

#### WE'RE ASKING YOU TO SAY NO ON 61 BECAUSE IT'S NOT THE BETTER WAY TO FIGHT CRIME

Drugs and drug-related crimes can tear apart families and communities. But unless we stop the cycle of addiction and the revolving door of justice, we aren't solving the problem.

Measure 61 doesn't do enough to stop the revolving door of Oregon's criminal justice system.

#### MEASURE 61 IS INCOMPLETE

- 85% of incarcerated property criminals struggle with drug and alcohol addiction. If they don't get treatment, they are likely to re-offend when they're released. Measure 61 does nothing to address this obvious problem.

#### MEASURE 61 IS A BAD INVESTMENT FOR OREGON TAXPAYERS

- Warehousing people in prison is an expensive way to "solve" a problem.
- The initiative to create mandatory minimum sentences will require the state to build three new prisons in addition to the 14 prisons we already have in Oregon. These prisons will cost of billions of dollars – dollars that won't be going to other critical crime prevention tools like drug treatment or public education.

**Measure 61 means Oregon taxpayers will be spending more money and getting less impact.**

#### STAND FOR CHILDREN SAYS NO ON 61

#### SEE MEASURE 57 FOR OUR ENDORSEMENT OF THE BETTER WAY TO FIGHT CRIME

(This information furnished by Jonah Edelman, Stand for Children.)

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### Argument in Opposition

#### DON'T CONTINUE THE REVOLVING DOOR

#### UNITED WAY MID-WILLAMETTE VALLEY URGES A NO VOTE ON MEASURE 61

United Way Mid-Willamette Valley works to advance the common good and create opportunities for a better life for all. We focus on the basics we all need to succeed: Education, income, health. Our goal is to create long-lasting change that prevents problems from happening in the first place.

We see the wreckage of the current failed system everyday in the work we do: Unsafe neighborhoods, substance addiction, and threats to kids and the elderly.

Oregon must do better.

#### THE REVOLVING DOOR OF DRUG AND ALCOHOL ADDICTION

85% of people in jail for property crimes have drug or alcohol problems.

49% of property crime offenders will commit another crime when they are released, continuing the revolving door cycle of crime.

Under the current system, less than 15% of inmates receive drug and alcohol treatment.

Measure 61 won't change that.

#### SENTENCING GIMMICKS HAVE BEEN A MISERABLE FAILURE

We oppose Measure 61 because it is just another sentencing gimmick like others that have been miserable failures. Tougher sentences alone won't stop the current revolving door. New crime measures must include treatment to stop the revolving door of drug-fueled property crime and identity theft.

#### TOUGHER SENTENCES WITHOUT TREATMENT DON'T WORK.

#### NO ON MEASURE 61 - IT'S NOT THE WAY TO FIGHT CRIME.

#### UNITED WAY MID-WILLAMETTE VALLEY

(This information furnished by Matt Blevins, The Better Way To Fight Crime Committee.)

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### Argument in Opposition

#### Oregon Association of Community Corrections Directors Opposes Measure 61

We work with offenders day in and day out.

People who are committing repeat property offenses need to be held accountable. And the citizens of Oregon expect us to work smarter in our fight on crime.

Measure 61 is **not** smarter; it's just more of the same self-serving, politically motivated initiatives that sound good but ring hollow in their outcomes.

The No. 1 priority for law enforcement in Oregon must be to address drug and property crime. The only way to do that is to address the main cause of repeat offenses and that cause is substance abuse.

- 85% of incarcerated property offenders have a moderate to severe drug and/or alcohol problem and we know that 49% of property offenders re-offend after their release.

### **Measure 61 does nothing to address this root cause.**

Effective treatment **must be combined** with enforcement if Oregon is to deal with the consequences of drug abuse such as identity theft, property crimes, and the dislocation of families. The evidence shows that holding offenders accountable through supervision, sanctions, and treatment is the way to reduce criminal activity.

### **Measure 61 is just not good enough and Oregonians deserve more.**

That's why Oregon Association of Community Corrections Directors is supporting the other crime measure, Measure 57. There is a better way to fight crime and Measure 61 is not it -- Measure 57 is.

OREGON ASSOCIATION OF COMMUNITY CORRECTIONS DIRECTORS

*(This information furnished by Steven Berger, Oregon Association of Community Corrections Directors.)*

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### **Argument in Opposition**

#### **Measure 61 – Expensive and Ineffective**

Crime touches all of us, either when we or someone we know is a victim or when the costs of crime are passed along to us as consumers. That's why it's important to get this right, to take effective action to reduce and prevent crime. Measure 61 proposes that we spend billions to warehouse criminals in prison, but fails to provide anything to prevent crimes from happening in the first place or to stop criminals from re-offending when their sentences are over.

Measure 61 is a simplistic, "lock-'em all away" scheme that would increase Oregon's prison population by up to 45%. While this may sound appealing, especially if you've been a victim of property crime yourself, a closer look shows Measure 61 would just warehouse first-time offenders until they are free to offend again. It provides nothing to prepare criminal offenders to be productive, law-abiding citizens.

That's why District Attorneys, police and corrections officers across our state, the professionals who deal daily with crime and its effects, are not sponsoring Measure 61. They know that merely slowing down a revolving door doesn't make us more secure in the long run.

Measure 61 would cost Oregon up to \$10 million in the first year and up to \$274 million **per year** after the fourth year. It would require the state to take on massive debt to build new prisons. Reducing crime is expensive. We should spend our money on things that actually work, not on simply building and operating more and more prisons.

#### **Vote NO on Measure 61.**

Measure 57 is the better choice. While it toughens penalties for property and drug crimes, it looks ahead to when those sentences are over, so that we can be safer and more secure in our communities. Measure 57 is the only crime measure that deserves your vote.

*(This information furnished by Carla "KC" Hanson, Multnomah County Democrats.)*

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### **Argument in Opposition**

#### **Stop the Madness! No on 61.**

#### **Measure 61 is a billion dollar boondoggle!**

A billion dollars to build more prisons? Just a conservative estimate and just the tip of the iceberg! After the prisons are built the government says it will cost another **\$161 to \$274 million every year** to staff and maintain them. Add another **\$709 to \$844 million on interest payments** over 25 years. Plus, more trial expenses, more court time, more prosecution and defense expenses. The burden on the taxpayers is staggering and the money is wasted.

#### **The money is wasted!**

Drug and property offenses are committed by addicts and the mentally unstable. People with drug problems need treatment. Treatment works. People with mental illness need treatment. Treatment works. **Measure 61 will load new prisons with people who will not receive treatment.** These people will then be released without a cure. Wasted money.

#### **Stop the Madness!**

Measure 61 will rob Oregonians and do to the public what no burglar could – drain the state budget and take money from every taxpayer. The Measure 61 boondoggle will reduce the budgets of education and social services. Measure 61 will take away services that work and replace them with prisons. We have plenty of prisons. We have lots of laws. We don't need more of either. Stop the Madness. **NO on 61.**

*(This information furnished by Kenneth Viegas.)*

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### **Argument in Opposition**

Juvenile Parole Officers Urge a **NO** on Measure 61

**We are Juvenile Parole Officers in Oregon, represented by AFSCME Council 75. Few people understand the juvenile justice system better than we do. We work with delinquent youth every day and share your commitment for a change in Oregon's criminal justice policies.**

Measure 61 is not the answer. We all want to be sure that offenders are held accountable when they deal drugs, sell meth, steal our property--or worse--our identity. Measure 61 is a stick with no carrot. Youthful offenders **must** get treatment for their addictions and have programs that give them an opportunity to change the direction of their lives and make different choices. Measure 61 does **not** do that.

Instead of holding youth accountable for illegal behavior, this measure imposes a one-size-fits-all scheme that ties the hands of law enforcement and juvenile corrections professionals.

**Worse, Measure 61 does nothing to stop crime before it starts.**

Measure 61 does nothing to **require** drug and alcohol treatment. As youth corrections professionals, we know that when these offenders beat their own drug or alcohol addiction they are less likely to commit new crimes. We need tools to hold youth offenders accountable for their bad choices, not just another catchy slogan that does nothing to solve the real problems of addictions. **We're supporting the better measure, Measure 57, because it will actually give us the tools to stop crime.**

We are urging you to join us and vote **NO on Measure 61.**

Juvenile Parole Officers, AFSCME Council 75

## Measure 61 Arguments

(This information furnished by Matt Blevins, The Better Way To Fight Crime Committee.)

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### Argument in Opposition

#### MEASURE 61: A CLASSIC BAIT & SWITCH

**Measure 61 may seem like a good idea  
but it's not good enough – not even close.**

THE BAIT:

**Oregon needs tougher sentencing.** Oregonians are rightly frustrated that just a small number of criminals are responsible for so many crimes, especially when it comes to drug trafficking, property crimes, and identity theft that can leave victims with ruined lives. We must treat these crimes more seriously.

THE SWITCH:

**Measure 61 may sound good but instead of a real solution it offers only a gimmick – and an expensive one at that.** It's clear that the war on drugs and sentencing gimmicks like "three strikes you're out" are miserable failures. Measure 61 is just more of the same. It sounds like it's tough on property crimes, but when you dig a little deeper you'll see that it is more of a political sound bite than something that will actually make us safer.

There is a better way to fight crime. That is why the people you trust to keep you safe aren't supporting Measure 61 – they're supporting the other crime measure, Measure 57.

Measure 61's backers are hoping you just won't notice that.

**Vote Yes on Measure 57:  
The Better Way to Fight Crime**

While you are voting NO ON 61, please Vote YES on Measure 57 as the better way to fight crime. Measure 57 is tough, focused, requires drug treatment, and has the support of the law enforcement professional who know what it takes to keep us safe.

**VOTE NO ON 61**

**The Better Way to Fight Crime Committee  
and Its Endorsing Partners**

**www.betterwaytofightcrime.com**

(This information furnished by Matt Blevins, The Better Way To Fight Crime Committee.)

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### Argument in Opposition

#### FRONT-LINE WORKERS IN YOUTH CORRECTIONS SAY:

**THANKS BUT NO THANKS**

**Say No On 61**

As people who work in youth corrections every day, we see the need for change in Oregon's criminal justice system. But there is a right way and a wrong way to try to change things for the better.

**Measure 61 will not get the job done.**

If you want a measure that will be tough on crime, there are choices on the ballot. Measure 61 is not the right one.

**Measure 61 is simply more of the same.**

Measure 61 is one of two measures on the ballot that creates tougher sentences for dealing meth, cocaine and heroin, but it does it by imposing a rigid, one-size-fits-all scheme that ties the hands of law enforcement professionals. And Measure 61 does nothing about the most important issue that could stop crime before it starts—tough requirements for drug treatment. As youth corrections professionals, we've watched young people recover from criminal activity by correcting one major obstacle—their own drug addiction.

**There is a better way to fight crime.**

Instead, go back and look at Measure 57—the kind of change Oregon needs right now. If you want tougher sentences for repeat offenders, Measure 57 is the only choice that makes sense. That's why Measure 57 is supported by police, sheriffs, district attorneys, youth corrections officers like us, advocates for seniors, drug treatment advocates and many more.

**Choose the better one.**

We are urging you to **VOTE NO ON MEASURE 61** and make sure you are voting yes on Measure 57.

**Vote No On 61**

**SEIU, Local 503, representing front-line workers at the Oregon Youth Authority, and 45,000 other workers**

(This information furnished by Matt Blevins, The Better Way To Fight Crime Committee.)

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### Argument in Opposition

**BUSINESS LEADERS ASK YOU TO  
SAY NO TO MEASURE 61.**

**MEASURE 61 IS SIMPLY NOT THE RIGHT KIND  
OF CHANGE OREGON NEEDS.**

As a bipartisan, statewide business organization, we represent over 300 homegrown businesses and large corporations from a wide range of industry sectors. **We urge you to vote No on Measure 61.**

Like you, we understand that change is needed in Oregon's criminal justice system. That's why we wholeheartedly support the other measure, Measure 57—the better way to fight crime. Measure 61 is not the right way to solve the problem—it's ineffective, rigid and costly, and will not stop the revolving door justice of Oregon's criminal justice system.

**As business owners, we know about the prevalence of identity theft and property crime in Oregon. But again, Measure 61 doesn't get us to where we need to be.**

- Measure 61 is a rigid, one-size-fits-all approach that never works.
- We all know that sentencing gimmicks like "three strikes you're out" don't work.

**As business owners—and your friends and neighbors, we've seen drugs destroy careers, cost jobs, tear at our communities and hurt the next generation.**

- Measure 61 simply is not tough enough on the offenders who prey on our children.
- Measure 61 simply is not tough enough on those offenders who refuse treatment for drug addiction.

**Measure 61 is not the kind of change we need.  
If you want tough and smart—go vote Yes on  
Measure 57, the better way to fight crime.**

**We join our law enforcement community,  
advocates for children and seniors,  
parents, teachers, and Republicans and Democrats alike  
in saying NO ON MEASURE 61.**

**OREGON BUSINESS ASSOCIATION**

*(This information furnished by Ryan Deckert, Oregon Business Association.)*

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**Argument in Opposition****PARENTS and TEACHERS SAY  
“NO”**

**Not good enough.  
Not even close.**

**The 20,000 members of Oregon PTA are asking you to vote “NO” on Measure 61.**

We are the largest child advocacy organization in Oregon. We work at the local, state and national levels to support and improve Oregon schools.

We have served as a powerful voice for children for 100 years and today we are asking you to join us in saying “NO” to the poorly designed and ineffective Measure 61.

**POOR DESIGN**

Measure 61 is inherently flawed and does not give law enforcement the tools they need to be tough enough on those who prey on our children and our senior citizens. It was not even crafted by those who implement our criminal justice system, like law enforcement.

**INEFFECTIVE**

We know, as you do, that Oregonians are frustrated that too few criminals are committing too many of the crimes. We all know that repeat offenders cause the majority of the crime, yet Measure 61 does nothing to break the cycle of crime.

According to the Oregon Department of Corrections, of property criminals in jail, 85% have drug and alcohol problems. Since that is true, it's just common sense that we have to require treatment—or give longer sentences until treatment is successful—if we want to break the cycle.

**Measure 61 has no such requirements, and that just isn't good enough—not even close.**

**When it comes to protecting our kids and protecting our neighborhoods, Measure 61 just won't get the job done.**

**OREGON PTA SAYS VOTE “NO”**

Anita Olsen, President  
Oregon PTA

*(This information furnished by Anita Olsen, Oregon PTA.)*

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**Argument in Opposition****AARP Oregon urges Oregonians to  
vote “No” on Measure 61**

AARP Oregon strongly supports ensuring safe, livable communities. However, AARP urges a “NO” vote on Measure 61 because:

- It's not cost-effective. Investment in the criminal justice system is needed but seniors and Oregonians of all ages deserve a better, less costly approach.

- It doesn't include the kinds of changes we need – like extra penalties for those who steal from more vulnerable populations like seniors or drug traffickers who push drugs on Oregon's kids and grandkids.
- There is a better way to fight crime and that's why we're supporting the other crime measure, Measure 57.

**Measure 61 doesn't do anything to break the cycle of crime**

This measure does nothing to actually stop repeat offenders and break the cycle of crime. Oregonians are frustrated that too few criminals are committing too many of the offenses. We need a smarter, more cost-effective approach – this measure is not that better, smarter way.

**Measure 61 isn't an efficient use of limited and crucial taxpayer dollars**

It doesn't guarantee results. It doesn't even guarantee where Oregon would find the money. We shouldn't let good services in our communities get cut to cover the costs of a bad idea.

**Please join AARP Oregon in opposing Measure 61 and supporting Measure 57**

AARP Oregon is dedicated to enhancing the quality of life for all as we age, and that includes building safe and more livable communities. Measure 57 – the other crime measure – is the better way to ensure a safer, more secure Oregon; Measure 61 is not.

AARP Oregon

Gerald J. Cohen, State Director

AARP Oregon

Ray Miao, State Volunteer President

*(This information furnished by Gerald J Cohen, AARP Oregon.)*

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Proposed by initiative petition to be voted on at the General Election, November 4, 2008.

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### **Ballot Title**

# 62

Amends Constitution: Allocates 15% of lottery proceeds to public safety fund for crime prevention, investigation, prosecution

#### **Result of "yes" vote**

"Yes" vote amends constitution to allocate 15% of lottery proceeds to public safety fund; reduces percentage of funds available for other lottery-funded programs.

#### **Result of "no" vote**

"No" vote retains current list of authorized purposes for spending lottery proceeds; rejects amending the constitution to allocate specific percentage of proceeds for public safety.

#### **Summary**

Amends constitution. Constitution currently apportions lottery proceeds to create jobs, further economic development, finance public education. In addition to those uses, measure requires 15% of net lottery proceeds deposited in public safety fund. 50% of fund moneys are distributed to counties for grants for the following: 20% for early childhood programs for at-risk children; 15% to supplement district attorney operations; 15% to county sheriffs' investigation, field operations. Allocates grants to county under formula: 30% divided equally on per-county basis, 70% divided on population basis. Measure dedicates 50% of proceeds to state police criminal investigation, forensic operations. Measure prohibits legislature from limiting expenditures from fund. Funds to prosecution, sheriffs not a substitute to existing funds. Other provisions.

#### **Estimate of financial impact**

It is estimated that the measure would require public safety spending of \$100 million out of state lottery revenues in the first year, \$106 million in the second year, \$113 million in the third year, and \$120 million in the fourth year. Spending from that fund would be evenly split between state and local public safety expenditures.

The new required spending of lottery revenues for the public safety fund would reduce lottery funds available to spend for education and for state and local economic development.

**Explanation of Estimate of Financial Impact**

The measure requires that 15 percent of net proceeds from the state lottery be deposited to a newly-created public safety fund, effective July 1, 2009. Half of the money in the fund would be distributed to the Oregon State Police for criminal investigation and forensics. The remaining half would be distributed to counties to fund programs for at-risk children (20 percent), supplement the operations of District Attorneys (15 percent), and supplement investigation and field operations of county sheriffs (15 percent).

Currently, the Oregon legislature is mandated to spend 44 percent of lottery funds on parks, bond payments and an educational reserve fund. The remaining 56 percent of Lottery proceeds are spent on a variety of programs, including K-12 education, and state and local economic development. This measure would reduce funds available for these programs.

Under this measure, the legislature may not limit expenditures from the public safety fund. Additionally, the distributions to county district attorneys and sheriffs cannot be used to replace existing funding from other sources.

**Committee Members:**

Secretary of State Bill Bradbury  
State Treasurer Randall Edwards  
Scott Harra, Director, Dept. of Administrative Services  
Elizabeth Harchenko, Director, Dept. of Revenue  
Debra Guzman, Local Government Representative

*(The estimate of financial impact and explanation was provided by the above committee pursuant to ORS 250.127.)*

**Text of Measure**

The People of Oregon hereby amend Article XV of the Oregon Constitution by adding the following Section to be inserted after existing Sections 4, 4a, 4b, 4c, and 4d:

(1) Effective July 1, 2009, 15% of the net proceeds from the State Lottery shall be deposited in a public safety fund created by the Legislative Assembly. The moneys in the public safety fund shall be distributed for the following purposes: 20% for grants to counties to fund early childhood programs for children who are at risk; 50% to fund the criminal investigation and forensics operations (including crime lab) of the Oregon State Police to assist law enforcement throughout the state; 15% to provide grants to counties to supplement existing county appropriations for the operations of District Attorneys; and 15% to provide grants to counties to supplement existing county appropriations for investigation and field operations of county sheriffs.

(2) The Legislative Assembly shall not limit expenditures from the public safety fund.

(3) Grants to counties shall be allocated under the following formula: 30% to be divided equally among all counties on a per-county basis (each of the existing 36 counties to receive 1/36 share of the 30%); 70% to be divided among counties on a population basis (each county to receive a grant based on its share of the state population).

(4) Funds provided to counties for District Attorneys and Sheriffs are not to be used as a substitute for any existing county funding but to add to such funds.

(5) The public safety fund allocations shall be made through the regular appropriation process of the Legislative Assembly.

(6) This Amendment is self-executing and shall be effective upon passage.

**Explanatory Statement**

Article XV of the Oregon Constitution currently specifies and limits the purposes for which lottery funds may be used to "creating jobs, furthering economic development, financing public education in Oregon or restoring and protecting Oregon's parks, beaches, watersheds and critical fish and wildlife habitats."

At this time, the Constitution specifies that 18% of the net proceeds from the state lottery shall be deposited in an education stability fund. The Constitution specifies that 15% of the net proceeds from the state lottery shall be deposited in a parks and natural resources fund. The remaining 67% currently can be used only for job creation, education, and economic development. Currently more than 10% of net lottery proceeds is used for debt service on previous bond issues for these purposes.

This measure amends the Constitution to create a new public safety fund, which would receive 15% of lottery proceeds for the following law enforcement and related programs:

- 50 percent to fund criminal investigation and forensics operations (including crime labs) of the Oregon State Police to assist law enforcement throughout the state.
- 20 percent for grants to counties to fund early childhood programs for children who are at risk. The measure does not define either "early childhood programs" or "at risk."
- 15 percent for grants to counties to supplement existing county appropriations for the operations of district attorneys.
- 15 percent for grants to counties to supplement existing county appropriations for investigation and field operations of county sheriffs.

In the current, 2007-2009 budget, \$1.387 billion in lottery funds were used to pay for:

- K-12 education - \$634.1 million;
- Education Stability Fund - \$241.2 million;
- Parks and natural resources - \$201 million;
- Debt service on previous economic development and education projects - \$167.5 million;
- Economic development - \$108.5 million.

If this measure had been in effect in 2007-2009, it would have required \$201 million of lottery proceeds to go to the new public safety fund. Because the education stability fund and the parks and natural resources fund are specified percentages of the lottery proceeds, the \$201 million for the public safety fund would have to come from job creation, education, and economic development.

This measure prohibits limitations on expenditures from this public safety fund and stipulates that the funds must be added to "any existing county funding." It does not define what "existing county funding" means.

**Committee Members:**

Duane Fletchall  
Kevin Mannix  
Steve Novick  
Laurie Wimmer Whelan  
Sam Hall

**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 62 Arguments

### Argument in Favor

We urge you to vote yes on Measure 62, so that Oregon can take a great step forward in crime prevention, investigation, and prosecution.

Measure 62 is a constitutional amendment because the use of lottery profits must be authorized in the constitution.

Measure 62 specifies that 15% of lottery profits shall be used for public safety but it also specifies how those funds should be used. This is important because it prevents the politicians from misdirecting the funds.

50% of the public safety money will fully fund the criminal investigation, forensics, and crime lab operations of the Oregon State Police. This will give us a high-quality investigation system which helps every single police department and sheriff department in the state.

In addition, 20% of the public safety fund goes to counties to support early childhood programs for children who are at risk. This gives the counties money they can direct to meet the most important needs of their own communities to prevent crime.

Next, 15% of the public safety fund strengthens the investigation and field work of county sheriffs.

The final 15% of the public safety fund strengthens the operations of the county district attorneys.

**Vote yes on Measure 62 to improve crime prevention, investigation, and prosecution.**

Wayne Brady  
Duane Fletchall  
Kevin Mannix  
Directors, Oregon Anti-Crime Alliance

(This information furnished by Wayne Brady, Duane Fletchall and Kevin L. Mannix, Directors, Oregon Anti-Crime Alliance.)

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### Argument in Favor

I ask you to **vote yes on Measure 62** because of the positive effect it will have on crime prevention, investigation, and prosecution.

Some people have inquired about the allocation of lottery money to other purposes and the impact of Measure 62 on those other purposes.

Currently, the constitution guarantees 18% of lottery profits to an education trust fund, and it guarantees 15% of lottery profits for state parks and habitat restoration. The remaining lottery profit is used for job creation, economic development, and education (and for debt service for bond issues for those purposes).

With Measure 62 in place, there is a 15% definite cap on the parks/habitat share of lottery profits. There is also a 15% definite cap on the public safety share of lottery profits. Education has a guaranteed 18% share of lottery profits, but it also gets to share in the **rest** of lottery profits (unlike the parks/habitat or public safety shares). So, even with Measure 62, up to 70% of lottery profits can go to education.

Public safety is at least as important a priority as state parks/habitat. It should get the same 15% share of lottery profits, and Measure 62 will do this.

Your **yes** vote will help protect our communities!

Duane Fletchall, Chief Petitioner

(This information furnished by Duane Fletchall, Chief Petitioner.)

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### Argument in Favor

**Vote YES on Measure 62** to improve crime prevention, investigation, and prosecution.

After Oregon voters approved the dedication of 15% of lottery profits to support parks and enhance wildlife habitat, we saw dramatic improvements. Our state parks system has seen the most dynamic growth since the 1940s.

The reason is that parks officials could plan ahead, knowing that politicians could not interfere with a dedicated funding source.

Measure 62 dedicates an equal share - 15% - of lottery profits to a public safety fund. The use of this fund is specified by voters, so politicians cannot divert it or tap into it.

Half the public safety fund will give us a top-quality forensic and crime lab operation, to help law enforcement all over the state. I like to call it "CSI: Oregon."

The other half of the fund goes to counties. The uses are again specified: early childhood programs for children at risk; field work and investigations by sheriffs; and support for district attorneys.

The funding standards guarantee that each county will receive a base level share which will make a real difference in fighting crime.

**Vote YES on Measure 62** to give us "CSI: Oregon," to support county programs for children and families, and to better support your sheriff and district attorney.

Kevin L. Mannix  
Chief Petitioner

(This information furnished by Kevin L. Mannix, Chief Petitioner.)

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### Argument in Favor

As a retired Oregon State Police Trooper, I ask you to **vote yes on Measure 62** to improve public safety in your community.

One of the greatest advances we have seen in criminal justice is the capability of forensics scientists, backed by crime labs, to use DNA evidence and similar scientific advances to identify criminals and get them convicted - as well as to clear the innocent.

Sadly, whenever funds are tight, one of the first public safety operations to be cut back by the politicians involves the criminal investigation, forensics, and crime lab operations of the Oregon State Police. This has a tremendous negative impact on local law enforcement who depend on these operations for investigations and forensics in more complicated cases. Measure 62 will guarantee a steady funding source to fully fund these investigations and crime lab operations, so Oregon can have a high-quality continuing program on this front.

The other dynamic change with Measure 62 is that it provides dedicated funds to our 36 counties for crime prevention, investigation, and prosecution. Communities will be empowered to decide what works best.

Measure 62 will be especially important to help those counties which have been hit hard by the loss of federal timber

revenues. Measure 62 will provide dedicated funds to these counties, so they can at least have a safety net of public safety operations. This is not a complete response to the loss of federal timber revenues, and Measure 62 was not designed to provide such a response. But one of the side benefits to Measure 62 is that hard hit counties will be able to carry on some basic public safety programs.

#### **Vote yes on Measure 62.**

Steve Beck  
Chief Petitioner

(This information furnished by Steve Beck, Chief Petitioner.)

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#### **Argument in Favor**

##### **OREGON STATE POLICE OFFICERS' ASSOCIATION ENDORSES MEASURE 62**

The Oregon State Police Officers' Association **endorses** Measure 62.

Our State Police troopers understand the modern challenges of criminal justice. They know we need resources to prevent crime, to investigate crime, and to prosecute crime.

Measure 62 will provide dedicated funds – 15% of Lottery profits – to help reduce crime and hold criminals accountable.

A special aspect of Measure 62 is the dedication of funds to fully operate our crime labs and forensics operations. Today, evidence evaluation and analysis is backed up for months due to lack of staff and equipment.

This leaves us without the capability to promptly and fully apply modern evidence technology, including analysis of DNA evidence.

Delay in criminal investigation means delay in tracking down criminals and putting them out of circulation.

Such delay also means leaving innocent persons "under a cloud."

We need to speed up and improve our crime investigations both to convict the guilty and clear the innocent.

The Oregon State Police Officers' Association understands this. Join them – vote **Yes** on Measure 62 to improve crime prevention programs but also to improve crime investigation and prosecution.

Steve Beck  
Duane Fletchall  
Kevin Mannix

Chief Petitioners

(This information furnished by Steve Beck, Duane Fletchall and Kevin Mannix, Chief Petitioners.)

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#### **Argument in Favor**

##### **VOTE YES ON MEASURE 62 TO CONTINUE AND IMPROVE BASIC PUBLIC SAFETY SERVICES THROUGHOUT OREGON USING LOTTERY DOLLARS**

- The funds will be used directly by district attorneys and sheriffs to maintain and improve public safety.

- More prosecutors
- More sheriff deputies
- Stave off elimination of victims' services and child support collection

- Elimination of \$206 million in federal forest payments threatens to decimate local law enforcement. Measure 62 will help preserve our core public safety services.
- Cuts that could occur in these timber-dependent counties include:
  - Dramatic cuts in sheriff deputies and prosecutors.
  - Up to a 75% reduction in jail beds.
  - Elimination of 24-hour sheriff coverage.

- Measure 62 also funds critical state crime lab services and detectives – cases get resolved faster and Oregonians are safer.
- Funding for early childhood development will prevent some kids from turning to a life of crime.
- Lottery funds are to be used for economic development. Public safety is a critical component of economic development.

**MEASURE 62 WILL STOP DEVASTATING CUTS AND  
INCREASE PUBLIC SAFETY THROUGHOUT OREGON.**

**JOIN US IN VOTING YES ON MEASURE 62**

Matt Shirtcliff, Baker County  
John Haroldson, Benton County  
John Foote, Clackamas County District Attorney  
Joshua Marquis, Clatsop County  
Stephen Atchison, Columbia County  
R. Paul Frasier, Coos County  
Michael T. Dugan, Deschutes County  
Ryan Joslin, Grant County  
John Sewell, Hood River County  
Mark Huddleston, Jackson County  
Peter Dueel, Jefferson County  
Stephen Campbell, Josephine County  
Edwin Caleb, Klamath County  
David Schutt, Lake County  
Doug Harclerode, Lane County  
Walter M. Beglau, Marion County  
Michael D. Schrunk, Multnomah County  
John Fisher, Polk County  
Wade M. McLeod, Sherman County  
Tim Thompson, Union County District Attorney  
Bob Hermann, Washington County  
Mona K. Williams, Wallowa County  
Brad Berry, Yamhill County  
  
John Bishop, Curry County  
Glenn E. Palmer, Grant County  
Rob Gordon, Washington County  
Jack Crabtree, Yamhill County

(This information furnished by Steve Atchison, Oregon District Attorneys Association.)

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## Measure 62 Arguments

### Argument in Opposition

**An Oregon Teacher Urges You to Vote No on 62**

**It Hurts Students  
It Doesn't Belong In Oregon's Constitution**

**Measure 62 takes money away from schools.** Measure 62 will amend the Constitution to cut \$159 million from local schools budgets. This is money that Oregon voters decided should go to schools. It will come directly out of the classroom, and will lead to larger class sizes and fewer classroom materials.

**Measure 62 will result in increased class size and lost programs.** Our schools are just now recovering from a decade-long cutting of more than \$1 billion. We should be investing in our schools so they can reduce class size and add back programs like art and music, not cutting more funding.

**Now is not the time to cut funding from Oregon schools.** In order for Oregon to be able to succeed, we need to do more to train our students for college and to enter the skilled workforce. Measure 62 will limit that ability, and it will have repercussions for years to come.

**Measure 62 does not belong in Oregon's Constitution.** Oregonians shouldn't let Kevin Mannix insert his priorities into our Constitution. If it makes its way into our Constitution, the problems and unintended consequences of Measure 62 would be difficult to change.

**Please Vote No on Measure 62.**

**It Hurts Oregon Schools.**

**It Doesn't Belong in Oregon's Constitution.**

**Lisa Shogren**  
**Liberty Elementary School Teacher**  
**Albany, Oregon**

(This information furnished by Larry Wolf, President, Oregon Education Association.)

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### Argument in Opposition

**Oregon PTA urges you to vote NO vote on Measure 62**

**Because our kids deserve better.**

With more than 20,000 members, Oregon PTA is the largest network of parents in the state, working with educators to make sure that Oregon children get the best possible start in life. Because we fight on the front lines to protect the integrity of our public schools, we know what's at stake. That's why we oppose Measure 62.

**Vote NO on 62 because Oregon's schools cannot absorb any more cuts.**

If Measure 62 passes, Oregon schools will lose nearly \$100 million a year. That money provides up-to-date textbooks, classroom supplies, and competitive teacher salaries. We cannot return to the days of shutting schools early or crowding kids together in the classrooms of poorly maintained buildings due to lack of funding.

**Vote NO on 62 to keep Oregon's schools on track.**

Oregon's schools are just starting to reverse years of budget shortages that have crippled schools. Oregon has been working hard to protect important school programs like music and P.E. Parents and teachers know that taking money away from schools is not the way to ensure quality education for Oregon's kids.

### Vote NO on 62 to keep more money in the pockets of working families.

Oregonians know that less money in the budget means parents pay higher fees for athletics, art and music classes, and college prep. All Oregonians could end up paying more in hidden fees and taxes as the state becomes more desperate for school funds. As Oregon families struggle with higher energy and food prices, Measure 62 will only add to that burden. Oregon just can't afford that.

**Oregon PTA asks you to join the thousands of concerned Oregon teachers and parents in voting NO on Measure 62.**

**For more information on Measure 62's impacts on Oregon's schools: [www.DefendOregon.org](http://www.DefendOregon.org)**

(This information furnished by Anita Olsen, Oregon PTA.)

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### Argument in Opposition

**Jill Eiland, Intel Corporation; Hewlett-Packard and Stand for Children Come Together**

**To Support Student Achievement**

**Vote NO on Measure 62**

Measure 62 would jeopardize Oregon's progress in strengthening high school graduation requirements. These are the standards that prepare students for careers in today's global economy.

Now is not the time to divert money away from classrooms.

That's why we urge you to vote NO on Measure 62.

**Measure 62 will undo important education achievements.** Oregon's new high school graduation requirements emphasize English, math, science, and career-related courses – the skills our children need in today's competitive, global economy. With these new requirements just beginning to take effect, schools need stable and adequate funding to make sure more students have the tools to succeed.

**Measure 62 endangers school funding & progress.**

Measure 62 would cut nearly \$100 million of school funding every year. By moving forward with investments to strengthen Oregon's graduation requirements, the state is sending a clear signal that it is more important than ever for students to receive a world class education. Measure 62 threatens to roll back the important progress our schools have been making and endangers the success of these recent advancements.

Jill Eiland, Intel Corporation, Hewlett-Packard and Stand for Children have been long-time advocates for education excellence throughout Oregon. We have been leaders in the effort to strengthen and improve Oregon's graduation requirements to better prepare our children for the competitive workplace. Oregon students deserve our full support as they prepare for success in college, work, and citizenship. **Please stand with us to oppose Measure 62.**

**Vote NO on Measure 62.**

**Jill Eiland, Intel Corporation**

**Hewlett-Packard Company**

**Stand for Children**

*(This information furnished by Jessica Stevens, Defend Oregon.)*

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### Argument in Opposition

**The Oregon Education Association  
Urges You to Vote No on Measure 62  
Because Our Schools Can't Afford Cuts**

**Measure 62 will cut \$159 million from local school budgets.** This measure will divert much needed funds away from our classrooms, money that supplies classrooms with learning tools, buys textbooks and pays teachers.

**Measure 62 will increase class size and cut valuable programs in our public schools.** We all want our kids to get the best education possible, but if measure 62 passes it will make it harder to provide students with the class sizes and programs they need to succeed.

**Measure 62 takes money out of our classrooms and will end up costing us more down the road.** Investing in education is the best way to make sure that our kids don't get involved in crime and caught up in the criminal justice system. We should be investing in our kids today so they don't slip through the cracks tomorrow.

**Measure 62 doesn't solve Oregon's real problems.** We should be looking at how to support our schools and public safety – not robbing from one pot to pay for another. Now is not the time to be cutting school budgets.

**Join us in Voting No on Measure 62.**

Larry Wolf, President  
Oregon Education Association

*(This information furnished by Larry Wolf, President, Oregon Education Association.)*

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### Argument in Opposition

**VOTE NO ON MEASURE 62.**

**The Human Services Coalition of Oregon is asking for a NO vote on Constitutional Amendment 62 because it could take millions of dollars away from Oregon's schools and education programs.**

**And that's not fair to Oregon's children.**

The Human Services Coalition of Oregon is a group of organizations and individuals dedicated to serving the best interests of Oregon's most vulnerable residents.

**Measure 62 amends the constitution.**

Oregon cannot afford a constitutional amendment that has the potential to take nearly \$100 million a year away from our schools. All of our children deserve the best chance for success in school. But less funding will force kids into larger classes with less access to up-to-date educational materials as well as course offerings like art and music.

**Measure 62 makes it harder on the kids who need the most.**

When we take money away from schools, we make it harder on the lowest income children in the state. Less money for education means more kids falling through the cracks. And that has repercussions for every person in the state. Now is not the time to be cutting school funding.

**Measure 62 will force working families to pay more.**

When schools don't have adequate funding, parents are forced to make up the difference. School programs that should be available to every child in Oregon end up being available only to those who can afford it. That means fewer opportunities for lower income kids. That's not the kind of change Oregon needs. All children deserve the same chance for success.

**Measure 62 just isn't good for Oregon's children. And it's not good for Oregon.**

**VOTE NO ON MEASURE 62.**

*(This information furnished by John Mullin, Co-Chair, Human Services Coalition of Oregon.)*

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### Argument in Opposition

**VOTE NO ON MEASURE 62**

The Oregon School Employees Association represents more than 21,000 employees working with Oregon students from pre-K to the university level.

**Measure 62 will divert millions away from Oregonians' priorities.**

Oregonians have voted to mandate where the state's lottery proceeds go—most of it goes to education to pay for things like smaller class sizes, text books, and getting the best teachers in our schools. Measure 62 would amend the Constitution to take money away from classrooms.

**Measure 62 is a constitutional amendment that will take millions of dollars out of the State School Fund.**

Less money for schools means students are stuffed into large classes, and have fewer opportunities to take art, music or physical education courses that are crucial to a well-rounded education. Measure 62 will reverse recent trends that have helped Oregon schools start getting kids into smaller classes and offering them more curriculum choices. Measure 62 takes away funding for these improvements.

**Measure 62 would mean less of the best teachers in Oregon's schools.**

Research shows that a great teacher in every classroom is key to children's success. But Measure 62 would take millions of dollars from Oregon schools, making it harder for our state to attract the best teachers with competitive salaries. That's not the kind of change Oregon schools can afford.

**Measure 62 makes it tougher to prepare for college or a career.**

This measure would take resources away from technical and vocational training in our schools, which is critical to ensuring that students graduate ready for college or a career. With our economy in trouble, now is not the time to take funding away from our schools.

**Oregon deserves better.**

We are urging all Oregonians to vote NO on Measure 62.

*(This information furnished by Merlene Martin, President, Oregon School Employees Association.)*

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## Measure 62 Arguments

### Argument in Opposition

#### **Look closely. Measure 62 is not what it appears to be.**

Sometimes things sound great at first, but turn out to be not so great once you take a closer look. Such is Ballot Measure 62 — it's not what it claims to be when you dig a little deeper.

We are Oregon AFSCME Council 75 (American Federation of State, County and Municipal Employees), and our membership includes thousands of Oregon's public safety workers. But we oppose Measure 62. We share the concerns you'll see expressed here by others in opposition. In addition, we have two other big concerns:

- The measure poorly defines "public safety." No money goes to 911 dispatchers, city police, district attorneys, public defenders or parole and probation officers.
- **Moreover, it does nothing to fund state prisons.** It does no good to arrest more people if there's no room in prison to put them. Our prisons are already overcrowded and understaffed, and this measure won't help.
- We're concerned with the general misperception that the Oregon Lottery is a never-ending pot of money. It's not. If you designate this 15 percent, it's money that otherwise would go to education, health care and senior services — as well as prison funding. The only way to make it up is to have the state aggressively encourage more people to gamble, which we don't consider a "solution."

Oregon AFSCME Council 75 is very much pro-public safety. Our statewide membership includes corrections officers, police officers, county sheriffs, 911 operators, both county and state parole and probation officers, public defenders and many others under the "public safety umbrella." We are public safety professionals, but we cannot support this flawed measure.

#### **Vote NO! on Ballot Measure 62.**

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

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### Argument in Opposition

#### **VOTE NO on Measure 62.**

Because it's our responsibility to protect Oregon's unique quality of life.

Because we want to leave behind a good legacy for future Oregonians.

Because our families, our communities, and local wildlife all depend on clean, healthy rivers to thrive.

#### **Because Measure 62 will sacrifice dollars now allotted to preserve Oregon's environment.**

We urge Oregonians to vote NO on Measure 62.

#### **Measure 62 takes needed resources away from natural areas, parks, and fish and wildlife habitats.**

Millions of dollars of lottery money help pay for state parks, boat ramps, fish ladders and salmon habitat restoration, and much more. But Measure 62 would amend the constitution to take money out of that fund. That's not the kind of change Oregon needs.

#### **Measure 62 undercuts Oregonians' ability – and our responsibility – to protect our unique natural legacy.**

Oregon's economy depends on its healthy environment. Farmers, fishermen, businesses and local communities all need healthy rivers with clean water and strong fish populations in order to thrive.

But Measure 62 will reduce the funding available to conserve fish and wildlife habitats and maintain the natural areas that we all enjoy.

#### **Protect Oregon's legacy for our children and grandchildren.**

#### **Join us in VOTING NO ON MEASURE 62.**

**Oregon League of Conservation Voters  
Oregon Natural Resources Council ACTION  
Oregon Wild  
Sierra Club  
WaterWatch of Oregon**

(This information furnished by Jessica Stevens, Defend Oregon.)

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### Argument in Opposition

#### **FRONTLINE YOUTH CORRECTION WORKERS ARE AGAINST MEASURE 62**

#### **Because Measure 62 takes money away from where it's needed**

We work on the frontlines with young offenders and witness the important role education plays in the positive development of Oregon's youth. Measure 62 will take millions of dollars out of Oregon's State School Fund.

We know that when children have access to a strong education, preparation for college and careers, and after-school programs and activities that keep them engaged, they are less likely to get into the type of trouble that leads to a life of crime. And the ability to get a good job will help keep them on the right track for life.

Measure 62 would take money away from schools and vital job programs at a time when it's critical for Oregon to prepare for the future.

#### **Now is not the time to cut funding to these vital programs.**

By pulling funds from schools and education, Measure 62 reduces our children's access to the tools they need to be successful. Eliminating avenues that keep our children engaged and taking away opportunities that offer them a bright future is not the way to address crime or keep our streets safe.

#### **Vote No on Measure 62!**

Ben McCanna, Frontline Worker  
Oregon Youth Authority

(This information furnished by Arthur Towers, Political Director, SEIU Local 503.)

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### Argument in Opposition

#### **Defend Oregon OPPOSES Measure 62 Because it amends the constitution to take money from our schools**

Here are just some of the groups from around the state who OPPOSE Measure 62:

Adelante Mujeres  
Advocacy Coalition of Seniors and People with Disabilities  
American Federation of Teachers - Oregon  
American Heart Association

Basic Rights Oregon  
Community Action Partnership of Oregon  
Community Alliance of Tenants  
Community Health Charities of Oregon  
Confederation of Oregon School Administrators  
Ecumenical Ministries of Oregon  
Elders in Action Commission  
Eugene-Springfield Solidarity Network/Jobs with Justice  
Human Services Coalition of Oregon  
Multnomah County Democrats  
NARAL Pro-Choice Oregon  
Northwest Oregon Labor Council, AFL-CIO  
ONE Voice for Child Care  
Oregon AFL-CIO  
Oregon AFSCME Council 75  
Oregon Alliance for Retired Americans  
Oregon Association for the Education of Young Children  
Oregon Education Association  
Oregon League of Conservation Voters  
Oregon Natural Resource Council ACTION  
Oregon Nurses Association  
Oregon Opportunity Network  
Oregon PTA  
Oregon School Employees Association  
Oregon Wild  
PCUN • Pacific Green Party  
Portland Jobs with Justice  
PSU Chapter - American Association of University Professors  
Representative Diane Rosenbaum  
Rural Organizing Project  
SEIU Local 49  
SEIU Local 503  
Senator Peter Courtney  
Senator Richard Devlin  
Senator Rod Monroe  
Senator Suzanne Bonamici  
Sierra Club  
Southern Oregon Jobs with Justice  
Stand for Children  
Tax Fairness Oregon  
WaterWatch of Oregon  
Working Families Party of Oregon

For more information:  
[www.DefendOregon.org](http://www.DefendOregon.org)

*(This information furnished by Jessica Stevens, Defend Oregon.)*

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Proposed by initiative petition to be voted on at the General Election, November 4, 2008.

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### **Ballot Title**

# 63

Exempts specified property owners from building permit requirements for improvements valued at/under 35,000 dollars

#### **Result of "yes" vote**

"Yes" vote exempts farm and residential real property owners from applicable state and local building permit requirements for improvements valued at 35,000 dollars or less.

#### **Result of "no" vote**

"No" vote requires farm and residential real property owners to comply with applicable state/local building permit requirements for improvements valued at/under 35,000 dollars.

#### **Summary**

Current law requires owner of residential real property or farm property to comply with applicable state and local building permit requirements when making improvements to real property. Measure creates exemption for residential real property and farm property owners from applicable state and local building permit requirements for improvements when the total value of improvements made within a calendar year does not exceed 35,000 dollars. Measure requires improvements to comply with applicable setback requirements and height limitations. Requires property owners to disclose improvements made without building permits to prospective buyers. Requires electrical wiring made to improvement covered by measure to be performed or approved by licensed electrical contractor. Amount of exemption increases annually to adjust for inflation. Measure supersedes conflicting state and local laws. Other provisions.

#### **Estimate of financial impact**

This measure will reduce local government revenue between \$4 million and \$8 million each year. The measure will reduce state government revenue between \$450,000 and \$750,000 each year.

The measure will reduce local government spending between \$4 million and \$8 million each year. The measure has no effect on state government spending.

**Explanation of Estimate of Financial Impact**

Through a reduction in the number of building permits, this measure will reduce local government revenue between \$4 million and \$8 million annually and will depend on the level of construction activity and the degree to which inspections are still requested by residential property owners. The measure will also reduce local government spending by a similar amount, as fewer inspections for minor improvements will be required.

Similarly, because the state receives a surcharge of 12% on certain local permit revenue, this measure will reduce state government revenues between \$450,000 and \$750,000 per year.

County assessors use permit information to identify taxable property. If these permits are no longer issued this property will be more difficult to identify and assess. As a result there may be some loss of property tax revenue for schools and other local governments. Similarly, there may be some loss of school district construction tax revenue.

**Committee Members:**

Secretary of State Bill Bradbury

State Treasurer Randall Edwards

Scott Harra, Director, Dept. of Administrative Services

Elizabeth Harchenko, Director, Dept. of Revenue

Debra Guzman, Local Government Representative

*(The estimate of financial impact and explanation was provided by the above committee pursuant to ORS 250.127.)*

**Text of Measure**

The Oregon Revised Statutes are hereby amended by adding the following new section, which section shall read:

**Section 1. Right to make minor improvements to real property without a building permit.** Whereas a property owner should not be required to obtain the approval of government to make improvements to his or her property, therefore, hereafter, the owner of a parcel of real residential or farm property shall not be required to obtain a building permit or otherwise obtain the approval of any government entity in order to make minor improvements to the property.

(a) For purposes of this section, "minor improvements" shall mean any addition or other improvement or combination of improvements to one or more existing residential or farm structures located on a single parcel of land or adjacent parcels owned by same owner, or the construction of a new farm building, the total value of which improvement(s) or addition(s) to said property in a single calendar year do not exceed Thirty-Five Thousand Dollars (\$35,000).

(b) This section does not authorize the addition of an additional story to all or part of an existing residential structure without a building permit, or authorize the construction of an addition: (i) in violation of uniformly applied setbacks from property lines, or (ii) in violation of regulations establishing reasonable, uniformly applied limitations on the height of buildings.

(c) If a property, which has been improved without a building permit under this section, is placed on the market or otherwise offered for sale or exchange, the owner(s) of the property, prior to the acceptance of an offer to purchase the property, shall provide the prospective buyer a detailed description of all improvements made without a building permit since the owner has owned the property.

(d) The \$35,000 exemption authorized by this section shall increase annually to account for inflation.

(e) This section does not exempt the owner of a property from paying ad valorem property taxes on the improvements to the property.

(f) Changes to the electrical wiring of a structure or new wiring added to an existing structure may only be made under this section if the work is performed by a licensed electrical contractor or if the completed work has been inspected and approved by a licensed electrical contractor, who shall be responsible for the work as if the contractor had provided the materials and performed the work.

(g) No building permit shall be required for the construction of a new farm building, which is not for human habitation, provided that the cost of the new building does not exceed the aforementioned \$35,000 and otherwise complies with this section.

(h) This section supersedes any pre-existing, state, local or regional government laws, rules, codes, ordinances or other enforceable government actions with which it conflicts.

(i) If any phrase, clause, or part of this 2008 Act is invalidated by a court of competent jurisdiction, the remaining phrases, clauses, and parts shall remain in full force and effect.

**Explanatory Statement**

Ballot Measure 63 would exempt certain changes to residential or farm property from building, plumbing, electrical and mechanical permits, inspections and other approval requirements. The measure would preempt any contrary provisions. The exemption would apply for changes to existing residential or farm structures and for building new farm structures that will not be lived in by people. The measure would not exempt an owner from paying taxes on changes to the property.

Changes would not be exempt if the total value of changes made in a calendar year exceeds \$35,000. The \$35,000 limit would be increased yearly for inflation. One \$35,000 limit would apply for all changes to existing residential and new or existing farm structures on a single parcel, or adjacent properties with the same owner.

The addition of a story to an existing residential structure would not be exempt from building, plumbing, electrical and mechanical permit requirements. The measure would not allow an addition that violates uniformly applied requirements for property line setbacks or in violation of regulations establishing reasonable, uniformly applied limitations on the height of the building.

Electrical wiring work in an existing structure or a new farm building would not be exempt unless a licensed electrical contractor performed the work or inspected and approved the work. The electrical contractor would be responsible for work the contractor inspects and approves.

A property owner could not accept an offer to purchase the property without first giving the purchaser a detailed description of changes to the property that the owner made without building, plumbing, electrical, and mechanical permits.

**Committee Members:**

Alan Grosso

Bill Sizemore

Bill Cross

Guy Sperb

Bob Russell

**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 63 Arguments

### Argument in Favor

#### Opposition to Measure 63 is about Money, not Safety.

Cities and Counties oppose Measure 63, because they rake in a lot of revenue from permit fees and want to protect their revenue stream.

Government employee unions oppose Measure 63, because if the measure passes and homeowners can make minor improvements without a building permit, fewer building inspectors will be needed and public employee unions will lose members.

Big contractors oppose Measure 63, because they want the permit process to be complicated and intimidating. If the process was easy, more homeowners would undertake small remodeling projects on their own and contractors would lose business.

It's all about money. A lot of special interests have a vested interest in maintaining the current system.

Will opponents come out and tell you that they oppose Measure 63 because they will lose money if it passes and you become free to make improvements to your property without consulting your local bureaucracy? Of course not. That won't "sell".

They won't tell you that they want to keep you trapped in the current system, because they make money off the complexities of the permit process. So, what will they say?

They will try to scare you. They will say Measure 63 is about safety. Safety! Safety! Safety! That's all they will say. They will tell you that their real goal is keep you safe (from yourself).

Before you fall for their fear tactics, read Measure 63 for yourself. It's in your Voters Pamphlet). You will see that Measure 63 provides all of the reasonable safeguards one would prudently expect.

Opponents of Measure 63 know the only way they can defeat this popular measure is to frighten you. But their opposition to Measure 63 is not about your safety. It is all about money, your money. And how they can keep taking it from you.

Ask yourself this simple question: Will I be freer if Measure 63 passes, or if it fails?

*(This information furnished by Richard P. Burke, Americans for Prosperity - Oregon, Dir. of Grass Roots Development.)*

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### Argument in Favor

#### Support Measure 63

Several large remodeling contractors have joined forces to oppose Measure 63. Even though they claim they oppose the measure for alleged "safety reasons", their real motivation is to protect their businesses, knowing homeowners will need them less, if they are not forced to negotiate the complexities of the permit process.

Nonetheless, let's talk about safety. Is it possible that some homeowners will do shoddy work on their own homes? Of course. Some homeowners do shoddy work, with or without permits. A building permit is no guarantee of quality work. Local governments do not guarantee the work they inspect and approve.

The truth is, one can logically support Measure 63 precisely for safety reasons. The challenges of the current permit process keep a lot of people from repairing existing unsafe conditions. Unsafe conditions continue simply because homeowners are afraid to do the work without a permit and too intimidated by

the process to apply for one.

Voters should know that Measure 63 contains several important safeguards. You can't build a new house or add a second story under Measure 63's permit exemption. This provision reasonably implies an approved, preexisting sanitation system, as well as a preexisting plumbing and electrical system.

Under Measure 63, new wiring must be done by licensed electrical contractors or approved by one, so the potential for bad wiring is about the same under Measure 63 as under existing law. After all, the state has already certified that a licensed electrician knows what he or she is doing.

Measure 63 also maintains existing property line setback requirements, so your neighbor will not be able to build too close to your property line. This is important.

Here's the part we like best, if you market your home, you have to make full disclosure of all unpermitted remodeling to any prospective buyer, so the buyer can have it professionally inspected, if they wish.

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

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### Argument in Favor

#### Why Big Contractors Oppose Measure 63

The building permit process in Oregon can be complicated and intimidating. Consequently, many homeowners are understandably afraid of it.

To get a permit, even for small jobs, detailed drawings and plans are often required. In fact, negotiating the permit process can take longer than the actual work.

When city or county inspectors get involved, a small home improvement project, which one person could do in a weekend, becomes a big deal when it requires multiple permits and multiple visits from one or more building and/or electrical inspectors.

Small remodeling jobs cost far more and take much longer than necessary due to the complexities of the permit process, and things can quickly go from bad to worse if you happen to get one of those inspectors who got up on the wrong side of the bed the day he visited your project.

You might think that everyone in the home improvement field would support Measure 63, which allows minor improvements without a building permit. But, believe it or not, there are companies that want the process to remain complicated and intimidating. The more difficult it is to make improvements to your home, the more you need their services.

Big contractors are funding the campaign against Measure 63 because the current system creates business for them. The simple truth is, if you don't need a building permit for minor remodeling jobs, then you may not need their help as much either.

Will the contractors admit this? Of course not! Instead, they will respond by doing what has become standard fare in Oregon politics: They will try to scare you into voting "No." They will tell you that it is unsafe to make improvements without a permit even though thousands of people—people just like you and me—do it all the time.

*(This information furnished by Tim Rohrer, Oregon Tax Payers United.)*

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**Argument in Favor****Liberty or Bureaucracy**

Imagine that one Saturday morning you turn to your spouse and say, "I feel like putting on some grubbies and going outside and tearing off that sagging, rotten porch and rebuilding it before someone falls through the floor and gets hurt."

With pencil in hand, you make your list of materials and an hour later you are off to Home Depot or Lowes to get everything you need to rebuild your rotten, sagging porch.

Two or three sweaty days later, the job is done, your house looks better and your porch is a lot safer.

As good as this sounds, this picture is a far cry from the way things really are.

You are not actually free to replace your rotten, sagging, unsafe porch just because you want to. The government has to give you permission every step of the way.

First, you have to create drawings of your new porch or perhaps have them professionally prepared.

Next you have to visit your county planner, take a number, fill out a permit application, and then wait for your turn so a planner can review your drawings and hope they will be approved on your first try. Oh, don't forget to pay your fee.

Next stop is the electrical inspectors. Because your porch has a light, you will also need to pay for an electrical permit. Now, you can actually commence work. Beware, however, you may have to stop and wait, sometimes for days, for the various inspectors to show up and give you permission to continue to the next phase, or if you caught one of them on a bad day, possibly make you tear out something you did and redo it.

Two or three weeks later, you have your new porch.

Now, please reread the first three paragraphs of this statement and decide for yourself which approach you prefer, liberty or bureaucracy, because that's what Measure 63 is really about.

*(This information furnished by Tim Rohrer, Oregon Tax Payers United.)*

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**Argument in Favor****Government Takes No Responsibility for Permitted Work**

When building permits were first created, they applied only to large public buildings. A citizen was free to construct his own house however he wished. After all, it was his house.

Later, minor restrictions began to be placed on residential housing, primarily to prevent the spread of catastrophic fires in large metropolitan areas, where houses were constructed entirely of wood and often were built right up to property lines. (Which is why Measure 63 maintains existing property line setbacks for new improvements.)

Over time, building codes grew into bureaucratic monstrosities and today are more complex than the U.S. tax code, specifying every tiny detail of construction, right down to the smallest plumbing fitting.

Today, almost no one knows everything that's in the codes and even experts disagree on how to interpret them. Permits are now required to build even a small deck on the backside of your house or to move a light switch to the other side of the door or to move a utility sink to another wall. Sometimes you need multiple permits for one small project.

Building permits have become a primary source of government funding. But what do you really get for your money,

besides increased costs and major delays in completing your project?

Truth is, after your city or county inspector has signed off on your project, government takes no responsibility for the outcome. None!

If your entire house slides off the hillside or your deck collapses after they've approved it, they assume no liability whatsoever. They simply take your permit money and walk away.

Is it really worth a \$100, \$250, or \$500 permit fee to have someone from the government look over your shoulder while you work?

After all, if government assumes no liability for work it inspects and approves, maybe getting the bureaucracy's permission to make minor improvements to your own home is not really all that necessary.

*(This information furnished by Tim Rohrer, Oregon Tax Payers United.)*

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**Argument in Favor****Burying You in Voters' Pamphlet Arguments**

The other side obviously has tons of money to spend. Not only are they spending millions of dollars on television and radio ads, they also are trying to bury you in voters pamphlet arguments.

Opponents of this measure have called in lots of political favors and submitted dozens of voters' pamphlet arguments in all kinds of names.

Their arguments say pretty much the same thing over and over. They just have different people saying the same thing repeatedly. Their strategy is to impress you with how many people or groups agree with their side.

I hope you will think about their strategy. Instead of being impressed with the volume of words and paper they are throwing at you, consider the strong, reasoned arguments we have put forward. Please do not be impressed with their multitude of words or their emotional pleas.

Even if we had as much money as our opponents, we would not spend it buying more voters' pamphlet arguments than a reasonable person would read.

You might want to consider this simple fact: Every argument in the voters' pamphlet cost the state several thousand dollars more to print and distribute than the ones making the arguments actually pay to have their statement included. Taxpayers are hugely subsidizing every argument printed in this pamphlet, including this one.

We have made our case concisely and we hope you find it persuasive. And please take note that we did not need to buy 30 to 50 pages in the voters' pamphlet to do so.

*(This information furnished by Tim Rohrer, Oregon Tax Payers United.)*

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## Measure 63 Arguments

### Argument in Opposition

**As retired firefighters, we request that Oregonians vote "No" on Measure 63.** While there is a simplistic appeal in the notion of allowing homeowners to do what they want with their residences, the fact is that Measure 63 ignores some basic public safety standards.

In the 1970s, as wood stoves became popular, fire officials saw an alarming increase in fires involving the devices. As a growing number of fires occurred, there was actually some discussion among fire officials about banning wood stoves. But an analysis showed that the problem wasn't with the stoves...it was with their installation, often done by "do it yourself" homeowners who failed to follow the instructions that came with the stove. Measure 63 could return us to those days.

The measure also doesn't take into account the safety of Oregon's firefighters, whether paid professionals or community members serving as volunteers. **Firefighting has always been a dangerous undertaking, but it will become even more so when responders can no longer assume that the homes they enter meet certain standards for structural integrity and fire resistance.**

**In November of 2002, three Coos Bay firefighters died in a fire that started after a waste incinerator was installed in a business without a legally-required permit or an inspection.** While this occurred in a commercial building, Measure 63 would dramatically increase the odds for similar incidents to happen in homes throughout Oregon.

Firefighters know the hazardous nature of what they do. As a result, they value building codes and the safety offered to both residents and responders by sound code enforcement.

**Please protect your family and support your local firefighters by voting "No" on Measure 63.**

**Tim Birr, retired Tualatin Valley firefighter**  
**Randy Leonard, retired Portland firefighter and Portland City Commissioner**  
**Tom Whelan, retired Salem Fire Captain and former State Representative**  
**Tom Chamberlain, retired Portland firefighter and President of Oregon AFL-CIO**

(This information furnished by Tim Birr, retired firefighter from Tualatin Valley Fire & Rescue.)

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### Argument in Opposition

**The Oregon State Fire Fighters Council, Oregon Fire Marshals Association and Oregon Fire Chiefs Association urge all Oregonians to vote "No" on Measure 63** because it would greatly endanger the lives of Oregonians, including firefighters. As emergency first responders, we put our lives on the line every day and Measure 63 would place unnecessary and avoidable risks on an already dangerous job.

The State's building codes have been developed over the last 34 years to ensure that houses remain safe through renovations. Un-permitted work would have a drastic affect on key systems, such as gas lines, electrical wiring and structural integrity. **Risks to first responders would include explosions, exposure to toxic substances and unexpected collapse. Homes with un-permitted work done without professional inspection are a risk to the families that reside in those homes, neighbors, and the firefighters and paramedics charged with protecting them.**

Building codes give firefighters a level of certainty when responding to an emergency. As a home burns, firefighters cannot track down the owner to discuss how home renovations were conducted and when the home was last inspected. The few certainties firefighters do have would be thrown out the window.

When a homeowner invests in properly permitted and inspected work, he or she should feel safe that neighbors have done the same. Adding an electrical switch or altering a waste disposal system seem like simple jobs. But as most firefighters will tell you, these "simple" improvements are still a critical fire risk. That simple renovation could become a fire and public health risk to the entire neighborhood and to those who would respond to help.

**Please join Oregon's firefighters in voting "No" on Measure 63.**

**Oregon State Fire Fighters Council**  
**Oregon Fire Marshals Association**  
**Oregon Fire Chiefs Association**

*(This information furnished by Bob Livingston, Oregon State Fire Fighters Council.)*

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### Argument in Opposition

As an experienced servant and one of the most non-partisan Representatives in the Oregon Legislature, I know the difference between real solutions that make our communities better and ballot measure fluff.

**Measure 63 will not make our communities better.**

Frankly, Measure 63 is another example of ballot measure hucksters like Bill Sizemore trying to turn Oregon's elections into a for-profit business.

As a homeowner, I am concerned that **Measure 63 will aggravate the already high level of instability in the mortgage industry.** It will be difficult, if not impossible, to sell or finance a home with un-permitted improvements because structural integrity will not be inspected; therefore true market value becomes a guesstimate.

As a husband and father, there is nothing more important to me than the safety of my wife and daughter. As a contractor, I understand that if we eliminate the permitting process, we would eliminate safety inspections as a consequence. Safety standards are set by code so you and I can sleep well knowing that the walls of our homes are not going to cave in and come crashing down on our family and friends.

**Under Measure 63, your neighbor's unsafe home improvement could place your family at risk. In an earthquake, flood or fire, home remodels that lack structural integrity and would otherwise fail inspection can compound an already dangerous situation, and threaten the lives of our emergency responders.**

The question you must ask yourself is whether or not you believe that the men and women who risk their lives protecting others should be unnecessarily subjected to additional risk to their own personal safety. For all of us who benefit from safer neighborhoods because of their service, I believe the answer is unequivocally, 'no.'

**Please join me in voting 'No' on Ballot Measure 63.**

Mike Schaufler  
 State Representative  
 (D-Happy Valley)

(This information furnished by State Representative Mike Schaufler.)

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### Argument in Opposition

#### If you're an average Oregonian, Ballot Measure 63 will cost you money.

We'll explain how in the next paragraph, but first the basics. Measure 63 would exempt homeowners from having to take out a building permit for any home improvement project of \$35,000 or less. It goes without saying that's a very bad idea from a safety standpoint, and you'll see numerous statements in this Voter's Pamphlet from people who understand the safety issue. That alone should be enough to sink Measure 63.

But if for some reason you don't care about safety, here's another reason to reject Measure 63 — collectively, it will cost all of us money. That's because whatever county you live in, your tax bill is based on the collective value of your home and all of the others in your community. So if the value of your neighbor's home is deflated, you end up paying more of the bill than you should. It's simple math.

If you're unsure about any of this, we urge you to call your county's assessor's office and ask for more details. We are Oregon AFSCME Council 75 (American Federation of State, County and Municipal Employees), and we represent hundreds of assessor office workers in counties throughout the state. They know their stuff, and they can explain to you in great detail how Measure 63 would negatively impact accurate property assessment and taxation.

What's the real bottom line with Measure 63? It's nothing more than an attempt by Bill Sizemore to have one new thing on the ballot. Yes, Measure 63 is a Sizemore measure. He has three other "re-run measures" that have been defeated previously — Measure 59, Measure 60 and Measure 64 — so he's looking for something "different" to try and spark some interest. But a measure that leads to consumer safety issues and costs most of us money isn't very interesting.

#### Vote NO! on Ballot Measure 63!

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

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### Argument in Opposition

#### Vote "NO"

**Measure 63 jeopardizes the safety of our homes.** By exempting improvements to homes that have traditionally required local building permits and safety inspections, the measure erodes the foundation of thousands of years of building code development designed to ensure safe housing.

Nothing is more important than your family's safety. Getting a construction permit before you build or remodel helps protect your loved ones from potentially deadly mistakes. **Faulty work can cause house fires, water damage and structural instability.**

Getting permits ensures that a certified inspector will examine your project to ensure it's safe and up to code. Your family can rest easy knowing the job was done safely and avoid costly repairs down the road and preserve your biggest financial investment — your home.

The International Code Council is dedicated to protecting the health, safety and welfare of people by creating better buildings and safer communities. This is accomplished by providing the highest quality of codes. Oregon has been a leader in the adoption of these codes to ensure the construction of safe structures.

Building codes, permits and inspections are valuable to homeowners because they provide:

- Safety – for your family and home.
- Inspections – performed by state and nationally certified inspectors
- Value – protects your biggest asset
- Peace of Mind – knowing that the work was done right
- Sets Consistent Standards – ensures safe construction standards.

The public safety and health consequences of Measure 63 affect not only those homeowners doing exempt improvements without the benefit of safety inspections but also their neighbors, friends and future owners of the home.

**Oregonians want to know that building, mechanical, electrical and plumbing work done on their homes is done safely to code. If this measure passes, that peace of mind is gone.**

The International Code Council and the dedicated local code officials trained to promote safety in the construction of homes and buildings, we urge you to vote "No" on Measure 63.

#### International Code Council

(This information furnished by Kraig Stevenson, Senior Regional Manager, International Code Council.)

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### Argument in Opposition

#### Measure 63-Threat to Homeowner Safety and Flood Insurance Eligibility

Measure 63 would strip residential property owners and renters from the protections of building permits and inspections.

#### Risk to Safety

Through the building permitting, and following inspection, process, the safety of improvements is verified through compliance with applicable building codes. By exempting improvements from this process, the Measure would strip residential home occupants from assurances regarding the structural or seismic integrity of their homes or the electrical or plumbing safety of improvements.

Provisions of the Measure are inadequate to ensure the safety of improvements for the protection of future owners or renters. Owners making improvements need only provide "detailed descriptions" of improvements to potential purchasers. There's no requirement to provide proof that improvements met applicable building codes and no disclosure requirements to renters.

#### Loss of Flood Insurance

Waiving building permit requirements for all projects under \$35,000 in value per year, including additions and alterations to buildings within Special Flood Hazard Areas, may cause communities to be unable to enforce the National Flood Insurance Program (NFIP) regulatory standards. Failure to comply with NFIP regulatory standards can result in higher flood insurance prices or loss of federal flood insurance entirely. In those communities that cannot comply with NFIP standards, property owners are unable to obtain flood insurance. If there is a flood and a natural disaster is declared, these property owners and

## Measure 63 Arguments

communities are not eligible for reimbursement for damages from the federal government.

### Lack of Enforcement for Unlawful Improvements

The Measure provides no enforcement mechanism for unlawful improvements. It will be up to neighbors to seek enforcement of violations of building setbacks, height or safety regulations. Not only can this result in neighbors incurring costs of enforcement, property owners (both those making improvements and potential purchasers) may incur penalties for violations or be forced to remove unlawful improvements.

Make your voice be heard by voting **NO on Measure 63**.

Ed Sullivan  
American Planning Association, Oregon Chapter

*(This information furnished by Ed Sullivan, Oregon Chapter, American Planning Association.)*

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*(This information furnished by Kenton Brine, Property Casualty Insurers Association of America.)*

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### Argument in Opposition

No on 63

On its face, Measure 63 looks like a reasonable approach to home remodeling and light construction. This could not be further from the truth. Oregon's permitting and inspection system is what keeps our homes safe to live in. **The exemption from inspection could have disastrous effects on our safety.** The structural, electrical, and plumbing systems in our homes are very complex and governed by numerous building codes.

We are trained professionals that have seen first hand the work done by homeowners and fly by night contractors that think they know how to do electrical work. The so called safe guard in this ballot measure requiring a licensed electrical contractor to sign off on the installation is far less than adequate. Inspections need to be done before the walls and ceilings are covered with finish. No cursory inspection can bring to light all unsafe conditions that may exist. **Just because it works, does not mean that it is safe.** Ask any electrician if they would sleep well knowing they were in a house not wired by a licensed electrician. The peace of mind gained from knowing your house was built to code will be lost if this measure succeeds.

### Don't let your neighbors unsafe remodeling project affect your family's safety and lower your property

**value** as well. This measure has the potential to ruin the small construction industry by opening the door to the shoddy building practices of untrained and unskilled workers.

Please join us in voting "**NO**" on **Measure 63** and encourage your friends and family to do the same.

Oregon State Association of Electrical Workers  
Consisting of IBEW Locals 48, 89, 112, 125, 280, 659, and 932

*(This information furnished by Larry Taylor, International Brotherhood of Electrical Workers, Local 280.)*

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### Argument in Opposition

**Mayors Oppose Measure 63**

Measure 63 seems simple, but the truth is that Measure 63 will put Oregon families at unnecessary risk. Oregon has long been a leader in promoting safe building construction through the promulgation and administration of effective building codes. History has shown that building codes protect the public from health and fire hazards, substandard construction and natural disasters.

Without the administration of effective building codes and inspections, **there is no way to ensure the construction of many home additions and remodels will meet the minimum requirements to safeguard the public's health and safety.** Measure 63 will limit the ability for the State to effectively permit and inspect the construction of many home additions and remodels and ensure consumers are protected against health, safety and fire hazards.

For many home additions and remodels, Measure 63 will eliminate the building permit process that ensures proper contractor licensing to protect consumers from construction fraud. Measure 63 will lead to fewer safety inspectors. **Flaws**

### Argument in Opposition

#### Building Permits Save Lives Vote **NO** on Measure 63

On December 3, 2007, a "hundred-year" storm ripped through the northwest coast of Oregon, destroying or damaging thousands of homes and disrupting thousands of lives. The storm caused \$70 million in insured losses and generated more than 15,000 claims – most from homeowners facing devastation in the storm's wake.

As bad as it was, it could have been worse if homes at "ground zero" of the storm had been rebuilt or remodeled without building inspections ensuring strict adherence to uniform building codes. But with Bill Sizemore's Measure 63, Oregonians risk even greater damage from the next storm.

### Is Your Property at Risk From Your Neighbor's Building Project?

A building project that has not been inspected is a danger not only to the structure and its occupants, but to its neighbors as well. If your neighbor's remodel project is unsafe, could a fire or collapse at their home severely damage your home and family?

### Insurance Rates Rise and Fall on Risk Experience

Oregon homeowners pay the second-lowest insurance rates in the U.S., according to the nation's Insurance Commissioners. Risk of loss plays a key role in homeowners' insurance rates. Experience and common sense suggest that increased risk of loss associated with structural failures of non-inspected building projects could impact what consumers pay for insurance coverage – and could increase personal liability exposure for homeowners. In addition, fewer inspections could result in "cutting corners" in building projects, which could lead to increased litigation, higher losses and higher liability insurance costs for contractors. That could raise the cost of home construction for all consumers.

### Measure 63 is unsafe for Oregon homeowners. On behalf of agents and insurers who provide homeowners' insurance to Oregon's families, we urge you to vote NO.

#### Submitted by:

American Insurance Association  
Independent Insurance Agents & Brokers of Oregon  
National Association of Mutual Insurance Companies  
Professional Insurance Agents of Oregon/Idaho  
Property Casualty Insurers Association of America

**in construction will likely go unidentified and unseen until there is an emergency like a fire or flood.**  
**Catastrophic events that push the limits of structural integrity are precisely why building codes were created.**

The Oregon Mayors Association adopted a resolution in opposition to Measure 63, because permits and safety inspections are essential to ensuring the safety of our citizens. As city mayors, we ask you to **join us and vote "No" on Measure 63.**

Richard Kidd, Mayor of Forest Grove (President of Oregon Mayors Association)

Alice Norris, Mayor of Oregon City

Bob Andrews, Mayor of Newberg

Charlotte Lehan, Mayor of Wilsonville

David M. Fuller, Mayor of Wood Village

Hank Williams, Mayor of Central Point

Joe Dominick, Mayor of Ontario

Judie Hammerstad, Mayor of Lake Oswego

Kathie Oriet, Mayor of Carlton

Ken Hector, Mayor of Silverton

Lisa Phipps, Mayor of Rockaway Beach

Lori Hollingsworth, Mayor of Lincoln City

Neil Friedman, Mayor of Westfir

Virginia Carnes, Mayor of Pilot Rock

(This information furnished by Mayor Alice Norris, Oregon City.)

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### Argument in Opposition

#### No On 63 Ballot Text

**Measure 63 is a dangerous measure that would threaten lives and cause havoc in the electrical and construction industries.** In the electrical trade, there are no short cuts. Licensed electricians work diligently to prevent on the job injuries and to ensure that their work meets code, protecting homeowners from electrocution or fire today and for generations to come. When you remove the permitting process and inspection, you open the door to unskilled workers who don't understand the intricacies of electrical installation. The subtleties of the electrical code are in place to protect your family and your home.

**Proponents of Measure 63 suggest that all will be fine because it requires the electrical work to be completed by or signed off by a licensed electrician. The reality is that no reputable licensed electrical contractor would assume the liability of someone else's work. And without a building permit, there will be not inspection – something licensed electricians rely on to insure this critical work has been done properly.**

Reputable contractors who invest large sums of time and money to ensure that their work is done safely stand to lose out to shoddy, unlicensed contractors or to homeowners unprepared for the challenges of installing electrical systems properly, safely and according to code. Those few dollars that homeowners hoped to save by cutting corners can result in the job actually costing twice as much as it should have.

**Measure 63 is a bad idea that would hurt that would hurt all Oregonians including renters, homeowners, and their families. Vote No on Measure 63 to keep Oregon's homes safe for everyone.**

Oregon-Columbia Chapter, National Electrical Contractors Association

Oregon Pacific-Cascade Chapter, National Electrical Contractors Association

Independent Electrical Contractors of Oregon

*(This information furnished by R. Terry Hatch, Oregon Pacific-Cascade Chapter, National Electrical Contractors Association; Timothy J. Gauthier, Oregon-Columbia Chapter, NECA; John Killin, Independent Electrical Contractors of Oregon.)*

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### Argument in Opposition

#### Elected Officials Oppose Measure 63

As elected officials, we strive to solve the very real problems that effect Oregon families. By contrast, **Measure 63 will create additional problems and raises concerns with potentially devastating consequences to the safety of our communities.**

Measure 63 will allow work to be done on gas lines, electrical wiring and public water lines without a permit or safety inspection. This is a very frightening idea and dreadful public policy. The notion that we will somehow be better off by waiving building permits and safety inspections, could not be further from the truth.

As Americans, home ownership is one of our most important and significant financial assets. Home improvement projects that are built properly, in accordance with building codes and pass a safety inspection, enhance this investment and boost market values in our neighborhoods.

Measure 63 is another invention of Bill Sizemore and like many of Sizemore's flawed attempts to govern by initiative; **Measure 63 is a reckless idea that will ultimately compromise the safety of our families, neighbors and emergency first responders.**

It is our hope that we can stand together as Oregonians to show the special interests that fund Bill Sizemore's campaign that Oregon elections are not for sale; that their money doesn't speak louder than our voices. This government belongs to each and every Oregonian.

We have come together as public servants; not to tell you what you want to hear, but what you need to know in order to make an informed decision.

It is one of our greatest honors to serve the people of Oregon.

Please join us and **vote "No" on Measure 63.**

Representative Phil Barnhart (D-Central Linn and Lane Counties)

Representative Terry Beyer (D-Springfield)

Representative Peter Buckley (D-South Jackson County)

Representative Chris Edwards (D-West Eugene, Junction City, Cheshire & Alvadore)

Senator Rick Metsger (D-Mt. Hood)

Senator Laurie Monnes Anderson (D-Gresham)

Senator Bill Morissette (D-Springfield)

(This information furnished by Senator Rick Metsger.)

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### Argument in Opposition

#### NO on Measure 63

As school principals, superintendents and central office staff, we are charged with a responsibility for the safety and wellbeing of school-aged children. That is why all buildings that are constructed or remodeled on school grounds are built in accordance with building codes and pass safety inspections; to insure the safety of our children.

## Measure 63 Arguments

### Measure 63 – A threat to children's safety

Measure 63 lets people attempt large home remodeling projects without building permits or safety inspections, including projects that involve tinkering with natural gas lines, public water lines and seismic structural integrity. One neighbor's faulty remodel project could threaten the safety of entire neighborhoods and local emergency responders.

As education professionals our first concern is for children, their education and their safety. Issues like this one defeat that mission. It also can destabilize the value of our communities and threaten funding for our children's education. Read Measure 63 closely and please vote "No".

#### **Our children deserve better than Measure 63.**

For the safety of our children, please join the Confederation of School Administrators and **vote "No" on Measure 63.**

The Confederation of School Administrators

*(This information furnished by Chuck Bennett, Confederation of Oregon School Administrators.)*

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### Argument in Opposition

The Oregon Remodelers Association urges Oregonians to **vote NO on Measure 63**

Consequences of this measure include:

- Un-permitted work risks the safety and lives of owners and renters of residential properties due to potentially substandard construction. These risks are largely avoided through our current permitting and inspection process.
- Measure 63 could result in the loss of federal floodplain insurance. This would not just affect an individual property owner making improvements without a permit, but may cause entire communities or the state as a whole to become ineligible to participate in the National Flood Insurance Program.
- Homeowner insurance rates could increase due to unknown risks associated with home remodeling projects that are un-documented and un-inspected.
- Un-permitted improvements may violate zoning ordinances, resulting in potential fees forced against the property owner. The owner or future owners would be liable to either fix the problem or remove the project in its entirety.
- Neighbors will be unprotected from unlawful improvements and may be forced to suffer the expenses of seeking enforcement of zoning and building regulations.
- Substandard home improvements can decrease neighboring property values.

#### **Vote NO on Measure 63**

#### Oregon Remodelers Association

*(This information furnished by Phil Peach, Oregon Remodelers Association.)*

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### Argument in Opposition

#### **The Oregon State Building and Construction Trades Council Asks You to Vote NO On Measure 63**

**Vote No on Measure 63 because Oregon's Building Codes, Permits and Inspections are there to protect the public health and safety.** Exempting an unknown number of home improvement projects from Building Permits and Code Inspections as Measure 63 would do, places our families, friends and property at risk.

**Vote No on Measure 63 because without the permits and inspections, unscrupulous and unlicensed contractors will be poised to defraud unsuspecting homeowners.** We are the highly trained and licensed men and women that work hard every day to provide quality homes for Oregonians. We do that so you can sleep safely at night, knowing that work on your foundation, walls, roof, electrical and plumbing were done to code.

**Vote No on Measure 63 because your neighbor's shoddy home improvement project that circumvents the building permit and inspection process will reduce your home's value too.** There is nothing worse than uncompleted work or poorly designed home improvements, especially when you take pride in what is on your side of the fence.

**Vote No on Measure 63 because un-permitted home improvements may be hidden from you when you buy a new home, only to rear their ugly head years down the road.** The measure states that sellers are required to inform potential buyers of any un-permitted improvements, but what if they don't? How does one track the seller down years later when the roof leaks, there is dry rot or an electrical fire?

**Measure 63 means our families, friends and property will be at risk.**

#### **Vote NO on Measure 63.**

Submitted by:

Oregon State Building & Construction Trades Council  
Bricklayers Local 1 of Oregon  
Ironworkers Local 29  
United Association of Plumbers & Steamfitters.

*(This information furnished by Bob Shiprack, Oregon State Building and Construction Trades Council.)*

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### Argument in Opposition

#### **Associated General Contractors Urge You to Vote NO on Measure 63**

Safety is job number one for the 1100 members of the Associated General Contractors Oregon-Columbia Chapter. We're asking for your **NO** vote on this dangerous ballot measure because:

- **This measure will make our homes and communities less safe.**
- **This measure overrides current state and local laws and creates an unsafe system in which property owners may alter their structures with few limitations.**
- **This measure is only one page in length and so vaguely and poorly worded that large-scale improvements would not need permits if a project were broken into \$35,000 increments over different calendar years.**

For those who own or rent single family residences, you can quickly see the horrible consequences of this measure. Oregonians want to sleep safely at night knowing that work on their foundations, walls, roofs, electrical and plumbing was done to code. If this measure passes, those assurances are lost.

Without building permits, local inspectors won't know what projects to inspect – and that leaves homeowners without the guarantee that their remodel meets the safety and fire standards set by law. Improper wiring or plumbing isn't just the problem of the person who owns the home – it can hurt everyone in the community; future buyers whose home values would be diminished, neighbors whose homes would be devastated in the event of a fire, or the water supply of the community if plumbing devices aren't installed properly.

These are serious consequences for a seemingly simple ballot measure. As construction professionals, we urge you to vote **NO on Ballot Measure 63**. Protect yourself and keep our communities safe by rejecting this measure.

#### **Associated General Contractors, Oregon-Columbia Chapter**

(This information furnished by John Rakowitz, Associated General Contractors, Oregon-Columbia Chapter.)

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#### **Argument in Opposition**

##### **Measure 63- Flawed in its Design**

Oregon's consulting engineers are committed to protecting the public's health and safety through the use of proper design and innovation. In addition, if we believe that initial designs are flawed, it is our professional duty to make corrections before going to the construction phase of a project. To this end, **we see great flaws in the design of Measure 63 and encourage all Oregonians to vote "no".**

Measure 63 would rewrite current law to allow property owner's to make significant structural or other alterations without the required building permits or safety inspections now required by law. While potentially appealing, upon closer scrutiny this could take a small project and turn it into a significant project augmented over several calendar years. These projects could undermine the professional design that was in the original structure and have a major negative impact on the safety of current occupants and any future occupant of the home or structure

##### **Measure 63- Public Safety and Your Investment at Risk**

When someone plays with natural gas lines, public waterlines, electrical wiring and beams supporting the floor and ceilings, the codes and safety become non-existent. **Removing the well established assurances of knowledgeable review, inspection, and records of work done puts the homeowner in a position of high liability to the public** and friends. Future owners want to know what work was done and that it was done using proper and accepted design and construction practices. The absence of this information will lead to uncertainty and put the entire investment at risk.

Today, with the ever changing technology of home construction materials and methods, work on homes should be done checked and recorded.

Oregon's consulting engineering community urges you to vote "no" on Measure 63.

Gregg Scholz, President  
American Council of Engineering Companies of Oregon

(This information furnished by Gregg Scholz, president, American Council of Engineering Companies of Oregon.)

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#### **Argument in Opposition**

##### **A Threat to Oregon's Workers and Families Vote NO on Measure 63**

Every person that steps onto a property deserves the peace-of-mind that its structures were built to code. From utility workers to mail delivery personnel, firefighters to our own families, all should be protected. Measure 63 would destroy 34 years of State safety guidelines and put those that provide essential services at risk. These risks include:

- **Structural collapse from uninspected foundations and roofs**
- **Sewage spills from unpermitted plumbing work**
- **Contaminated public drinking water**
- **Fires from unpermitted electrical work**

Oregon's emergency service, health and public works personnel do all they can to ensure their work is safe and effective. They focus on the details in home building codes and inspections because the smallest change can have a drastic impact on their communities.

Failure to have certain home projects inspected can have a ripple effect from neighborhood to neighborhood. One home-

#### **Argument in Opposition**

##### **Your Local Plumbing & Heating/Cooling Contractors Say Vote NO on Measure 63**

###### **Measure 63 Means Unsafe Work**

- It is unsafe to work on gas lines, electrical, and public water lines without proper training. Professionals, like plumbing, heating and cooling contractors are your best choice;
- Work done without a permit is not inspected for safe construction;
- Unsafe work endangers neighbors and public safety during emergencies like fires, earthquakes and flood.

###### **Permits Protect You and Your Home**

- Permits protect public resources like drinking water, electrical and gas by ensuring work is done properly;
- Your home is your #1 investment and properly permitted work can enhance it. But work done without a permit under Measure 63 has the potential to make resale of your home more difficult;

This message is brought to you by the

##### **Oregon Plumbing Heating and Cooling Contractors Association**

We are a statewide association of contractors assisting our members with education programs, business development and representing them before local and state government.

Our goal is to help contractors deliver the highest quality of products and services to customers like you.

##### **Join The Plumbing, Heating & Cooling Contractors In Voting NO on Measure 63**

[www.orphcc.com](http://www.orphcc.com)

(This information furnished by Linda Lindsten, Oregon Association of Plumbing-Heating-Cooling Contractors, Inc.)

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## Measure 63 Arguments

owner's plumbing project can cause a public safety hazard for nearby homes, schools, offices, etc. From a property value standpoint, even if unpermitted work looks and works fine, the mere knowledge that there is unpermitted work in a neighborhood block is likely to decrease property values for that entire neighborhood. Furthermore, insurance rates would likely increase, cutting families' income for food, gas and other commodities.

**On behalf of Oregon's workers and families, please vote NO on Measure 63.**

**American Federation of Labor and Congress of Industrial Organizations (AFL-CIO), Oregon  
American Federation of State, County and Municipal Employees (AFSCME), Oregon Council 75**

(This information furnished by Ralph Groener, Oregon AFSCME.)

**This space purchased for \$500 in accordance with ORS 251.255.**  
*The printing of this argument does not constitute an endorsement by the State of Oregon, nor does the state warrant the accuracy or truth of any statement made in the argument.*

### Argument in Opposition

#### **Associated Builders and Contractors OPPOSE Measure 63**

Promoting a safe work place is part of Associated Builders and Contractors' mission statement. That's why the men and women of ABC are asking you to vote NO on Measure 63.

Measure 63 tosses safety aside. Un-permitted work by unlicensed contractors will dramatically increase in Oregon, resulting in shoddy work and dangerous safety hazards.

Although the intent of Measure 63 is to exclude small scale construction projects, the text of the measure is flawed and vaguely worded, resulting in a glut of un-permitted work—even on large projects.

Oregonians rely on contractors everyday—knowing that work on their home was done to code. If this measure passes, that peace of mind will go out the window.

**Vote NO on measure 63 to continue protecting Oregon families.**

**Vote NO to protect the integrity of Oregon's housing market for all Oregonians.**

**And vote NO to ensure a safe workplace for our construction workers.**

Again, work site safety is paramount to the successful completion of construction projects and the men and women of Associated Builders and Contractors ask you to vote NO on Measure 63.

**Please vote NO on Measure 63.**

#### **Associated Builders and Contractors**

(This information furnished by John Killin, Associated Builders and Contractors.)

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### Argument in Opposition

#### **63 Would Invite Deceit and Compromise Safety Standards**

I'm Mike Sterle. I work for the City of Beaverton. On its face, Measure 63 might seem like a fairly innocuous way to avoid red tape. Those of us in local government know better.

**Measure 63 is an ill-advised attack on neighborhood safety standards and worse.** This measure calls for a laissez-faire approach to major structural improvement that is an invitation to deception and disaster.

**Nobody wants more government than we need, but there's a reason for local code enforcement. It protects all citizens — including the home and farm owners it purports to benefit — against inappropriate development, ill-advised projects and unscrupulous contractors.**

**Even by today's standards a \$35,000 improvement is no small matter** — and the way Measure 63 is worded, if it passes, unscrupulous individuals could actually hide projects costing \$70,000 and more from reasonable oversight by doing them over two years or in several installments.

**Sometimes it makes sense to cross the T's and dot the I's.** I know it may feel like a pain to have to go down to City Hall for approval when you are adding a spare room or redoing the barn, but I have to tell you plenty of homeowners are thankful once the experts weigh in and explain why the plans won't work.

**The present law balances individual rights with community needs. It protects us all — owners, neighbors, future buyers – from safety hazards, shoddy work, inequitable tax assessments, reduced property values, insurance rate increases and fraudulent contractors.**

It also keeps firefighters, police, medical technicians and other emergency responders from encountering life-threatening surprises due to unscrupulous, unlicensed contractors.

**Please join me in voting to protect our neighborhoods and safeguard consumers by defeating Measure 63.**

Mike Sterle, Lead Mechanic at the City of Beaverton

(This information furnished by Arthur Towers, Service Employees International Union (SEIU), Local 503.)

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### Argument in Opposition

Dear Oregon Voter,

My name is Pete Sorenson and I am a Lane County Commissioner and former State Senator from Eugene. I attended school in North Bend, and graduated from the University of Oregon with three degrees. After college, I worked for former Congressman Jim Weaver and worked for the Secretary of Agriculture during the Carter administration. I want to write to you today in the hope that you will join me in voting **NO** on Ballot Measure 63.

I, like many of you, have done home improvement projects. I have built a deck and planted a garden at my home in South Eugene. In doing this, I have always gone through all the legal channels of obtaining permits. Yes, this can get annoying, but I realized that this entire process of permits and permission from city governments is designed to maximize my safety and that of those who visit me. The elimination of building permits will create an "open-season" on building with no sort of check on safety and structural soundness.

I live in an older home in South Eugene. When I was first moved in, I attempted to screw in a new light-bulb into our kitchen fixture. I screwed it in, but it wouldn't turn on. When I consulted a local contractor to fix the problem, he alerted me that the lighting fixture had been improperly wired and could have electrocuted me if I had attempted to fix it myself. With the passage of this measure, this situation would happen to many more Oregonians, and the consequences could be very

severe.

My fellow Oregonians, this measure is a petty attempt by Bill Sizemore to eliminate a crucial safety check on our lives. We need building permits to ensure our society stays safe and sound. I ask for all of you to join me in voting **NO** on Ballot Measure 63.

Pete Sorenson

[www.petesorenson.com](http://www.petesorenson.com)

(This information furnished by Pete Sorenson, Pete Sorenson Committee.)

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#### Argument in Opposition

#### MEASURE 63 IS IRRESPONSIBLE AND UNSAFE.

##### Environmental Advocates Vote NO on Measure 63

**Measure 63 is irresponsible.** Measure 63 would allow certain construction projects to override all state and local environmental laws designed to protect our rivers, the ocean, and fish and wildlife habitats. By allowing unpermitted building along rivers and beaches, there would be no safeguards against irresponsible construction that would pollute our waters.

**Measure 63 is unsafe.** If passed, Measure 63 would make it possible to sidestep inspections on construction to existing structures—even where the construction would threaten our drinking water. Living downstream from one of these projects could be hazardous to your family's health.

##### Please join us in saying No to Measure 63. It's unsafe and irresponsible.

Oregon League of Conservation Voters

Oregon Natural Resources Council ACTION

Oregon Wild

Sierra Club

WaterWatch of Oregon

(This information furnished by Jessica Stevens, Defend Oregon.)

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#### Argument in Opposition

#### Protect Renters!

#### Vote No on Measure 63

The Community Alliance of Tenants is a grassroots organization dedicated to empowering renters and advocating for safe, affordable housing for all Oregonians.

All Oregonians have the right to feel safe in their homes. But **Measure 63 threatens that safety for Oregon renters,** who could be victims of their landlords' shoddy, uninspected construction. Tenants shouldn't have to worry that building modifications made by their landlords could endanger them and their families. But if Measure 63 passes, that is exactly what would happen.

Shoddy, unpermitted wiring, plumbing and gas lines are a major threat to our families and communities. The danger is even worse in multi-family apartment buildings, where fires can spread quickly, risking the lives of many families all at once.

#### In fact, Measure 63 doesn't even require landlords to disclose to renters that work was done without a safety inspection.

Measure 63 is a recipe for disaster for Oregon's renters. We need real protections for renters, not this shortsighted, poorly-written measure that threatens Oregonians' safety.

Assure the safety of all renters by [voting NO on Measure 63!](#)

Community Alliance of Tenants

(This information furnished by Ian Slingerland, Community Alliance of Tenants.)

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#### Argument in Opposition

#### Defend Oregon OPPOSES Measure 63 Because it puts families and property in danger from unsafe construction

Here are just some of the groups from around the state who OPPOSE Measure 63:

1000 Friends of Oregon  
Carpenters Local 247

Community Action Partnership of Oregon  
Community Alliance of Tenants

Confederation of Oregon School Administrators  
Ecumenical Ministries of Oregon

Elders in Action Commission

Eugene-Springfield Solidarity Network/Jobs with Justice

League of Women Voters, Oregon  
Multnomah County Democrats

NARAL Pro-Choice Oregon

Northwest Oregon Labor Council, AFL-CIO  
Oregon AFL-CIO

Oregon AFSCME Council 75

Oregon Alliance of Retired Americans

Oregon Education Association

Oregon League of Conservation Voters

Oregon Natural Resources Council ACTION

Oregon Opportunity Network

Oregon State Fire Fighters Council

Oregon Wild

PCUN

Portland Jobs with Justice

Representative Diane Rosenbaum

SEIU Local 49

SEIU Local 503

Senator Laurie Monnes Anderson

Senator Mark Hass

Senator Peter Courtney

Senator Richard Devlin

Senator Rod Monroe

Senator Suzanne Bonamici

Sierra Club

Tax Fairness Oregon

WaterWatch of Oregon

Working Families Party of Oregon

For more information:

[www.DefendOregon.org](http://www.DefendOregon.org)

(This information furnished by Jessica Stevens, Defend Oregon.)

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Proposed by initiative petition to be voted on at the General Election, November 4, 2008.

<b>Explanation of Estimate of Financial Impact</b>	none
<b>Text of Measure</b>	118
<b>Explanatory Statement</b>	118
<b>Arguments in Favor</b>	119
<b>Arguments in Opposition</b>	121

### **Ballot Title**

# 64

Penalizes person, entity for using funds collected with "public resource" (defined) for "political purpose" (defined)

#### **Result of "yes" vote**

"Yes" vote prohibits persons, entities from using money for "political purpose" (defined) if collected with "public resource" (defined), commingled with such money; mandates penalties.

#### **Result of "no" vote**

"No" vote retains current law, which does not restrict person's, entity's use of money collected with public resources or commingling such money with "political" funds.

#### **Summary**

Current law allows individuals, organizations to use money for "political purposes," including money collected with public resources. Measure prohibits individuals, organizations, other entities from using money for "political purposes" if "public resources" were used in collecting it. "Money" includes in-kind contributions, independent expenditures, pass-through contributions. "Public resources" include money, public employee work time, buildings, equipment, supplies, unless used for conducting elections, issuing official voters' pamphlet. "Used for a political purpose" means: contributed to candidate, political committee, political party, initiative/referendum committee; spent supporting, opposing candidate, ballot measure, gathering signatures for proposed measure, petition; excludes lobbying an elected official. Mandates civil penalty, bars government from collecting money for entity that uses such money for "political purpose" or commingles it with "political" money. Other provisions.

#### **Estimate of financial impact**

This measure requires additional state government, schools, or local government spending of less than \$100,000.

The measure does not affect the amount of funds collected for state government, schools, or local governments.

**Text of Measure****BE IT ENACTED BY THE PEOPLE OF THE STATE OF OREGON:**

The following section shall be added to and made part of the Oregon Revised Statutes:

**Section 1.** Except for resources used or spent preparing, printing or distributing an official voters pamphlet or conducting an election, no public resource shall be used to collect or help collect money used for a political purpose. If a person or entity uses for a political purpose any money collected for it by means of a public resource, or if a person or entity commingles, whether in a bank account or otherwise, political funds with funds collected wholly or in part by means of a public resource, the person or entity shall pay to the state treasury a civil penalty equal to two times the amount of money spent in violation of this section, and thereafter, no public employer or government entity shall collect money for any purpose for that person or entity.

- (a) For purposes of this section, money shall be deemed used for a political purpose if any portion of the money, including in-kind contributions, pass-through contributions, and independent expenditures, was contributed to a candidate, political committee, chief petitioner committee for an initiative or referendum, or a political party; or spent supporting or opposing a candidate for public office or a ballot measure, including any effort to collect signatures to place a measure on the ballot, and any effort to solicit signatures for an initiative, referendum, or recall petition or to discourage electors from signing a petition.
- (b) For purposes of this section, money spent lobbying an elected official shall not be considered used for a political purpose. However, so as to prevent political campaigning under the guise of "lobbying," money shall be deemed used for a political purpose, if it is spent on or contributed to any print, direct mail, electronic media or other mass media campaign, which names or otherwise identifies a person who is a candidate for public office, or an issue which is the subject of a measure on the ballot, in an election held within the 90-day period following the communication.
- (c) For purposes of this section, public resources shall include public money, public employee time on the job during working hours, public buildings, equipment, and supplies. For purposes of this section, a resource shall be deemed to have been used, even if the public entity is reimbursed for the cost of using or providing it; and "entity" shall include individuals, corporations, firms, partnerships, limited liability companies, joint stock companies, unions, organizations, associations, committees and other such groups.
- (d) Nothing in this section shall be construed as limiting the right of public employees to donate money to political causes, provided that they do so without the use of a public resource.
- (e) This 2008 Act supersedes any preexisting law, rule, policy, or ordinance with which it conflicts.
- (f) If any phrase, clause, or part of this section is invalidated by a court of competent jurisdiction, the remaining phrases, clauses, and parts shall remain in full force and effect. This section shall not be applied so as to violate the right to free speech, freedom of association, or any other right guaranteed under the U.S. Constitution, but shall be effective in all circumstances and for all individuals and groups for which no violation or infringement has been found.

**Explanatory Statement**

Ballot Measure 64 prohibits a public entity from using public resources to help collect money for some but not all political purposes.

Public resources cannot be used to collect:

- Money contributed to a candidate, political party, political committee or chief petitioner committee for an initiative or referendum petition.
- Money spent supporting or opposing a candidate for public office, a ballot measure or an effort to collect signatures to place a measure on the ballot.
- Money spent to solicit or discourage signatures for an initiative, referendum or recall petition.
- Money spent on any print, direct mail, electronic media or other mass media campaign that identifies a person who is a candidate for public office or identifies an issue that is the subject of a measure on the ballot in an election held within 90 days following the communication.
- Money that is passed through to another organization that uses it for a political purpose.

Public Resources can be used to collect:

- Money used to lobby an elected official.
- Money used to prepare and publish an official voters pamphlet and conduct elections.

Use of public resources, including public money, public employee time on the job, a public building, and public equipment or supplies is prohibited regardless of whether the public entity is reimbursed for the use of its resources.

It is also prohibited to comingle political funds with funds collected using a public resource in a bank account or otherwise.

Any person or entity that spends money in violation of the measure or commingles political funds with money collected using a public resource will be fined in an amount equal to twice the amount of money spent in violation of the measure and barred from gathering any money for any purpose at any time in the future using a public resource.

The measure prohibits several activities currently allowed under Oregon law.

For example:

- A public employer could not deduct part of the employee's wages, whether or not at the employee's request, and transfer that deducted money to an organization that uses all or part of the money to support or oppose candidates, political parties, initiatives or ballot measures.
- Organizations that use public payroll deductions include unions, charities, insurance companies and financial institutions.
- An individual or organization could not use a public building for a meeting if at that meeting it collects contributions to candidates for public office or to be used in support or opposition of a ballot measure.

**Committee Members:**

Alan Grosso  
Bill Sizemore  
Lynn Marie Crider  
Greg Hartman  
Jack Roberts

**Appointed by:**

Chief Petitioners  
Chief Petitioners  
Secretary of State  
Secretary of State  
Members of the Committee

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

## Measure 64 Arguments

### Argument in Favor

#### The Evils of Commingling

Organized crime does it to launder their dirty money. Enron did it to conceal its true financial condition from employees and investors. Commingling has long been a tool used by bad guys to conceal what they really do with their money.

This may come as a shock to many Oregon voters, but Oregon law currently allows some organizations to commingle their political funds with other funds, making it almost impossible to determine how much money they are really spending on politics. Worse yet, the government is actually complicit in this subterfuge.

If you read the official ballot title for this measure, a neutral ballot title drafted and certified by Oregon's attorney general, you will see that a "Yes" vote on Measure 64 ends commingling and a "No" vote continues the current practice of allowing groups to disguise their true political expenditures by commingling.

Here's what Measure 64 does:

Measure 64 gets government out of the business of collecting political funds. It is a foundational principle of Americanism that government's role in elections is to remain neutral; to conduct the election fairly and not help either side. Only in third world "banana republics" do we expect government to help one side win an election.

Currently, however, government uses taxpayer owned resources, including taxpayer owned equipment and public employee time on the job, to collect millions of dollars every year in political donations for government employee unions. This unfair advantage makes them the most powerful force in Oregon politics. Measure 64 ends this abuse of taxpayer resources and creates a level playing field.

Second, Measure 64 makes it illegal to commingle political money with money collected using public resources. This will enable the public to observe the true flow of political donations.

Under Measure 64, no one could use public resources to collect political funds and government would once again assume a neutral role in elections, helping neither side.

*(This information furnished by Wayne Brady, Americans For Prosperity - Oregon, Marion Co. Chair.)*

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### Argument in Favor

#### The Commingling Must Stop!

Many worthy organizations collect money by means of the public payroll system and by volunteer check-offs on Oregon tax returns. By these means, millions of dollars are collected each year for charitable and philanthropic causes.

All this money is collected in good faith and with the understanding that the money will be used for the purposes for which it was collected.

But there's a problem. Some of the organizations using the public payroll system to collect money are also very political. Some of the organizations, in addition to the charitable things they do, spend millions of dollars hiring professional lobbyists, donating to political candidates, and supporting or opposing ballot measures.

It is one thing to use public resources, including public equipment and supplies and public employee time on the job, to raise money for charitable causes. That's well and good, as

long as the contributions are entirely voluntary. It's another thing altogether to use public resources to collect political donations.

Measure 64 allows charities to continue collecting donations for legitimate purposes, but it prohibits using taxpayer owned, public resources to collect political funds.

Perhaps more importantly, it stops organizations from commingling charitable funds with political funds when the money was collected using public resources. Commingling is the act of mixing one kind of money with other kinds of money so that it is not readily apparent how much is being spent for either purpose.

This is a serious problem when a large part of the money is used for politics. Oregon's campaign disclosure laws are based on transparency and full disclosure. Our system demands that all political donations be fully disclosed, so we can tell who is donating to whom and whether any conflict of interest is being created by the donations.

Measure 64 prohibits commingling of political money with any money collected using public resources.

Measure 64 plugs a major hole in the current system and deserves our full support.

*(This information furnished by Bill Sizemore, Oregon Tax Payers United.)*

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### Argument in Favor

#### Opting Out

For 26 years I was a public school teacher. I spent my creative energy on kids by working hard to teach new ideas and to find new ways to teach old ideas. Sometimes it worked, and I'd see lights go on in their eyes. Sometimes it didn't work, which meant I had to try harder. Like I said, I was a teacher.

A teacher. Not a political activist.

For 26 years I paid my dues to the NEA (National Education Association), the OEA (Oregon Education Association) and various local associations.

The teachers unions started out as organizations formed to serve teachers by helping to improve work conditions and by laboring to protect us from abusive management practices.

Well, the servant has become the master. These unions have become beasts that feed upon their unsuspecting, often blissfully ignorant, constituents. The feeding trough is replenished monthly through the convenient and appallingly lucrative, government-subsidized practice of what amounts to garnishing employees' wages via automatic payroll deduction.

Thousands of teachers across the state are spending themselves on behalf of the children of Oregon—your children and mine—while being systematically bled by the unions to support a massive, liberal political agenda that violates their core values.

And they have no choice.

In fact, when I tried to take advantage of the "opt-out" clause in the union agreement, I found that the only things I was allowed to opt out of were my rights and protections as a member. I still had to pay! How is that opting-out?

Teachers should teach. Government should govern. Unions should stop using teachers and government to raise money to fuel their ambitious political agenda. Anyone who wants to VOLUNTARILY contribute to the cause should be allowed to do so. Or not!

A "Yes" vote on Measure 64 will help stop this out-of-control practice of using government resources to take money from those who don't want to "donate."

*(This information furnished by Tim Rohrer, Oregon Tax Payers United.)*

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### Argument in Favor

#### Government Is Not Supposed to Take Sides in Elections

There are countries in the world where governments do not just run the elections, they actually determine the outcomes. In these countries, usually third world dictatorships, those in power forcibly prohibit opposition candidates—they cheat when they count the votes, and they limit free speech and debate.

But this is Oregon, you say. This is America. In this country, we know the proper role of government. In this country, government doesn't take sides. It merely conducts elections as a neutral party.

If you really believe that, then you are not familiar with the way things are done here in Oregon. In this state, government is hardly the neutral arbiter. Government routinely helps one political party over the other and often assists one side in ballot measure campaigns.

Surely, you've noticed that with ballot measure campaigns, one side is able to flood the air waves with television and radio commercials, while the other side has almost no visible campaign. That's because government is helping the side that supports higher taxes. Government raises literally millions of dollars for that side of the campaign and none for the other side.

Have you noticed that in Oregon the Democrats control the state legislature and every statewide office from the Governor to the Secretary of State to the Attorney General? Do you really believe that's because Oregonians overwhelmingly support the tax-and-spend message most Democrat candidates espouse? Hardly.

Every year government collects millions of dollars in political money for only one group, a group that gives about 98 percent of its campaign donations to Democrats. Consequently, Democrats control Oregon.

How could anyone think this is right, or even American for that matter?

Measure 64 forces government to remain neutral in elections. Measure 64 says you can't use public employee time on the job or other taxpayer owned resources to collect political donations for anyone.

That's obviously the way it should be.

*(This information furnished by Tim Rohrer, Oregon Tax Payers United.)*

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### Argument in Favor

#### How the Public Employee Unions Run Oregon

We hire public employees to be public servants. We entrust them with all kinds of important responsibilities, many of which they handle quite well.

We allow public employees the use of publicly owned buildings. We allow them the use of taxpayer owned cars and

trucks and computers and telephones and everything else they need to do their jobs.

We do not give them access to all these things so they can use them to collect millions of dollars in political money for their unions or so they can run campaigns for their favorite politicians. And yet, that is exactly what is happening.

Public employee unions are far and away the most powerful force in Oregon politics. They own this state. They call the shots in the governor's office. They run the state legislature. They literally decide who will win pretty much every statewide office in the state, including secretary of state, attorney general, and the state's superintendent of schools.

Public employee unions are even the biggest donors to candidates for the Oregon Supreme Court, which creates a rather serious conflict of interest for judges.

Why do public employee unions have so much power? Where do they get the money to buy all these elections? The answer is simply: From you the public.

Public employee unions are allowed to use public buildings, public computers, and public employee time on the job to collect millions of dollars per year in political funds from the paychecks of public employees all across Oregon. And they don't even have to ask permission to take the money out of employees' paychecks.

All Measure 64 does is stop the use of public resources for collecting political funds. If 64 passes, public employee unions will have to raise their political funds from willing donors, just like everyone else does.

Simply put, they won't be able to use your taxpayer owned resources to do so.

*(This information furnished by Tim Rohrer, Oregon Tax Payers United.)*

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### Argument in Favor

#### Was Bill Sizemore Railroaded?

For more than a decade, labor unions and liberal newspapers have smeared Bill Sizemore nonstop. However, before you believe absurd claims that Sizemore was "convicted" of using fraud and forgery to get measures on the ballot, consider these facts:

**Fact one:** Both at the beginning and end of the Oregon Taxpayers United trial, teachers union lawyers told the jury that the case was not about Bill Sizemore; that Sizemore was not a defendant, not being sued and, in fact, not even a party to the case.)

**Fact two:** Before the trial began, teachers union lawyers removed every Republican from the Multnomah County jury pool, leaving Sizemore's organization a stacked jury of 14 Democrats and one Pacific Green Party member.

**Fact three:** For the three years he presided over the case, Judge Jerome LaBarre concealed the fact that his son was an activist/member of the Oregon Education Association, the same union that was suing in his dad's court. The judge's son has even been elected a teachers union president.

**Fact four:** Judge LaBarre kept from the jury evidence that was critical to Oregon Taxpayers United's defense.

**Fact five:** Nothing in the jury's verdict even mentions Bill Sizemore. No witness in the trial claimed that Bill Sizemore was involved in or authorized any forgeries whatsoever.

**Fact six:** Notwithstanding media reports that Sizemore was convicted of racketeering, Sizemore has never been so much as

## Measure 64 Arguments

charged with a crime in his entire life.

**Fact seven:** After the trial, another Portland judge ordered Sizemore to personally pay the OEA's multimillion dollar judgment. Sizemore never received a trial or opportunity to defend himself.

**Fact eight:** The OEA has offered not to pursue their ill-gotten judgment against Sizemore if he would drop his appeal and agree to stay out of politics for 15 years. Sizemore refused.

Oregon's liberal establishment has gone to the extreme, even railroading him in court, trying to get Bill Sizemore out of politics.

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

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### Argument in Opposition

**Don't let 64 interfere with the Firefighter-MDA partnership**

**Fires aren't the only thing firefighters take on every day.** We also partner with the Muscular Dystrophy Association to combat neuromuscular diseases that affect millions of Americans.

**We work hard for our money. And it feels good to know that our voluntary contributions help families dealing with muscular dystrophy. But Measure 64 could end our partnership with MDA.**

Through our paychecks every month, we make contributions that pay for things like research, physical therapy, support groups for families and even summer camp for kids. This partnership has been going strong since 1954.

**Measure 64 would bar us from making our monthly contributions to MDA.** Why? Because like many non-profits, MDA works to pass legislation that would help its members. MDA has voiced support or concern about proposed legislation including efforts crucial to helping improve not only the lives of the people they serve but all people with disorders and disabilities. **Measure 64 could stifle the MDA's ability to advocate for the people who need it most.**

**It takes choices away from firefighters.**

**It takes money away from people who need it.**

**Please vote "no" on Measure 64.**

Signed,

Oregon State Fire Fighters Council

**Gavin Johnson**  
Regional Director  
Muscular Dystrophy Association

(This information furnished by Graham Trainor, Don't Silence Our Voice Committee.)

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### Argument in Opposition

**LEAGUE OF WOMEN VOTERS OF OREGON SAYS:**

**OREGONIANS DEFEATED THIS MEASURE THREE TIMES ALREADY.**

**LET'S DEFEAT IT AGAIN.**

Oregon have said "no" to this measure three times already. We recommend a "no" vote for the same reasons we did in the past:

- **Measure 64 is unclear.** The measure is so broad and poorly worded that it's certain to end up in court, tying up state resources in the fight.
- **Measure 64 is unfair.** It curtails individual rights by denying some public employees the right to choose a payroll deduction to have a political voice like any other citizen. It even takes away a worker's right to choose to participate or not in funding education about politics!
- **Measure 64 is unnecessary.** The U.S. Supreme Court has already ruled that union members can choose to prevent their dues from being used for political purposes by filling out a simple form. If Measure 64 passes, public employees won't even be able to make voluntary political contributions to their unions. Workers have a right to choose for themselves.

- Oregon voters defeated this unnecessary and unfair measure in 1998 and 2000.** The League of Women Voters of Oregon strongly recommends voting "no" on Measure 64.

**It's still unnecessary, and it's still unfair.  
Please vote "no" on 64.**

#### **LEAGUE OF WOMEN VOTERS OF OREGON**

(This information furnished by Graham Trainor, Don't Silence Our Voice Committee.)

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#### **Argument in Opposition**

##### **UNITED WAY OF THE COLUMBIA-WILLAMETTE URGES A "NO" VOTE ON 64: IT WILL HURT OREGONIANS IN NEED**

United Way of the Columbia-Willamette is one of Oregon's largest human services fundraising organizations. Funding that we raise through workplace campaigns helps children, families, seniors, people with disabilities and many other Oregonians in need of social services. Because many of the non-profit agencies that receive funding from us advocate on issues that affect the people we serve, our work and theirs is considered "political" and in the measure's broad and unclear definition would be seriously restricted by Measure 64.

Measure 64 would specifically prohibit public employees from making voluntary payroll donations to United Way in the same way they have for years. Payroll deduction programs are a mainstay for United Way fundraising. As a result, the restriction imposed on public employees imposed by this measure will result in significant funding reductions to a wide range of community-based programs serving Oregon's neediest and most vulnerable citizens.

Due to the elimination of the payroll deduction option and the high cost of complying with Measure 64, United Way will have less funding to support the community's neediest and most vulnerable citizens. The additional loss of funding from other organizations that raise money from public employees through workplace campaigns could result in the loss of millions of dollars in critically needed social services.

Please vote "no" on 64 and keep the path open for charitable workplace giving.

Signed,

United Way of the Columbia-Willamette

Serving Clackamas, Washington and, Multnomah Counties

(This information furnished by Howard Klink, Vice President of Community Impact, United Way of the Columbia-Willamette.)

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#### **Argument in Opposition**

##### **NURSES URGE "NO" VOTE ON MEASURE 64**

**As Oregon's nursing professionals, we are deeply concerned about what happens to our patients and the care they receive.**

When legislation comes up that affects our patients' care and rights, we use the small political contributions voluntarily deducted from our paychecks as a resource to ensure that

patient's rights and the quality of the care they receive will win out over the interests of pharmaceutical companies, HMOs, and tobacco companies.

#### **M64 silences nurses' voices for quality care.**

Measure 64 would restrict our ability to have voluntary political contributions deducted from our paychecks. That would make it very difficult for our professional association, the Oregon Nurses Association, to have a voice in the policies that shape healthcare for all Oregonians.

#### **Measure 64 does not address the real problem.**

Pharmaceutical companies, HMOs, and tobacco companies will not be affected by these measures. They will still have the right to spend millions of dollars to influence our legislators. In fact, by silencing the voice of nurses, the corporate interests of healthcare will have more influence on the quality of care you receive.

#### **Measure 64 is unfair and unnecessary.**

Nurses have been voluntarily making contributions through our paychecks for years. This money is used to protect nurses' rights, patients' rights, and to support charitable organizations like the Mid-Valley Women's Crisis Service. Any member of the Oregon Nurses Association can choose not to participate. Please vote no Measure 64 to safeguard our freedom to participate.

#### **The Oregon Nurses Association Wants The Voice of Nurses to Be Heard. Please vote No on 64.**

(This information furnished by Jack Dempsey, Oregon Nurses Association.)

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#### **Argument in Opposition**

##### **Support Oregon Teachers**

##### **Vote "No" on Measure 64**

#### **Measure 64 would waste precious taxpayer dollars.**

Voters have already rejected this measure numerous times in the past. And, a similar measure was ruled "unconstitutional" in other states. Legal experts say this will end up being overturned in court. Oregon's schools have other, more important priorities than spending money on an expensive court battle.

**Measure 64 is Unnecessary.** Education professionals and other public employees already have a long-standing, Supreme Court approved right to opt out of giving their money to political efforts. Measure 64 will prohibit them from choosing to opt in. That's unfair.

**Measure 64 is Unclear and Goes Too Far.** Measure 64 is so broad and poorly written, it has far-reaching impacts on the rights of educators. Measure 64 would punish them for speaking out for Oregon's schools, community colleges, and universities.

**Measure 64 is Unfair.** Measure 64 unfairly targets one group of people by taking away this basic right. All Oregonians should have the freedom to make their own decisions about payroll deductions and where their money goes.

#### **Measure 64 is Filled with Unintended Consequences.**

Oregon's education professionals care deeply about issues that face our schools, community colleges, and universities, and we regularly advocate for improvements through the political process, like fighting for smaller class sizes, adequate funding, and affordable tuitions. Measure 64 would limit our ability to advocate for these issues, and that would hurt all of us.

## Measure 64 Arguments

### Please join with the 11,000 members of the American Federation of Teachers-Oregon In Voting NO on Ballot Measure 64.

(This information furnished by Mark Schwebke- President, American Federation of Teachers- Oregon.)

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#### Argument in Opposition

##### Oregon Public School Teachers and School Employees Ask You To Vote "No" on Measure 64

**Measure 64 is unfair to teachers and school employees.** Teachers, firefighters, police officers, and other public servants should have the freedom to make their own decisions about their personal payroll deductions. This measure unfairly targets tens of thousands of working Oregonians and limits our rights.

**Oregon does not need Measure 64.** As educators, we make the choice – voluntarily – whether to make a political contribution to our union. We value the “opt in” choice because so many of the decisions that are made about Oregon’s public schools come through the Oregon legislature. Measure 64 would take away our right to pool our resources for a political voice.

**Measure 64 is part of the Bush Administration’s agenda.** George W. Bush has made it no secret that he’s trying to tip the scales for big business. The Bush Administration continues to promote banning payroll deductions because he’s trying to unfairly single out labor unions while at the same time giving the advantage to government contractors like Halliburton, the banking industry, and big corporations like Enron.

**Measure 64 is being pushed by racketeer Bill Sizemore.** Bill Sizemore is clearly no friend of public education and teachers. In fact, he’s made it his mission to silence our voice by breaking the law and using fraud, forgery, and racketeering. He exploits the initiative system by getting money from wealthy, out-of-state donors to propose initiative after initiative that would gut funding for schools and other basic services. Don’t let Bill Sizemore silence the voice of Oregonians.

#### Please Vote No on Measure 64.

Leslie Lindberg-Harper,  
Special Education Para-Educator  
Walker Middle School, Salem

Benjamin Cota,  
Language Arts/History/Economics Teacher  
Woodburn Schools

(This information furnished by Larry Wolf, President, Oregon Education Association.)

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#### Argument in Opposition

##### Measure 64 Would Silence Important Voices for Care

My name is Mary Wood and I’m a homecare worker in Lincoln City. I’m part of a stable and trained workforce serving thousands of Oregon families. We are an important part of a community-based care system that helps seniors stay in their homes, and has become one of the nation’s best **ONLY** because caregivers have participated in the political process.

**Frontline caregivers advance not only our own interests, but also those of our clients and communities.** We promote a system that gives the elderly and individuals with disabilities a greater sense of dignity and independence, better access to family and friends, and the peace of mind that comes with attentive and affordable care in safe, familiar environments at a lower cost to taxpayers than most institutional alternatives.

**Measure 64 would drastically reduce our ability to continue working on behalf of our clients and their families.** That would leave the playing field to powerful special interests and insurers who are primarily concerned with their own profitability and growth.

We know we’re no match for the professional peddlers. But the pennies a day we set aside from our paychecks do give us a voice. This has allowed us to pass a statewide initiative that provided Oregon seniors with prescription drug relief, campaign for more training to protect patients as well as more accountability and transparency by healthcare providers, and improve staff-to-patient ratios for better care.

**I urge you to reject this misguided attempt to silence a group that needs to be heard. Please vote “NO on 64”.**

Mary Wood,  
Homecare Worker  
Lincoln City

(This information furnished by Arthur Towers, Political Director, SEIU Local 503.)

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#### Argument in Opposition

##### Oregon’s Senior Groups Ask You to Vote No on Measure 64

Measure 64 hurts the charities and non-profits that seniors and people with disabilities depend on most, and makes it harder for them to advocate for us.

With the threat of budget cuts and reduced services for the elderly, we need strong voices in the legislature that place a priority on programs like the Oregon Health Plan and Oregon Project Independence, which allow us to live in our homes.

**Measure 64 will silence the voices that speak for Oregon’s seniors and people with disabilities.** This measure also silences the voices of frontline workers, like caregivers and nurses, who should be able to advocate for issues like improved nursing home conditions and elder abuse.

**Measure 64 is unclear.** This measure is so vague and poorly written that its’ full impacts on us are unclear. Measure 64 will certainly wind up in court, tying up state resources for years. We need to focus on Oregon’s real priorities.

**We’ve already said no—three separate times.** This is the fourth time Bill Sizemore has put this measure on the ballot, and it’s lost every time before. How many times do we have to say No to the same measure?

Tell Bill Sizemore that this is still a bad idea.

Join us in voting NO on Measure 64.

Oregon State Council for Retired Citizens  
United Seniors of Oregon  
Save Oregon Seniors  
Advocacy Coalition of Seniors and People with Disabilities

(This information furnished by Jim Davis, Oregon Consumer League.)

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### Argument in Opposition

#### Racketeer Bill Sizemore Is At It Again

**Here we go again.** Bill Sizemore has run some version of Ballot Measure 64 three times already. Three times Oregon voters have said "No." Nevertheless, Sizemore has trotted it out again in 2008. Does Sizemore think his measure will pass this time? Apparently not — he's already filed the paperwork for an identical measure in 2010!

You see, Bill Sizemore doesn't hang his hat any longer on actually trying to pass a ballot measure — he makes his money simply getting them on the ballot. Sizemore exploits Oregon's initiative system by getting wealthy, out-of-state, ultraconservative donors to pay him to file dozens of initiatives ... over and over again. **Measure 64 was funded entirely by one man — who doesn't even live in Oregon!**

Worse, Sizemore doesn't even play by the rules. A jury has found that his organizations used **racketeering, fraud, and forgery** to get on the ballot, and his employees have even been caught on tape committing fraud. And once again, Sizemore's initiatives are under investigation by the Secretary of State for signature fraud.

**Now, Sizemore is trying — for the fourth time — to silence the voice of working Oregonians.** Should it ever pass, it would head straight to court for several years, and you — Oregon taxpayers — would foot the bill defending it. The state has much more pressing priorities than defending Sizemore's flawed, poorly written measure.

Please, read the other statements here in the Voter's Pamphlet that outline just how this measure is unclear, unfair and unnecessary in great detail. Then join us, Oregon AFSCME Council 75 (American Federation of State, County and Municipal Employees), in saying "No!" once again to Bill Sizemore.

#### Vote NO! on Ballot Measure 64.

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

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### Argument in Opposition

#### Measure 64 Restricts Our Right to Use Payroll Deductions To Give to Nonprofit Organizations of Our Choice

Measure 64 is unfair to us as workers and citizens. This measure unfairly restricts our right to use payroll deductions to support the organizations of our choice.

**Measure 64 goes against Oregon values of treating everyone equally. Why are the voluntary contributions of workers singled out, but not those of corporations and lobbyists? That's unfair and undemocratic.**

**Average workers don't have the power and influence that big corporations do so we pool our resources through payroll deductions to make our voices heard on issues that affect our lives.**

We use payroll deductions to support our unions and to make contributions to charities. But Measure 64 would put workers at a disadvantage by unfairly restricting the right of these

organizations to continue to represent our interests on important issues like healthcare and jobs.

Measure 64 is so restrictive that each of us and our co-workers would have to sign separate permission slips before our union could write a letter to a legislator or even urge our own members to support or oppose a piece of legislation that affects workers!

**It is unfair to single out working people and attempt to limit our right to participate in the political process by restricting our use of payroll deductions.**

But Measure 64 is not only unfair; it's completely unnecessary. We already have the right to opt out of paying for political expenditures with which we disagree—and many of us do.

#### Don't Silence the Voice of Oregon Workers.

##### **Vote "No" on Measure 64.**

Kevin Card, NALC Local 82

Bob Tackett, USW Local 330

Kevin Gray, IAFF Local 1395

Jaimie Sorenson, Chair of Political Action Committee, AFSCME Local 328

Tom Chamberlain, Oregon AFL-CIO

(This information furnished by Kathryn Grover, Oregon AFL-CIO.)

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### Argument in Opposition

#### OREGON PTA SAYS:

#### **MEASURE 64 IS A DIRECT ATTACK ON YOUR NEIGHBORHOOD PTA!**

Why would Measure 64 affect us? All PTAs (Parent Teacher Associations) collect dues or raise funds in our schools. Part of these funds go toward our child advocacy efforts. If Measure 64 passes, we would be strictly forbidden from using "public resources" like our school buildings where we educate our members on critically important issues affecting students. We would not be allowed to advocate on school grounds for our children's education needs.

Oregon PTA works hard each legislative session to ensure that the state budget provides adequate funds to schools, to child health care, and to services for children with special needs. Measure 64 would unfairly bar us from doing our work because we are based in public schools. It is a direct attack on your neighborhood PTA. However, Measure 64 would do nothing to address the political influence of corporations.

For more than 100 years, PTA has been instrumental in:

- Promoting parent involvement in schools
- Securing child labor laws
- Promoting school safety
- Supporting compulsory public education
- Promoting education for children with special needs
- Establishing a juvenile justice system
- Implementing a nationwide school lunch program

If Measure 64 passes, Oregon's children will lose one of the strongest voices they have: The voice of PTAs across this state, representing more than 20,000 concerned parents, grandparents, community members, teachers, and all children.

**VOTE TO PROTECT THE WORK THAT THE PTA DOES FOR THE CHILDREN OF OREGON**

**VOTE NO ON MEASURE 64!**

## Measure 64 Arguments

The Oregon PTA

(This information furnished by Anita Olsen, Oregon PTA.)

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### Argument in Opposition

#### Don't Silence Our Voice

#### Vote No on Measure 64 and Bill Sizemore's attack on working Oregonians

#### This Flawed Measure Comes To You From Racketeer Bill Sizemore.

The author of this measure, Bill Sizemore, makes a profit by exploiting and abusing Oregon's initiative system, funneling hundreds of thousands of dollars from wealthy, out-of-state, ultra-conservative donors to file dozens of initiatives every cycle.

**That's right—these attacks on working Oregonians are being paid for by people who don't even live in Oregon.**

**Sizemore has a long history of using fraud to get on the ballot**—and currently, all of his initiatives are under investigation for signature fraud. A jury has found that Sizemore's organizations used racketeering, fraud, and forgery to get on the ballot, and his signature gatherers have admitted to fraudulently obtaining signatures. They've even been caught on tape forging names!

#### And now Bill Sizemore wants to silence the voices of working Oregonians!

**Measure 64 is unfair.** Measure 64 singles out working Oregonians and denies them their voice in the political process by prohibiting voluntary payroll deductions. That is an unfair attack on the people who work hard every single day to provide the services all Oregonians depend on. Why should these workers be given less of a voice than anyone else?

**Measure 64 will give more power to out-of-state special interests and corporations.** Should it come as a surprise that Sizemore wants to take power away from average Oregonians and give more to wealthy, out-of-state donors and corporations?

**What part of NO does Sizemore not understand?** This is the fourth time Bill Sizemore has put this measure on the ballot. We've already said no to this unfair, unclear, and unnecessary proposal three times.

#### Vote NO on Measure 64

#### Bob Shiprack, Oregon State Building and Construction Trades Council

(This information furnished by Bob Shiprack, Oregon State Building and Construction Trades Council.)

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### Argument in Opposition

#### Governor Kulongoski Urges You to Vote NO on Measure 64

I've had the privilege of serving as your governor for the past six years. It's been my duty and honor to uphold the laws of this state. Oregon has laws on the books to protect workers and to protect their right to engage in political speech—or not, if they choose to opt out. These rights are fair and they're protected by the Constitution.

#### Measure 64 goes too far by unfairly targeting working Oregonians and silencing their voice.

This measure singles out one group of people—working Oregonians, like police officers, nurses, teachers, and firefighters—and limits their right to make their own decisions about where their payroll deductions go. Prohibiting workers from making voluntary contributions violates even the most basic principles of fairness and equal protection under the law.

#### Measure 64 has too many unintended consequences.

This measure is so broad and poorly written that it could have significant impacts on the ability of every Oregonian to exercise their right to free speech. Public buildings, like convention centers, could now be off-limits to anything resembling political speech. And it could even include parks and open spaces.

**Measure 64 will hurt Oregon charities.** Many Oregon charities and non-profit groups, like the United Way, are dependent on voluntary payroll deductions to fund the good, necessary work they do. Measure 64 will take away their right to advocate for the people who need their voice the most, including senior citizens, children, and the disabled.

**Measure 64 is still a bad idea.** This is the fourth time this same idea has been on the ballot. It's still bad for Oregon.

#### Please vote NO on Measure 64.

Sincerely,

Ted Kulongoski  
Governor

(This information furnished by Governor Ted Kulongoski.)

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### Argument in Opposition

#### Oregon Labor Commissioners Urge You to Vote "No" on Ballot Measure 64

**Measure 64 unfairly targets public employees like nurses, firefighters, teachers and police officers – it silences their voice in the political process.** As your current and former Oregon Labor Commissioners, we are concerned.

Many of these frontline workers use convenient payroll deductions to pay bills, make political contributions and give to charity. But Measure 64 will change that by **preventing public employees from making their own decisions about payroll deductions.**

**Don't let this unnecessary measure take away their voice.** Public employees who belong to a union currently can choose whether to make political contributions from their paycheck. It's their decision, it's federal law, and it's fair.

Measure 64 is an underhanded proposal that is meant to weaken the voice of public employees. It has appeared on the ballot three times before and Oregonians rejected it every time. **It was bad policy then and it's bad policy now.**

#### Measure 64 won't protect working Oregonians

#### Join us in voting "no" on Measure 64

Brad Avakian, Labor Commissioner

Dan Gardner, Former Oregon Labor Commissioner

(This information furnished by Dan Gardner.)

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**Argument in Opposition****A Message from Your Public School Employees****Vote No on Ballot Measure 64****Measure 64 is unfair to public school employees.**

Measure 64 prohibits payroll deductions for public employees that give us a voice in political matters that we care about – like school funding.

**At the same time as it silences our voices, Measure 64 does nothing to limit the power of special interests.**

While Measure 64 will shut down small money donations from public employees like us, it would do nothing to regulate the influence of deep-pocketed corporations. Measure 64 would shut out the voices of working Oregonians who have to pool their resources to be heard above big money special interests.

**Measure 64 limits our ability to advocate for our schools.** Public school employees care about what's best for schools, and frequently advocate for policies that would protect Oregon's schools. Measure 64 would limit our ability to fight for safe, healthy schools.

**Measure 64 is a bad idea.** Voters have decided three times before that similar versions of Measure 64 were seriously flawed – they rejected it each time. Yet Racketeer Bill Sizemore keeps bringing back the same idea, abusing the initiative system in the process. In fact, he has already filed a similar measure for the 2010 election.

**Measure 64 is unfair and unnecessary.****Please Vote "NO" on 64.**

The more than 21,000 hardworking education professionals who make up the Oregon School Employees Association

(This information furnished by Merlene Martin, President, Oregon School Employees Association.)

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**Argument in Opposition****CORPORATE SPECIAL INTERESTS ARE TRYING TO SILENCE YOUR VOICE  
VOTE NO ON MEASURE 64****Big corporations want to use Measure 64 to silence the voice of Oregon workers while blocking REAL reforms.**

**Measure 64 denies workers the ability to make their own decisions about the money they work hard for, but leaves large loopholes for lobbyists and does nothing to limit the political contributions of big corporations like Enron or Big Oil.**

Right now, big corporations can write \$50,000 checks to any campaign or political cause they want, while most working people can only contribute a little at a time. Payroll deduction helps workers pool funds in order to have any shot at participating in the political process.

**Think about it: If this measure passes, big corporations and special interests will have even more power – and it will take away the right of workers to make their voice heard on everything from living wages, to health care to the right to form a union.** If Enron, banking scandals and skyrocketing gas prices have taught us anything, it's that corporations already have too much power.

Bill Sizemore is pushing this measure – for a fourth time – to strengthen the ability of his corporate backers to control politicians and the political process, and to shut out working people. **Any way you look at it, this measure is unfair.**

**This isn't about worker protection, it's about corporate power.**

Fair-minded Oregonians have seen through racketeer Bill Sizemore's tactics and lies before. He has already tried to pass this measure three times and each time Oregonians have said, "No!"

The real aim of this measure is to silence working Oregonians – and give all the power to big corporations and special interests.

**Please, don't silence the voice of Oregon's Working Families. Please, Vote No on Measure 64.**

Tom Chamberlain, President, Oregon AFL-CIO

(This information furnished by Kathryn Grover, Oregon AFL-CIO.)

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**Argument in Opposition****Measure 64 is about shutting people out of democracy.**

**Oregon Action is about inspiring people to take back control of it.**

**We urge you to vote NO on 64.**

Bill Sizemore wants Oregonians to think this is about campaign finance reform. OA has worked on campaign finance reform long enough to know that **Measure 64 is phony reform.**

**Measure 64 is flawed.** This measure takes away the individual rights of tens of thousands of Oregonians by denying them the ability to make their own decisions about payroll deductions. Measure 64 unfairly limits the free speech rights of working Oregonians such as fire fighters, nurses, teachers, and police officers.

**Measure 64 shuts out small donors, but doesn't do anything about big money.** This poorly written measure prevents workers from making small contributions from their paychecks to political campaigns or charities, but does nothing to regulate big money corporations.

**Measure 64 endangers the chance for real reform.**

Real campaign finance reform would encourage citizen participation. Measure 64 would discourage it. This proposal is undemocratic. It's unfair. It's wrong. It's phony. And it's designed to derail real reform.

**Vote NO on Measure 64.****Oregon Action is online at [www.oregonaction.org](http://www.oregonaction.org)**

(This information furnished by Jo Ann Bowman, Oregon Action.)

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**Argument in Opposition****Human Service Advocates Oppose Measure 64****Measure 64 Will Limit Our Advocacy For Oregon's Vulnerable**

The Human Services Coalition of Oregon (HSCO) is a group of organizations and individuals who are dedicated to giving a voice to the people in Oregon who need us most. Our purpose is to educate and advocate for the needs of Oregon's vulnerable populations, and to make sure that all the basic needs of Oregonians' are met.

**Measure 64 would keep us from speaking out for seniors, children, people with disabilities, low-income residents, and all Oregonians.**

## Measure 64 Arguments

Measure 64 would severely limit our ability to:

- Advocate for improved nursing home care and community programs to support seniors
- Secure funding to ensure that all Oregon children and low-income families have access to necessary health care
- Work on affordable housing and homeless assistance solutions

### **Measure 64 would have sweeping unintended consequences that Oregon's vulnerable populations can't afford. And that would hurt all of us.**

Please vote No on 64, and let us continue advocating for those who most need a voice.

Human Services Coalition of Oregon (HSCO)

*(This information furnished by John Mullin, Co-Chair, Human Services Coalition of Oregon.)*

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### **Argument in Opposition**

#### **University Presidents Say MEASURE 64 IS EXPENSIVE, UNNECESSARY AND UNFAIR**

**Measure 64 is so poorly written and far-reaching** that it will certainly wind up in court and overturned, wasting taxpayer money for months or years. Our state, including our schools and universities, have too many more important priorities than to waste time and money dealing with this unclear measure.

**Measure 64 is unnecessary.** All public employees—including professors, assistants, and school faculty—have the right to keep their payroll deductions from going to political purposes they don't believe in. This measure doesn't solve any existing problem, but it takes away the right of thousands of workers to make their own decisions about where their money goes.

#### **Measure 64 has too many unintended consequences.**

Oregon's universities provide a great opportunity for students to get involved in causes they care about. Lifelong commitments to causes from every end of the political spectrum are often forged during college years. Measure 64 is so broad that it could limit the rights of students to take part in the political process.

**Measure 64 is unfair.** This measure singles out one group of people and limits their rights to use commonplace payroll deductions to make contributions of their choosing. This violates the basic fairness that we strive to instill in Oregon's university students.

#### **Please join us in voting "NO" on this poorly drafted, unnecessary measure.**

Edward J. Ray  
President, Oregon State University\*

Wim Wiewel  
President, Portland State University\*

\*Titles used for identification purposes only and do not constitute an endorsement of or opposition to the measure by the Oregon State Board of Higher Education or Institutions of the Oregon University System.

*(This information furnished by Graham Trainor, No on Measure 64.)*

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### **Argument in Opposition**

#### **Don't Shut Workers Out.**

#### **The solution to Oregon's problems is more participation, not less.**

Oregon's rural communities are facing a long list of challenges, and the Rural Organizing Project believes the most successful way to meet those challenges is through grassroots organizing and political participation at every level.

**Don't Silence the Voice of Rural Communities.** We will find the solutions to the problems facing our state and our nation only when all people exercise their right to be involved. Measure 64 does just the opposite by shutting working Oregonians out of the process.

**Measure 64 denies public employees their right to participate in the political process.** Communities and individuals should be empowered to influence the political systems that affect their lives. Measure 64 does just the opposite by blocking public workers around the state from engaging in politics.

### **IT'S UNNECESSARY**

Charities like United Way, the American Cancer Society, and others who receive voluntary contributions from public employees run the real risk of inadvertently violating Measure 64 and as a result could face mandatory fines. That's because Measure 64 prohibits charities from using any portion of a public employee's payroll deduction donation for "political purposes." But "political purposes" is so broad it includes comments by a charity on any proposed ballot measure – even one relating directly to a charity's mission!

### **IT'S UNNECESSARY**

Public employees already have the right to decide whether their payroll deductions may be used for political purposes by filling out a simple form. That's part of the constitutional right of free speech and association that all Americans have. Measure 64 would prohibit public employees from making those decisions, effectively limiting the free speech rights of a specific group. That's not just unfair but may even be unconstitutional.

### **IT'S UNCLEAR AND FAR-REACHING**

Measure 64 is so broad and poorly written that if a non-profit member organization belonging to United Way violates Measure 64, United Way could be barred in the future from participating in all Oregon public agency workplace giving programs. At a minimum, Measure 64 would require special bookkeeping and tracking of gifts received through payroll deductions that would divert money from charitable work.

### **IT DOESN'T BELONG IN OREGON**

**Oregonians have already defeated measures almost identical to Measure 64 three times.** Let's tell Bill Sizemore one last time not to restrict Oregonians' freedom of speech.

### **VOTE "NO" ON MEASURE 64**

**Dave Fidanque, Executive Director  
ACLU of Oregon**

*(This information furnished by David Fidanque, Executive Director, ACLU of Oregon.)*

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**Don't hand the legislature over to corporate special interests.** Measure 64 shuts average workers out of the process but leaves a giant loophole for corporate lobbyists and special interests.

**Democracy only works when EVERYONE can participate.**

**Vote NO on Measure 64.**

**Rural Organizing Project**

(This information furnished by Amy Dudley, Rural Organizing Project.)

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#### Argument in Opposition

**Oregon League of Conservation Voters  
SAYS "NO" ON 64**

**This is what you'll get by voting "NO" on 64:**

- **You will protect the right of all Oregonians to have a political voice.** Everyone has the right to be heard. That's how we get the most innovative solutions to the problems we face. Remember the Bottle Bill? That started in Oregon and has been copied across the country.
- **You will help advocates for clean air and water.** The Oregon League of Conservation Voters and hundreds of other groups receive voluntary contributions through payroll deductions from generous public employees who choose to support our efforts. This measure would mean the loss of countless dollars for organizations like ours that work to keep Oregon's air and water clean.
- **You will protect Oregon** from a poorly written, vague, and far-reaching measure that would end up in court and cost all of us a lot of money. Oregon has too many pressing needs to waste time in court over this measure.
- **You will uphold the will of the voters.** This is the fourth time a measure just like this has been on the ballot in Oregon. Voters have already said "no" once in 1998 and twice in 2000.

**Vote "NO" on 64!**

Signed,

Oregon League of Conservation Voters

(This information furnished by Evan Manvel, Oregon League of Conservation Voters.)

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#### Argument in Opposition

**Oregon Humane Society Asks You to  
Vote No on Measure 64**

**Measure 64 is filled with unintended consequences** that threaten to seriously damage charities' ability to raise money and speak out on important issues.

Oregon Humane Society started its own workplace campaign efforts in 1994. Employees have responded very positively to this efficient charitable opportunity. Each year more employees participate.

Last year, workplace campaigns that Measure 64 would hinder raised nearly \$40,000 for Oregon Humane Society. These funds are used to shelter homeless pets, assist pet owners in need, investigate animal cruelty, save the lives of thousands of pets

each year and advocate for animals throughout Oregon. There are many other humane societies across Oregon; all rely on the charity of the community and struggle to keep their doors open. None are funded adequately. **Measure 64 is so broad and unclear that it could result in even less money for these lifesaving services.**

These voluntary workplace campaigns are a very efficient fundraising strategy. There is very little expense. This meshes well with the public's desire for charities to spend less on fundraising and more on programs.

**Hardworking charities like Oregon Humane Society can't afford this unclear and unfair measure.**

Without workplace campaigns, all humane societies in Oregon and the pets they care for will suffer.

We encourage all pet-loving Oregonians to Vote NO on 64.

(This information furnished by George Okulitch, Oregon Humane Society.)

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#### Argument in Opposition

**Community Alliance of Tenants Says NO to Measure 64**

**Measure 64 will impact nonprofit, grassroots organizations like ours, and limit our ability to protect renters and advocate for safe and affordable housing.**

Oregon is facing an affordable housing crisis. Along with other rising household costs, skyrocketing rents are squeezing low-income and middle-class families, while the number of affordable housing units across the state is dwindling.

Now more than ever, our work at the Community Alliance of Tenants is vital to protecting renters and ensuring that there are safe, affordable housing options for all Oregonians.

**But Measure 64 is so broadly and poorly written, it would harm our ability to do our work, just when it's needed the most.**

By limiting how contributions can be made, this measure would have serious negative impacts on many organizations like ours, which are dedicated to improving the lives of Oregonians. It won't solve any problems, but it will have lasting impacts on Oregon families.

**Measure 64 does nothing to help average Oregonians.**

The state is facing many real problems right now, like the fact that one in four Oregonians spends a full half of their income on rent alone. Measure 64 does nothing to address our real problems, like the financial strain that families are under. In fact, because it is so poorly written, Measure 64 will end up in court – costing us all money and wasting valuable resources that could otherwise be used to solve our pressing problems.

**Putting Oregon renters and families at risk is just one of Measure 64's many unintended consequences.**

**Vote NO on Measure 64**, and let's keep fighting for safe and fair housing for all.

**Community Alliance of Tenants**

(This information furnished by Ian Slingerland, Community Alliance of Tenants.)

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## Measure 64 Arguments

### Argument in Opposition

#### Working America Says: Vote NO on 64

##### **Measure 64: Unfair. Unnecessary. Un-American.**

Working America, the community affiliate of the AFL-CIO, is a powerful force for working people who don't have the opportunity to join a workplace union. Our 110,000 members in Oregon have joined together to fight for what really matters – good jobs, affordable health care, world class education, secure retirements, real homeland security and more.

##### **Measure 64 unfairly singles out hardworking Oregonians.**

At Working America, we work against wrong-headed priorities that favor the rich and corporate special interests over Oregon's well-being. Measure 64 does just that—it takes away power from workers to join together through voluntary payroll deductions, but it does nothing to rein in the power of rich, corporate special interests who could care less about average working families.

Measure 64 allows the government to interfere with employees' political and charitable contributions. Payroll deductions are a convenient and popular benefit for Oregonians that should remain an option for employees.

##### **Measure 64 has unintended consequences.**

Measure 64 will harm the ability of organizations, like the Oregon Humane Society and the Oregon Food Bank, who receive charitable contributions via payroll deductions from speaking out about ballot initiatives and referendums on issues that affect their constituents.

##### **Oregonians have already rejected this unfair, unnecessary measure—and its racketeer sponsor Bill Sizemore—three times. How many more times do we have to say no?**

While working people are struggling to make ends meet, racketeer Bill Sizemore and his wealthy, corporate cronies from out-of-state have already cost Oregonians millions of dollars in fighting unfair, unnecessary, un-American measures.

It's time to put working people before corporate special interests. It's time to fight back against those who try to silence the voice of Working Americans.

##### **Vote No on Measure 64.**

(This information furnished by Sarah Flynn, Oregon Director, Working America, Community Affiliate of the AFL-CIO.)

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### Argument in Opposition

#### **Measure 64 Would Silence Oregonians at the Worst Possible Time**

My name is Elden Eichler. Friends call me "Buck." I'm a construction inspector in Jackson County and a resident of Medford.

Many of Oregon's rural counties are facing a financial crisis and loss of funding for basic services in every area from roads and public safety to schools and libraries. Public workers are impacted twice over by this crisis—our families and communities are likely to experience severe cuts and/or significant tax increases, and we may lose our jobs if there is no revenue to pay for the services we provide.

In the face of this crisis, we have had one place to turn for access to the democratic process: Our union. The pennies an

hour that we voluntarily contribute for political action through dues deduction have enabled us to speak effectively at a time when our livelihoods and our way of life are on the line.

##### **Measure 64 would take that right away from us.**

However, it would not prevent powerful special interests from spending millions of dollars in Oregon in order to get their way.

How fair or logical is it that public employees and individuals whose employers get state funding are targeted by Measure 64? These are road maintenance workers, teachers, forest workers, police, librarians, nurses and social service workers. This measure is unfair!

**I ask all my friends and neighbors to speak with one decisive voice and say "NO TO 64" and yes to free and fair speech and political access for all.**

Sincerely,

Buck Eichler  
Jackson County

*(This information furnished by Arthur Towers, Political Director, SEIU Local 503.)*

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### Argument in Opposition

#### **Law Enforcement Officials Agree: No on 64**

**As law enforcement officials, keeping Oregonians safe is our number one priority.** To ensure public safety concerns are met by our legislature, we use small, voluntary, political contributions conveniently deducted from our paychecks as a resource. Measure 64 would eliminate that resource.

**Measure 64 is unfair.** It takes away our ability to make voluntary contributions through payroll deduction—the fairest way to make our voices heard in our fight against methamphetamine abuse, identity theft and drunk driving. The Oregon State Police Officers' Association has worked to make sure that the public is served by the number of troopers necessary to ensure public safety. It would be counter-productive to the safety of all Oregonians to silence the group that has made police presence the priority that Oregon deserves.

**Measure 64 is unnecessary.** Like other public employees, we already have the right to "opt out" of payroll deduction. We have been making contributions through our paychecks for years. But with Measure 64 we'll lose the ability to make our own decisions about payroll deduction, and public safety interests will suffer.

**Measure 64 will hurt charities.** Charities in Oregon will lose out, too. That's because payroll deduction allows police officers to contribute money to charities that provide services like helping victims of domestic violence or rehabilitation for drunk drivers. If Measure 64 passes, we won't be able to use payroll deduction to support these local charities.

**Measure 64 is unbalanced.** Measure 64 is a mean-spirited attempt to single out public employees like us and take away our voice in the political process.

#### **Join the Oregon State Police Officers' Association and the Oregon Council of Police Associations in voting NO on Measure 64.**

Jeff Leighty, President,  
Oregon State Police Officers' Association

Bob Miller, President,  
Oregon Council of Police Associations

(This information furnished by Bob Miller, Oregon Council of Police Associations.)

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### Argument in Opposition

#### **Measure 64 is an Attack on Oregon Fire Fighters**

##### **Don't Silence Our Voice.**

Every day, the men and women in fire departments across the state put our lives and safety on the line in order to keep Oregonians' homes and neighborhoods safe. It's an honor and a great obligation that we wouldn't trade for anything.

#### **Measure 64 Limits Our Ability to Fight for Your Safety.**

Unfortunately, the proponent of Measure 64, Bill Sizemore, wants to take away our ability to fight for our own safety on the job, and our ability to speak out on policies that keep you and your families safe.

Measure 64 would end our ability to have small, voluntary contributions deducted from our paychecks that go toward advocating for policies that keep us safe on the job and you safe in your homes. It's an unfair attack on working Oregonians, and it will have lasting impacts on quality of life around the state.

#### **Measure 64 Limits Our Work with Deserving Charities.**

We're honored to work with numerous charities, like the Muscular Dystrophy Association, helping them raise money and awareness on important issues that affect their members. Measure 64 would put an end to these collaborations.

##### **Measure 64 is Unnecessary.**

Payroll contributions are already 100 percent voluntary. Fire fighters can opt out of political and charitable contributions by filling out a simple form. **Measure 64 takes away our right to make our own decisions about where our money goes.**

##### **Help us keep fighting for the safety of all Oregonians.**

##### **Vote NO on Measure 64**

##### **Oregon State Fire Fighters Council**

(This information furnished by Kelly Bach, Oregon State Fire Fighters Council.)

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### Argument in Opposition

#### **Oregon Food Bank Opposes Measure 64**

**"I can't afford fruits and vegetables anymore."  
"Without this food bank we would go weeks without food. Often, we do anyway."**

These are some of the voices we hear from Oregonians struggling, every day, to make ends meet. Last year, more than 200,000 people ate from an emergency food box distributed through the Oregon Food Bank Network every month. More than 72,000 of these recipients were children. Oregon Food Bank relies on the food and cash donations of caring Oregonians to support these efforts.

#### **Measure 64 will hurt families and children.**

Measure 64 uses loose and flawed definitions which would inhibit our ability to serve families and children who are hungry. Oregon Food Bank works hard to educate our elected

officials about the root causes of hunger and to advocate for programs to help the most vulnerable. This advocacy work is critical in ensuring the voices of all Oregonians are heard. Because of our participation in these efforts, we are considered to have a "political purpose" under the loose definition used in Measure 64.

#### **Measure 64 has unintended consequences that hurt many of Oregon's most respected charities.**

Measure 64 prohibits Oregon Food Bank and many other organizations from collecting funds from public resources or on public property. This means Oregon Food Bank would be prohibited from (and possibly fined for) conducting food drives and fundraisers on public property, which includes schools and libraries.

Food drives at public places like schools and libraries have historically moved more than 750,000 pounds of food through our distribution programs. This food and financial support is critical in helping feed our communities.

Many of Oregon's most respected charities will be unintentionally punished if Measure 64 passes. Ultimately, low-income Oregonians and children will suffer the consequences.

Protect the right to give to charities and join us in voting NO on measure 64.

Phil Kalberer, Board Chair  
Oregon Food Bank Board of Directors

(This information furnished by Philip A. Kalberer, Chair, Oregon Food Bank Board of Directors.)

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### Argument in Opposition

#### **Oppose Measure 64**

As community advocates, charities, and labor organizations dedicated to protecting the voices of all Oregonians, we oppose Measure 64.

#### **UNFAIR. UNCLEAR. UNNECESSARY.**

#### **Please join us. Vote No on Measure 64.**

United Way of the Columbia-Willamette

United Way Mid-Willamette Valley

Oregon State Fire Fighters Council

Oregon PTA

Advocacy Coalition of Seniors and People with Disabilities

Community Health Charities of Oregon

Carpenters Local 247

Oregon State Council for Retired Citizens

National Association of Letter Carriers Local 82

Oregon League of Conservation Voters

Multnomah County Democrats

League of Women Voters of Oregon

Oregon AFL-CIO

Working America, Community Affiliate of the AFL-CIO

Northwest Oregon Labor Council, AFL-CIO

Oregon Alliance for Retired Americans

Community Providers Association of Oregon

Tax Fairness Oregon • Oregon Consumer League

Northwest Workers' Justice Project

Oregon State Building & Construction Trades Council

Community Action Partnership of Oregon

Oregon Natural Resources Council ACTION

Basic Rights Oregon • Oregon Action

Governor Ted Kulongoski

Brad Avakian, Labor Commissioner

Dan Gardner, Former Labor Commissioner

The Oregon Education Association

Oregon Council of Police Associations

Parkinson's Resources of Oregon  
Oregon Nurses Association  
Rural Organizing Project • Recycling Advocates  
Oregon Association for the Education of Young Children  
Oregon State Police Officers Association  
Eugene-Springfield Solidarity Network/Jobs With Justice  
PSU Chapter-American Association of University Professors  
AFSCME Council 75  
Muscular Dystrophy Association  
Black United Fund of Oregon, Inc.  
United Seniors of Oregon • Save Oregon Seniors  
Oregon School Employees Association  
Working Families Party of Oregon  
NARAL Pro-Choice Oregon  
SEIU Oregon State Council  
SEIU Local 49 • SEIU Local 503  
Community Alliance of Tenants • Oregon Humane Society  
Federation of Oregon Parole and Probation Officers  
Pacific Green Party  
ACLU of Oregon  
American Federation of Teachers-Oregon  
Association of Oregon Corrections Employees  
Portland Jobs with Justice • PCUN  
ONE Voice for Child Care • Elders in Action Commission  
Human Services Coalition of Oregon

[www.NoOnMeasure64.com](http://www.NoOnMeasure64.com)

(This information furnished by Graham Trainor, No on Measure 64.)

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any statement made in the argument.*

Proposed by initiative petition to be voted on at the General Election, November 4, 2008.

<b>Explanation of Estimate of Financial Impact</b>	none
<b>Text of Measure</b>	133
<b>Explanatory Statement</b>	136
<b>Arguments in Favor</b>	137
<b>Arguments in Opposition</b>	144

### **Ballot Title**

# 65

Changes general election nomination processes for major/minor party, independent candidates for most partisan offices

#### **Result of “yes” vote**

“Yes” vote changes general election nomination processes for most partisan offices; all candidates run in single primary; top two primary candidates compete in general election.

#### **Result of “no” vote**

“No” vote retains the current party primary election system, retains procedures for the nomination of minor political party and independent candidates to the general election.

#### **Summary**

Currently, major parties nominate candidates to general election through party primaries; minor parties, independents nominate candidates directly to general election. Multiple candidates for office may appear on general election ballot. Measure changes those nomination processes for most partisan offices, including United States Senator; Congressional Representative; Governor; Secretary of State; State Treasurer; Attorney General; State Senator; State Representative; any state, county, city, district office that is not nonpartisan/for which law authorizes political party nominations to general election. Primary ballots contain all prospective candidates; elector may vote for candidate regardless of elector’s, candidate’s party affiliation. Only top two candidates in primary compete in general election. Primary, general election ballots must contain candidates’ party registration, endorsements. Eligible person, regardless of party affiliation, may fill vacancy. Other provisions.

#### **Estimate of financial impact**

The measure requires one-time spending by both state and local government of approximately \$100,000 total for computer programming changes.

The measure requires approximately \$100,000 every two years in additional state government spending for the primary election voter’s pamphlet.

The measure requires approximately \$227,000 every two years in additional local government spending for primary ballot printing and postage.

The measure does not affect the amount of funds collected for state or local government.

**Text of Measure****AN ACT**

Relating to elections; creating new provisions; amending ORS 188.120, 254.056 and 254.115; and repealing ORS 254.025 and 254.365.

**The people, exercising their legislative authority under Article IV Section 2 of the Oregon Constitution, find as follows:**

All Oregon voters should have the full and equal ability, at every election, to choose those whom they believe are best suited to govern them.

Competitive and open elections that encourage thoughtful debate and maximum participation are healthy for democracy and strengthen citizens' trust in their government.

Citizens should be able to register and affiliate with any legal political party, or none at all, according to their beliefs and without any coercion or diminishment of their rights as voters.

Political parties should be able to endorse and support any qualified candidate, or none at all, according to the beliefs and choices of their members and without any compulsion or diminishment of their rights through operations of law;

A primary election process that advances the two candidates receiving the most votes to the general election ballot, and that allows every qualified voter to vote on which candidate to advance, helps to ensure the election of officials supported by a majority of the electorate, thereby promoting citizen confidence in their government.

**And therefore enact the following law:**

**SECTION 1. Sections 2 to 21 of this 2008 Act may be referred to and cited as the Open Primary Act of 2008.**

**SECTION 2. Sections 3 to 6 of this 2008 Act are added to and made a part of ORS chapter 249.**

**SECTION 3. Statement of intent.** The intent of the Open Primary Act of 2008 is to create a fully open primary system, applicable to all voter choice offices, through which Oregon electors may select two finalist candidates to appear on the general election ballot regardless of the political party affiliation, or lack of party affiliation, of the elector or candidate.

**SECTION 4. Definitions.** As used in this chapter, "voter choice office" means the office of United States Senator, Representative in Congress, Governor, Secretary of State, State Treasurer, Attorney General, state Senator or state Representative; or any other state, county, city or district office that is not:

(1) A nonpartisan office; or

(2) An office for which nominations to the general election by political parties are expressly authorized by law.

**SECTION 5. Particular Provisions for Voter Choice Offices.**

**(1) Top two candidates nominated.** Except as provided in a home rule charter and subsection (2) of this section, for voter choice offices, the two candidates receiving the highest number of votes at the primary election shall be nominated to the general election.

**(2) Vacancies between Primary and General Elections.** If at least three candidates stood for nomination in the primary election, then if a vacancy occurs in a nomination to a voter choice office after the primary election and before the 61st day before the general election, the qualified candidate who received the next highest number of votes at the primary election, if any, shall be

the replacement nominee. The chief elections officer shall file the name of the replacement nominee with each appropriate county clerk.

**SECTION 6. Filing and nominating petition process for voter choice office.** Except with respect to the particular matters as to which this Act provides otherwise, all provisions of state law that apply to the filing and nomination processes of candidates for nonpartisan offices, also apply to voter choice offices.

**SECTION 7. Sections 8 to 10 of this 2008 Act are added to and made a part of ORS chapter 254.**

**SECTION 8. Definitions.** As used in this chapter, "voter choice office" means the office of United States Senator, Representative in Congress, Governor, Secretary of State, State Treasurer, Attorney General, state Senator or state Representative or any state, county, city or district office that is not:

(1) A nonpartisan office; or

(2) An office for which nominations to the general election by political parties are expressly authorized by law.

**SECTION 9. Election ballots for voter choice offices.**

(1) This section is intended to give Oregon voters access to information in the public record about candidates for voter choice offices and the political parties that endorse them, without infringing on the rights of political parties and their members to organize and associate.

(2) For a voter choice office in a primary election, the county clerk shall print on the ballot:

(a) If the candidate is registered as affiliated with a political party as of the 70th day before the date of the primary election, then following the name of the candidate the statement "Registration: \_\_\_\_\_" (name of political party); or

(b) If the candidate is not registered as affiliated with a political party as of the 70th day before the date of the primary election, then following the name of the candidate either the statement "Registration: not a member of a party" or, if the candidate chooses, no statement at all concerning the candidate's party registration status; and

(c) At least once on each ballot that contains a voter choice office, the statement: "A candidate's political party registration shown on this ballot for voter choice offices is the candidate's own party registration status as of 70 days prior to the election. It does not imply the endorsement of the political party identified;" and

(d) the name of each major or minor political party (if any) that has officially endorsed that candidate for voter choice office, with any such list preceded by the phrase, "Endorsed by:". The clerk shall print only such endorsements as have been received, and accepted by the candidate, through notification to the filing officer no later than the 61st day before the day of the election.

(3) For a voter choice office in a general election, the county clerk shall print on the ballot:

(a) If the candidate is registered as affiliated with a political party as of the 70th day before the date of the primary election, then following the name of the candidate the statement "Registration: \_\_\_\_\_" (name of political party); or

(b) If the candidate is not registered as affiliated with a political party as of the 70th day before the date of the primary election, then following the name of the candidate either the statement "Registration: not a member

**of a party” or, if the candidate chooses, no statement at all concerning the candidate’s party registration status; and**

**(c) At least once on each ballot that contains a voter choice office, the statement: “A candidate’s political party registration shown on this ballot for voter choice offices is the candidate’s own party registration status as of 70 days prior to the election. It does not imply the endorsement of the political party identified.”**

**(4) For a voter choice office in a general election, the county clerk shall print on the ballot following the name of the candidate and any information required by section 3 above, the name of each major or minor political party (if any) that has officially endorsed that candidate for voter choice office, with any such list preceded by the phrase, “Endorsed by:”. The clerk shall print only such endorsements as have been received, and accepted by the candidate, through notification to the filing officer no later than the 61st day before the day of the election.**

**(5) The term “political party” as used in this section shall mean a party qualified as a major or minor political party in this state under ORS Chapter 248**

**(6) The Secretary of State may adopt rules to implement this section.**

**SECTION 10. Election Process for voter choice office.** Except with respect to the particular matters as to which this Act provides otherwise, all provisions of state law that apply to elections and ballots for nonpartisan offices, also apply to voter choice offices.

**SECTION 11. Severability.** Section 9 of this Act, and each of its subsections, is severable from the balance of this Act. If this Act is ruled unconstitutional as a consequence of the provisions of section 9 (or any subsection of section 9) then the offending subsection or subsections of section 9 causing such effect shall be stricken from this Act, and all remaining subsections and sections shall remain in effect.

#### **SECTION 12. Federal legislative vacancies.**

ORS 188.120 is amended to read:

188.120. (1) If a vacancy in election or office of Representative in Congress or United States Senator occurs before the 61st day before the general election, the Governor shall call a special election to fill that vacancy. If a vacancy in election or office of United States Senator occurs after the 62nd day before the general election but on or before the general election, and if the term of that office is not regularly filled at that election, the Governor shall call a special election to fill the vacancy as soon as practicable after the general election.

(2) If a special election to fill the vacancy in election or office of Representative in Congress or United States Senator is called before the 80th day after the vacancy occurs, [each major political party shall select its nominee for the office and certify the name of the nominee to the Secretary of State. The Secretary of State shall place the name of the nominee on the ballot] nominations to the election shall take the form of a declaration of candidacy or nominating petition, which may be filed by any otherwise eligible elector.

(3) If a special election to fill the vacancy in election or office of Representative in Congress or United States Senator is called after the 79th day after the vacancy occurs, a special primary election shall be conducted by the Secretary of State for the purpose of nominating candidates [a candidate of each major political party] to the special election called to fill the vacancy.

(4) Special elections and special primary elections conducted under this section shall be as provided for

voter choice offices generally, except that the Secretary of State may accept nominating petitions, declarations of candidacy, and endorsements according to a schedule for filing set by the secretary, and except that, in the case of a special election held under subsection (1) of this section, the ballot shall include the names of all qualified candidates who have filed declarations of candidacy or nominating petitions.

**SECTION 13. Section 14 of this 2008 Act is added to and made a part of ORS chapter 236.**

#### **SECTION 14. Vacancies in voter choice offices.**

(1) As used in this section, “voter choice office” has the meaning given that term in section 4 of this 2008 Act.

(2) Notwithstanding ORS 171.051, 171.060, 171.068, 236.100, 236.215 and 236.217, whenever a vacancy exists in any voter choice office in this state and is to be filled by appointment, a person who is otherwise eligible may be appointed to fill the vacancy regardless of the person’s affiliation or lack of affiliation with a political party, and whenever a vacancy exists in any voter choice office in this state and is to be filled by election, the election procedures for voter choice offices shall be followed.

**SECTION 15. Section 16 of this 2008 Act is added to and made a part of ORS 171.051 to 171.064.**

**SECTION 16. State legislative vacancies.** In the case of a vacancy in the office of state Senator or state Representative that is to be filled by an appointing authority as provided in ORS 171.051, the following apply:

(1) The person appointed is not required to be a member of the same political party.

(2) An otherwise eligible person may be appointed to fill the vacancy regardless of the person’s affiliation or lack of affiliation with a political party.

(3) Candidates for the remaining two years of the term of office of a state Senator under ORS 171.051 (4) shall be nominated as provided for that office in ORS chapter 249, except that the Secretary of State shall accept declarations of candidacy and nominating petitions according to a schedule for filing set by the secretary, but in any case not later than the 62nd day before the first general election.

(4) ORS 171.060 (1) does not apply to the appointment.

(5) The procedure described in ORS 171.060 (2) for a vacancy in the office of state Senator or state Representative not affiliated with a major political party applies to the appointment.

**SECTION 17. Date and purpose of general election and primary election.** ORS 254.056 is amended to read:

254.056. (1) The general election shall be held on the first Tuesday after the first Monday in November of each even-numbered year. Except as provided in ORS 254.650, at the general election officers of the state and subdivisions of the state, members of Congress and electors of President and Vice President of the United States as are to be elected in that year shall be elected.

(2) The primary election shall be held on the third Tuesday in May of each even-numbered year. At the primary election [precinct committeepersons shall be elected and major political party candidates shall be nominated for offices to be filled at the general election held in that year]:

(a) Nonpartisan candidates shall be nominated or elected by all electors, as described in ORS chapter 249;

**(b) Voter choice office candidates shall be nominated by all electors, as described in ORS Chapter 249, for offices to be filled at the general election held in that year; and**

**(d) In a presidential election year, delegates to nominating conventions for the offices of President and Vice President of the United States shall be selected as provided in ORS Chapters 248 and 249, and precinct committeepersons shall be elected by members of major political parties.**

**(e) Notwithstanding subsection (d) hereof, and ORS 248.015 (1) and ORS 248.015 (5) if the number of filed candidates for precinct committee is equal to or less than the number of positions to be filled at a primary election, no election shall be held, and all filed candidates shall be issued a certificate of election under ORS 248.023.**

#### **SECTION 18. Official primary election ballot.**

ORS 254.115 is amended to read:

254.115. (1) The official primary election ballot or ballot label shall be styled "[*Official*] Primary Election [*Nominating*] Ballot" [for the \_\_\_\_\_ Party.] and shall state:

(a) The name of the county for which it is intended.

(b) The date of the primary election.

(c) The names of all candidates for nomination **or election** at the primary election **to nonpartisan, voter choice, or other office** whose nominating petitions or declarations of candidacy have been made and filed, and who have not died, withdrawn or become disqualified.

[(d) The names of candidates for election as precinct committeeperson.]

[(e) The names of candidates for the party nomination for President of the United States who qualified for the ballot under ORS 249.078.]

**(d) The number, ballot title and financial estimates under ORS 250.125 of any measure.**

**(e) In a presidential election year, the names of candidates for the political party nomination for President of the United States who qualified for the ballot under ORS 249.078, and the names of candidates for election as precinct committeeperson, if required. Only votes cast by members of the applicable political party shall be tallied and published for any such contest.**

(2) If the election is conducted at polling places as provided in this chapter, any ballot to be issued at a polling place shall also state the number or name of the precinct for which it is intended.

[(3) The primary election ballot may include any city, county or nonpartisan office or the number, ballot title and financial estimates under ORS 250.125 of any measure.]

[(4)] **(3)** The ballot [*shall*] **may** not contain the name of any person other than those referred to in [subsections (1) and (3)] **subsection (1)** of this section. The name of each candidate for whom a nominating petition or declaration of candidacy has been filed shall be printed on the ballot in but one place. In the event that two or more candidates for the same nomination or office have the same or similar surnames, the location of their places of residence shall be printed opposite their names to distinguish one from another.

**SECTION 19. Sections 20 and 21 of this 2008 Act are added to and made a part of ORS chapter 248.**

#### **SECTION 20. Political party nominations.**

Notwithstanding ORS 248.006, 248.007 and 248.008, at the primary election a political party otherwise authorized by law to nominate candidates through primary

**election may nominate candidates only for an office for which nominations to the general election by political parties are expressly authorized by law.**

#### **SECTION 21. Term in office of Precinct Committeepersons.**

**Notwithstanding anything in ORS 248.015, the term in office of Precinct Committeepersons elected under ORS Chapter 248.015 shall be four years, and shall expire on the 24th day after the date of the primary election held in a presidential election year at which they were last elected.**

**SECTION 22. Repeals.** ORS 254.025 and 254.365 are repealed.

**SECTION 23. Captions.** The section captions used in this 2008 Act are provided only for the convenience of the reader and do not become part of the statutory law of this state or express any legislative intent in the enactment of this 2008 Act.

**SECTION 24. Effect.** Sections 1 to 11, 13 to 16, 19, and 20 of this 2008 Act, the amendments to ORS 188.120, 254.056 and 254.115 by sections 12, 17 and 18 of this 2008 Act and the repeal of ORS 254.025 and 254.365 by section 22 of this 2008 Act:

**(1) Apply only to appointments and elections to public office occurring on or after the effective date of this 2008 Act;**

**(2) Apply to a certificate of nomination, nominating petition or declaration of candidacy filed before the effective date of this 2008 Act for an election to a voter choice office to be conducted on or after the effective date of this 2008 Act;**

**(3) Apply only to vacancies occurring during terms in office where the person originally elected to the term in office during which the vacancy occurred was elected for that term after the effective date of this 2008 Act and**

**(3) Are not intended to require a change in the composition of any committee or commission described in ORS 137.658, 244.250 or 442.035.**

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

**Explanatory Statement**

Measure 65 would change Oregon's elections system for: United States Senator, Representative in Congress, Governor, Secretary of State, State Treasurer, Attorney General, state Senator, state Representative, and for any other state, county, city, or district office, except for nonpartisan offices or offices for which current law expressly authorizes nominations by political parties.

Rather than an election in which certain parties and voters choose party nominees for the November general election, the May primary would become a single contest among all candidates, regardless of party or independent status, in which all voters, regardless of party or independent status, may vote. The November election would become a run-off between the top two finishers from the May election, regardless of their party or independent status. The new primary would become the only means for candidates to reach the general election ballot. Parties and nonaffiliated voters would no longer be able to nominate candidates to the general election ballot by other means.

Under Measure 65, the primary election would be open to all eligible candidates. All run together on the same primary ballot. All voters would receive that ballot, and may vote for any one candidate per office. Only the top two vote getters from the primary would appear on the general election ballot. The two candidates who advance to the November general election might be from the same political party, different parties, or no party at all.

Measure 65 requires that the ballot identify the political party that candidates have selected on their voter registration. For candidates not affiliated with a party, the ballot would state either "Registration: not a member of a party" or be silent, as the candidate chooses. The ballot would also state that party registration does not imply party endorsement.

Measure 65 requires that the ballot list any endorsements by a major or minor political party that have been accepted by the candidate. Candidates may be endorsed by more than one party, and parties may endorse more than one candidate. Endorsements may change between the primary and general election.

Under current law, candidates are nominated to the November general election ballot in several ways. Major political parties choose their nominees in the primary elections. These elections are open only to voters and candidates registered in that party. Major parties may allow nonaffiliated voters to participate in the primary. Historically, sometimes they have, and sometimes they have not.

Under current law, minor political parties choose their nominees not in primary elections, but according to party rules approved by the Secretary of State. Candidates not affiliated with any party qualify for the general election ballot by gathering signatures or holding a convention. Under current law, nominees of major and minor political parties, and nonaffiliated candidates nominated independent of the parties, all appear on the general election ballot.

Measure 65 has provisions that would substitute the next finisher if a primary election qualifier drops out of the general election and provides for filling vacancies in office, regardless of party or independent status.

**Committee Members:**

<b>Committee Members:</b>	<b>Appointed by:</b>
Bill Campbell	Chief Petitioners
Phil Keisling	Chief Petitioners
Jeston Black	Secretary of State
Roy Pulvers	Secretary of State
Wendy Willis	Members of the Committee

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

## Measure 65 Arguments

### Argument in Favor

#### **Measure #65 is a "Trojan Horse"**

But you should vote for it anyway

By law, voters in Oregon are segregated by party affiliation. Republicans and Democrats are subsidized while restrictions are imposed on anyone else who attempts to participate as a voter or candidate. There's no legitimate reason for this segregation, but partisans control the legislature, and they wrote the rules.

Partisan elections should be abolished, which is exactly what sponsors of this measure claim they're doing. Unfortunately – it's just not true. If you read past the nonbinding preamble and scrutinize the actual statutory changes in this measure, the statutes defining partisan elections are not repealed. Instead, a new "voter choice office" is created.

Read carefully:

**SECTION 4. Definitions. As used in this chapter, "voter choice office" means the office of United States Senator, Representative in Congress, Governor, Secretary of State, State Treasurer, Attorney General, state Senator or state Representative; or any other state, county, city or district office that is not:**

**(1) A nonpartisan office; or**

**(2) An office for which nominations to the general election by political parties are expressly authorized by law.**

The last subsection above (2) is odd – since partisan elections are abolished. This subsection is called a "hook". It allows the legislature to "gut" this initiative by "expressly authorizing" partisan offices. That's why the partisan election statutes weren't repealed. Note that neither subsection is necessary. Each "voter choice" office could have been listed.

Nonetheless, this is still a referendum on partisan elections. So I'm voting for it, and you should too. Just don't believe the story about partisan elections being abolished.

The only way to permanently guarantee fair and open elections is to reverse the court rulings that upheld partisan elections in the first place. To do this, the Oregon Constitution should be amended to allow referendums on judicial rulings. We can't rely on judges to protect elections because partisans control the courts too.

[www.thekeel.org](http://www.thekeel.org)

*(This information furnished by Paul Damian Wells.)*

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### Argument in Favor

Former Governors John Kitzhaber (Democrat) and Vic Atiyeh (Republican) both agree:

#### **Measure 65 will encourage more independent-minded candidates to run for public office.**

We are two former Oregon Governors who represent different political parties but share a common belief: whether it is building consensus around our land use system or addressing our health care crisis, getting the best solutions for Oregon requires independent thinking and engaging all Oregonians regardless of party affiliation.

We need more independent-minded Oregonians to run for office – leaders willing to build consensus, regardless of party line. The Open Primary will support the election of independent-minded candidates.

### **VOTE YES ON MEASURE 65 so voters can choose the best candidate, regardless of party affiliation.**

Right now in our closed primary system, Oregonians can't cross party lines. An Open Primary would change that so every voter can vote for the person they think is best suited for the job, regardless of party registration.

We know this change will bring better solutions for Oregon.

**That's why two former Governors are coming together again today – a Republican and a Democrat – to urge a YES vote on Measure 65.** It's not about partisanship; it's about the best ideas and the best solutions for Oregon.

Measure 65 supports Oregon's legacy of innovative solutions and pioneering spirit. We are a state founded by independent-minded leaders who dared to be the first to swim against the tide.

**That's why over 100,000 Oregonians from across the state brought this measure to the ballot.**

**In changing the way we elect our leaders, Measure 65 will allow Oregonians to elect the best.**

**Please join us in voting YES on Measure 65.**

**Former Governor John Kitzhaber – Democrat**

**Former Governor Victor Atiyeh – Republican**

*(This information furnished by Former Governor John Kitzhaber, Democrat; Former Governor Vic Atiyeh, Republican.)*

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### Argument in Favor

#### **Women from across Oregon – Democrats, Republicans and Independents – urge a YES vote on Measure 65.**

We are women from across the state who work every day to support our families, our schools and our communities. One of the most important decisions we all make – whether in Prineville, Jacksonville, Enterprise, Portland, Aloha or elsewhere across the state – is to elect leaders who best represent our state and local interests.

Yet today in Oregon, over 400,000 – almost 25% -- of registered voters are excluded from participating in the partisan primaries.

- Measure 65 would give the right to vote in the partisan primaries to ALL registered voters, including Independents – not just Democrats or Republicans.**

We believe everyone deserves an equal chance to vote. That's why we want every Oregon voter to VOTE YES on MEASURE 65.

Measure 65 would change Oregon's nomination process for most offices so all candidates run in a single primary election, in which everyone could vote. Voters would know which political party a candidate is in and which party endorses each candidate, but they could vote for the best candidate, regardless of their party registration. The top two finishers would compete in the general election.

- Measure 65 allows any voter to choose the best candidate, regardless of party affiliation.**

We deserve to vote for the candidate who will protect our families, build healthy communities, and help make Oregon a great place to live. But we must be given the opportunity to elect the candidate who best represents our views and supports our issues, regardless of party lines.

**Allow all registered voters to vote in primaries.  
Choose the best candidate, regardless of party.  
Vote YES on Measure 65.**

Diane Snyder, Enterprise, Oregon, Republican

Diane Christopher, Jacksonville, Oregon, Democrat

Leann Gallien, Aloha, Oregon, Independent

Alissa Keny-Guyer, Portland, Oregon, Democrat

Linda Shelk, Prineville, Oregon, Republican

(This information furnished by Diane Snyder, Enterprise, Oregon, Republican.)

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**Argument in Favor**

**Former Oregon election officials, Phil Keisling (Democrat) and Norma Paulus (Republican), urge YES vote on Measure 65**

As former Secretaries of State, we've been responsible for making sure elections work for every single Oregonian. Our current closed primary system does not work. It prevents many Oregonians from voting in primary election contests.

**Today in Oregon, 25% of registered voters—those who aren't Republicans or Democrats—are excluded from voting in partisan primaries.**

**THAT'S JUST NOT FAIR.**

**CHANGE** is needed now. **Measure 65 will change our general election nominating processes by opening up our primary elections to all voters.**

**Measure 65 would give the right to vote in the partisan primaries to ALL registered voters, including Independents – not just Democrats or Republicans.**

**It's important to include everyone in the political process, not just those who align themselves with one of the two major parties.** But even those who are registered with one of the two parties have limited choices on their primary ballot.

**That's why more than 100,000 Oregonians all across the state came together to bring Measure 65 to the ballot.**

Some people will say this measure is confusing and complicated, but **it's really a simple choice.**

Any voter, regardless of their party registration, can vote for any candidate. Simply put: You can choose the best candidate regardless of party.

It's about inclusion and equality. The Open Primary allows ALL voters to choose the best person for the job, with the top two vote-getters moving on to the general election, regardless of party label.

**It's time to open our elections to everyone.  
VOTE YES ON MEASURE 65.**

(This information furnished by Former Secretary of State Norma Paulus, Republican, Co-petitioner; Former Secretary of State Phil Keisling, Democrat, Co-petitioner.)

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**Argument in Favor**

**We are the 100,000 Oregon voters who brought Measure 65 to the ballot.**

We believe all voters should be treated equally in every election.

**TOGETHER, we believe that everyone, not just Democrats and Republicans, deserves the right to vote for all offices in the primary.**

**MEASURE 65 is about people, not parties!**

We are the proud supporters of the ONLY measure on the November 2008 ballot that is truly a citizens' initiative because it was brought to the ballot by Oregonians like you, NOT by electeds, special interest groups or people who make a career out of putting initiatives on the ballot.

**JOIN US IN VOTING YES ON MEASURE 65!**

**Lori Callister**

**Mara Cogswell**

**Lisa Amato Craig**

**Howard Cutler**

**Theresa Maré**

**Mila Raphael**

**Deborah Sue Gordon**

(This information furnished by Mara Cogswell.)

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**Argument in Favor**

**A MESSAGE FROM PAMELA ECHEVERIO,  
REGISTERED INDEPENDENT  
AND ONE OF 480,000 OREGONIANS EXCLUDED  
FROM PARTY PRIMARY ELECTIONS:**

**"Running primary elections like private clubs, open only to those willing to sign up and toe a party line, is corrosive to the democratic process."**

– The Oregonian Editorial Board, 3/25/2008

I've been a registered Independent for 10 years. I feel strongly about the value of Independent voters in our two-party-dominated system. Our votes help nudge Democrats and Republicans toward solutions that make sense to all voters.

But Independents can't play that important role if we aren't given a vote in party primaries.

I live in Oregon for a reason. It's a state where people don't have to sacrifice their independence or feel compelled to follow the crowd. It goes way back to the days of the pioneers. But our voting system does not reflect that same independent spirit. That's frustrating.

I don't think it's too much to ask to be able to vote for candidates in EVERY election based on the issues that matter to me: great schools, good healthcare and a safe community for my three children and grandchildren.

I don't want to have to choose between registering as either a Democrat or Republican. It's too limiting and doesn't accurately reflect my values.

But I'm not given much of a choice. Right now, if I don't choose, I give up the right to vote in the primary for U.S Senators, legislators and other important offices that make important decisions that affect my family and me.

Oregon needs an Open Primary where everyone can vote, regardless of party affiliation. Without it, our system remains stifled and limited to interests of only a few.

I know thousands of other voters feel the same way I do.

**Please join me by voting YES on Measure 65. Together, we can give EVERY Oregon voter a voice.**

Sincerely,

**Pamela Echeverio, Registered Independent**

(This information furnished by Pamela Echeverio, Registered Independent.)

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**Argument in Favor**

**DOCTORS AND HEALTHCARE WORKERS SUPPORT AN OPEN PRIMARY FOR OREGON**

In our profession, we are on Oregon's healthcare frontlines. Every day we witness the results of our health care policies and know that the well-being of our fellow Oregonians very much depends on the policy decisions our political leaders make.

We strongly support pragmatic leaders who demonstrate broad accountability to ALL voters, not just the narrow interests of a few. When it comes to decisions regarding prescription drugs, healthcare costs, public health concerns and mental health care, we need thoughtful, innovative, independent-minded leaders. That's why we are joining together to support Measure 65.

Measure 65 gives every registered voter in Oregon full and equal ability, in every election, to vote for the candidate they believe is best qualified for the job, regardless of party registration.

**An Open Primary would encourage more independent-minded candidates to run for office, which means a bigger pool of qualified leaders.**

**Join us in voting "YES" on Measure 65**

**Tomasz M. Beer, M.D., Oncologist**

**Knute Buehler, M.D., Orthopedic Surgeon**

**Mark Garzotto, M.D., Urologic Surgeon**

**Julie Kim, M.D., Gastroenterologist**

**Laurie Lockert, Licensed Professional Counselor**

**Daniel Root, M.D., Sleep Medicine**

**Kathleen M. Roy, Licensed Clinical Social Worker**

**Christopher W. Ryan, M.D., Medical Oncologist**

(This information furnished by Knute Buehler, M.D., Orthopedic Surgeon.)

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It's not right that over 480,000 voters like us are disenfranchised in the partisan primary elections just because we aren't registered as Republican or Democrat.

We shouldn't have to renounce our independence as voters just to be a part of the democratic process.

Everyone deserves the right to vote for all offices in the primaries, not just Democrats and Republicans.

**We are supporting Measure 65 for three important reasons:**

- **Measure 65 would send the same ballot to every registered Oregon voter, so all voters could vote for the best candidate, regardless of party registration.**
- **Measure 65 would allow ALL voters, including independents, the right to vote for EVERY office in the primaries.**
- **Measure 65 would create a fair and inclusive voting process.**

Some speculate about the "what ifs" surrounding an Open Primary system, but the reality is simple: It's a fundamental issue about fairness and democracy.

An overwhelming majority of Oregonians wants an Open Primary system because it's the right thing to do.

**Do the right thing for ALL voters. VOTE YES ON MEASURE 65.**

**Jon Ediger, Non-affiliated, Washington County**

**Sal Peralta, Independent, Yamhill County**

**Ken Wick, Independent, Wallowa County**

(This information furnished by Ken Wick, Independent, Wallowa County.)

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**Argument in Favor**

**GET THE TRUTH.**

**TOP MYTHS ABOUT MEASURE 65 and Open Primaries**

**Myth: "This may damage the two-party system."**

**FACT: Political parties play an important role.**

**Measure 65 preserves their ability to tell voters, on the ballot, whom they favor. It expands minor parties' access to the ballot. And it preserves candidates' ability to tell voters their party alignment. Measure 65 makes the party system more robust.**

**Myth: "Voters should just choose a party. It's the way things have always worked."**

**FACT: Everyone deserves the right to vote in the primary. Why should people have to join any political party to be able to vote or run?**

**Right now nearly half a million Oregonians must renounce their independence or their party if they want to vote in the primary for many important state offices.**

**That's not fair. Measure 65 changes that by treating all voters equally in every election.**

**Myth: "This is a solution for a problem that doesn't exist."**

**FACT: Right now, 25% of Oregon's registered voters don't receive a ballot for party primary elections. Their tax dollars fund an election in which they do not get to vote. That's a problem.**

**Argument in Favor**

**We are registered voters, but as independents we are not allowed to vote for many offices in the primaries.**

We know the candidates, we're knowledgeable about the issues, pay taxes, and yet don't have a voice for important offices in the primaries. That's not right.

**Solve the problem. Give everyone the right to vote in the primary. It's just fair.**

Myth: "This reduces choice, because minor parties don't get access to the November ballot."

**FACT: Measure 65 increases choice and increases access throughout the election system. For the first time, minor parties and nonaffiliated candidates and voters run in and vote in the primary: increased access. Everyone can vote for the best from all candidates who seek the office: increased access.**

**That allows the November election to be a true top-two runoff. The winner will have the support of – and be responsible to -- a majority of the voters.**

**Oregon has had minority government for too long. Let's try majority rule for a change.**

(This information furnished by Karen Whitman, Vote Yes on 65, Make Every Voter Count Committee.)

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**Argument in Favor**

**Merrill A. "Tony" McPeak wants you to VOTE YES on Measure 65 so all voters can choose the best candidate, regardless of party affiliation.**

As a former Republican and Independent, now Democrat, I know what it's like to be on all sides of the party line.

After seeing elections through the lens of these three parties, I know an Open Primary is the right choice for Oregon.

**Measure 65 is about choosing the right candidate, NOT choosing the right party.**

My voting history is no secret. When I was a Republican, I bet on Republican candidates to decide what's best for my state and my country. I continued to support Republican candidates until I realized that their policies no longer upheld my values.

Now, as a registered Republican turned registered Democrat, I know how valuable it is to have the flexibility to cross party lines. I support Measure 65 because an Open Primary would allow voters to back candidates that support their values, not just their registered party.

In the current system, to get a ballot that lists the candidate that best support my ideals, I have to register with that candidate's party. If I'm not registered with one of the two major parties, like more than 480,000 other voters in Oregon, I cannot even participate in party primaries.

Measure 65 would give the right to vote in the partisan primaries to ALL registered voters, including Independents – not just Democrats or Republicans.

The time for change is NOW. Measure 65 will change our general election nominating processes by opening up our primary elections to all voters, regardless of their party registration.

**VOTE YES ON MEASURE 65**

**Merrill A. "Tony" McPeak**

(This information furnished by Merrill A. "Tony" McPeak.)

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**Argument in Favor**

**BUSINESS LEADERS FROM ACROSS THE STATE URGE "YES" ON MEASURE 65**

**We support Measure 65 because it will:**

- **Create a fair and inclusive voting process for Oregon.**
- **Help elect more independent-minded, qualified leaders that have broad accountability to ALL voters.**

Measure 65 will change Oregon's nomination process for most offices so all candidates run in a single primary election, in which ALL registered voters could participate – not just Republicans and Democrats. Voters would know which political party a candidate is in and which party endorses each candidate, but they could vote for the best candidate, regardless of their party registration. The top two finishers would compete in the general election. The result is an open primary system that treats all voters equally.

Please join us in voting YES!

**"It's a campaign Oregonians should support. The state's current system is seriously flawed."**

— The Oregonian Editorial Board, 3/25/2008

(This information furnished by Karen Whitman, Vote Yes on 65, Make Every Voter Count Committee.)

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**Measure 65 Arguments**

**Joshua D. Blank, Technology, Portland**

**Steve Buhaly, Technology, Hillsboro**

**Bill Campbell, Law and Finance, Portland**

**Justin Delaney, Insurance, Portland**

**Mark Ganz, Healthcare, Portland**

**John D. Gray, Real Estate Development, Portland**

**Michael P. Hollern, Real Estate Development, Bend**

**Brian Lesser, Real Estate Development/Construction, Gresham**

**Mary McSwain, Real Estate Development/Construction, Gresham**

**James A. Meyer, Business Investing, Portland**

**Hiroshi Morihara, Green Energy Production, Gresham**

**Eric Parsons, Insurance and Financial Services, Portland**

**Mac Prichard, Communications, Portland**

**Steven D. Pratt, Metals Manufacturing, Portland**

**Bill Thorndike Jr., Manufacturing, Medford**

**Benjamin R. Whiteley, Insurance, Portland**

(This information furnished by Bill Campbell, Law and Finance, Portland.)

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**Argument in Favor**

**Oregon's Motto: "She Flies With Her Own Wings"**

**In other words, we march to the tune of a different drummer. And that's a good thing.**

Think about it: the Beach Bill, Bottle Bill and Vote-by-Mail. All of these are visionary pieces of the Oregon experience. Oregonians have embraced these pieces of legislation as statements of our unique and independent character.

Pragmatic, sensible politicians from both political parties brought us these innovative answers. Measure 65 will bring more of these citizens to the surface and help enhance Oregon's independent spirit.

Measure 65 will change the way we elect our leaders by infusing the system with more independent-minded voters and candidates. That means even more sensible solutions for Oregonians.

As the former co-directors of Governor Tom McCall's organization, SOLV, we saw over the years how much Oregonians want to be engaged. Whether it's volunteering to restore watersheds or registering to vote, Oregonians are passionate about their state.

Governor McCall's charge to SOLV was that it refrain from endorsing or opposing any candidate or legislative bill. We have personally abided by that charge too, for nearly 20 years. This year, we are supporting Measure 65 as citizens who dearly love our Oregon.

Right now, our system isn't giving 25% of voters a chance to participate in electing candidates in our party primary elections unless they renounce their independence and change their party registration. That's not fair to many of our citizens and it's not keeping true to the independent character of our state.

Measure 65 gives every voter in Oregon full and equal ability, in every election to vote for the candidate they believe is best qualified for the job, regardless of party registration.

Now, that's more Oregon's style.

As fellow independent-minded Oregonians, we're asking you to help restore Oregon's independent spirit.

We're asking you to vote **YES ON MEASURE 65.**

**Jack and Jan McGowan, former Co-Directors of SOLV**

*(This information furnished by Jack McGowan, former Co-Director of SOLV; Jan McGowan, former Co-Director of SOLV.)*

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**Argument in Favor**

**Dear Voter,**

I am one of the thousands of voters who have chosen to switch parties in the past year. Why? Because when I see the opportunity to elect a good candidate, I want to do my part to get that candidate elected. And in Oregon, in many races, the voter must belong to the same party as the candidate to cast a primary vote that really matters for that candidate.

**I want to be able to vote for the best candidate in every race, every time, regardless of the party of the candidate.**

**And I don't want to have to switch parties to do so.**

**That's why I am voting YES on Measure 65.**

Right now, Oregon's primary voting system requires me, and other independent-minded voters, to register with a candidate's party if I want to have a real voice in contested party primaries.

When I was registered as an independent, I could not vote in many of the primary races. I want my voice to be heard and I want to cast a vote for the candidate who best reflects my values. I support open primaries so that I can choose the best candidate without having to limit myself to a single party.

**Measure 65 makes it easier FOR EVERYONE to vote for the person they think is best suited for the job, regardless of party registration.**

**VOTE YES ON MEASURE 65!**

Thank you,

Ashley Henry

*(This information furnished by Ashley Henry.)*

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**Argument in Favor**

**As young voters and community leaders in Oregon, we urge you to vote yes on Measure 65.**

Young people are voting in higher numbers than ever before.

Many young voters feel disillusioned with the political process because of extreme partisanship in Salem and Washington D.C. and a lack of independent-minded candidates running for office.

We have become cynical as we watch candidates say one thing during the closed party primaries only to change their stance during the general election.

Measure 65 would change this dynamic by opening up the primary election to all voters, including a rapidly growing number of independents.

**Measure 65 is a simple reform that makes sense to Oregon's young voters.**

Under Measure 65, all voters could vote in the primary election, regardless of their party affiliation, and they can vote for any candidate, regardless of the candidate's party affiliation.

**We're Oregon's future and we say IT'S TIME FOR AN OPEN PRIMARY:**

- IT'S TIME to treat every voter equally.
- IT'S TIME to let every voter select the candidate they believe is the best qualified for the job, regardless of party registration.
- IT'S TIME to think outside the political party box.

**Please join us in voting YES ON MEASURE 65.**

**Jeremy Rogers**

**Jake Oken-Berg**

**Amy Garity**

**Oregon State Representative Ben Cannon**

**Erin Hesby**

**Jeffrey King**

**Julia Kelly - Echeverio**

**Ryland Kelly**

**Paige Haxton**

**Patrick Firth**

**Matt Peterson**

(This information furnished by Jeremy Rogers.)

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**Argument in Favor**

**Leaders in education say YES ON MEASURE 65 and YES To Open Primaries.**

As educators, we believe in the power of independent thinking and creative solutions that effectively respond to societal changes. Why should our political system be an exception?

**An Open Primary system will encourage more independent-minded candidates to run for office, creating a climate for solving problems.**

An Open Primary will allow every registered voter in Oregon to have the ability, in every election, to vote for the candidate they believe is best qualified for the job, regardless of party registration. As educators, we believe this will encourage candidates to speak to a wider audience of voters, and address a broader list of issues.

**Measure 65 is an important step toward finding creative solutions to statewide issues.**

As current and former educators, we work everyday to maintain Oregon's place as a state of innovation. From the bottle bill to land use to technology, Oregon is a place where good ideas begin. We support this in our classrooms and expect it in our staterooms. Innovation is good for Oregon's economy and Oregon's citizens. This is why we are urging you to vote YES on MEASURE 65.

**SUPPORT INNOVATION &  
INDEPENDENT-MINDED LEADERSHIP:  
VOTE "YES" FOR MEASURE 65**

**Signed:**

**Vicky Barrows, Retired Teacher, Portland  
Susie Snyder, Assistant Professor, Portland  
Skip Liebertz, Retired Superintendent, Salem**

*(This information furnished by Vicky Barrows, Retired Teacher, Portland.)*

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**Argument in Favor**

Most Oregonians seem to agree that our political system is broken. Elections are far too partisan. Elected officials too often take political positions, instead of solving real problems.

It's not enough to change who we elect; we need to change the way we run the election system.

Measure 65 changes the election system by allowing all Oregon voters, not just political parties and the small percentage of voters who participates in primary elections, to choose the top two candidates that compete in the general election. By itself, this won't solve education, economic and other problems facing Oregon. But it will immediately change the political dynamics and increase the probability that solutions will be adopted.

When we have party primaries, candidates start by appealing only to those who actually vote in their party's closed primary. Party primary elections tend to be dominated by party activists, special interests and single-issue voters. Regular citizens are put off and usually have a low turnout. As a result, the current closed primary system tends to pick candidates at opposite ends of the political spectrum.

And then, because the November ballot is more of a free for all than a runoff, we often wind up with a winner who only gets a minority of the vote. In fact, in Oregon you can take office without ever getting a majority of the vote.

Well, government by the minority turns out to be a bad idea. It leads to excessive partisanship, political posturing and legislative logjams.

By establishing one common primary open to all voters, Measure 65 pushes candidates towards the middle ground where solutions are found. It should increase the number of reasonable, independent-minded candidates who run for office. And most important, it's much fairer to independent voters who now can't even participate in the current party primary system.

**Vote Yes on Measure 65.**

**Brett Wilcox**

(This information furnished by Brett Wilcox.)

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**Argument in Favor**

**Oregon business groups strongly support Measure 65!**

Oregon Business Association, Associated Oregon Industries and Oregon Business Council are bi-partisan business organizations that represent companies, large and small, across Oregon.

**Measure 65 will give everyone a voice and a vote in the primary, no matter their party affiliation.**

## Measure 65 Arguments

As business people, we know it's important that our government represents everyone in Oregon, not just Democrats and Republicans. **Over 480,000 registered voters are not allowed to participate in a party primary election unless they renounce their independence and change their party registration. THAT'S WRONG.** We need all of Oregon to be represented. That's why over 100,000 Oregonians across the state brought this to the ballot.

### **Measure 65 will allow Oregonians to vote for the person they think is best suited for the job, regardless of party registration.**

As business people, we know making sure the best choices are available makes our businesses, and our communities, strong. Measure 65 makes it easier to vote for the best candidate, because it doesn't limit voting options based on registered party. An Open Primary puts the same ballot into the hands of every registered voter, regardless of party affiliation.

### **Oregon needs more independent-minded candidates and leaders.**

As business people, we believe in the power of great leaders to make innovative ideas a reality. Measure 65 will change the way we elect our leaders by infusing the system with more independent thinking. Pragmatic and sensible politicians brought us the Bottle Bill, vote-by-mail, and public beaches. Measure 65 helps restore Oregon's independent spirit.

### **SAY "YES" TO MEASURE 65**

**Associated Oregon Industries**  
**Oregon Business Association**  
**Oregon Business Council**

(This information furnished by Ryan Deckert, President, Oregon Business Association.)

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### **Argument in Favor**

#### **The Facts about Measure 65**

##### **1. Is Measure 65 the same as Washington State's "Open Primary" Law?**

It's similar, but better. As in Washington, everyone – Democrats, Independents, Republicans – would be able to vote in all primary and general elections. That's good. But it's better than Washington's law because it provides a way for parties to endorse candidates.

##### **2. Does it threaten minor parties' existence?**

No. Minor parties will have an equal role in all elections. In order to qualify for the ballot, minor parties will need about 10,000 registrants, but that's not a bad thing. Requiring some number of supporters is a fair way to prevent ballot clutter.

##### **3. Measure 65 will also allow cross-endorsement. Is this a good thing?**

We think so. The Oregon Independent and Working Families parties recently brought an unsuccessful lawsuit seeking the right to cross-endorse, meaning a candidate could run as Democrat-Working Families or Republican-Independent. This provides valuable information to voters about who stands for what. Measure 65 would establish cross-endorsement as the law in Oregon.

##### **4. Will Measure 65 confuse the voters?**

No. It actually provides more information to voters by telling them which parties support which candidates. Oregon voters are among the nation's savviest. They will appreciate having more information about who stands for what.

##### **5. The Democrats and Republicans oppose it. Why?**

Change is always unnerving. Plus it means that state taxpayers will no longer pay for "closed" party primaries. It will require the parties to establish a new method for endorsing candidates.

##### **6. Is it good for Democracy?**

On the whole, yes. It allows all voters to participate in primary elections, provides more information to voters, and allows minor parties to play a more constructive role. One danger is that the Open Primary can give an advantage to the richest candidate, so this is only a first step. We also need solid campaign finance reform that limits the power of big money in politics.

*(This information furnished by Corinne Locke, National Open Ballot Project.)*

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### **Argument in Favor**

#### **A MESSAGE FROM ALLEN ALLEY, CANDIDATE FOR STATE TREASURER, ABOUT**

##### **MEASURE 65:**

##### **Please Join Me In Voting Yes on Measure 65 for an Open Primary.**

For much of the last two years I had the honor of serving as the (Republican) Deputy Chief of Staff for our (Democratic) Governor, Ted Kulongoski.

He gave me a free pass to bring new ideas and to help our Legislature and our agencies think in new ways. The experience was both positive and productive because it allowed competing ideas to chase the same goal of creating a climate of economic opportunity for Oregonians.

My experience in the Governor's office only underscored my long-standing support for an Open Primary.

I believe that having more people with different perspectives involved in our democratic process only helps build confidence in the decisions of our elected leaders. It expands the scope of the possible. There is great strength in having Republican, Democratic, and independent voices all at the table. It allows candidates of all parties to make their case and allows all of the voters in Oregon to choose.

Fully one-third of Oregon voters have elected not to affiliate with a political party, but their voices are every bit as important as those who do. No candidate can win an election without the support of independent voters so it makes no sense to shut them out of a primary election designed to narrow the field to the most qualified candidates.

Elections ensure that candidates are listening to voters and remind them that they are ultimately accountable to Oregonians in every corner of our great state. And that's the point. The decisions of our leaders should be judged by all voters. Closed primaries cannot reflect the will of all voters, only a percentage of them.

My experience tells me that better decisions are made with everybody participating.

##### **Please join me by voting YES on Measure 65.**

*(This information furnished by Allen Alley, Friends of Allen Alley.)*

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**Argument in Opposition****Limiting discourse, limiting candidates, limiting choices.**

The rallying cry behind the push to change Oregon's primary system is that it will enable all voters to have their voices "heard" in the early stages of an election. But really, no one will be listening.

Instead of expanding the field of choices, Measure 65 will limit it..

Republicans and Democrats would be prevented from fairly determining who they want their nominee to be. In this system, each party would be forced into a game of strategy. Instead of Democrats (or Republicans) in a given district being able to decide whom they like best in a field of 3 or 4, there would be a natural tension and pressure to limit party candidates to no more than 2, and maybe one. The anointed one will be selected long before the voters cast their first ballots, and the selection will be heavily influenced by money, often from outside Oregon borders..

Smaller parties could put forth candidates, but as long as Republican and Democratic Parties exist, smaller parties will NEVER see their candidates advance to the general election

Now, why would a Democratic Party organization be opposed to a system that effectively eliminates 3rd party and non-affiliated candidates from the process? The Multnomah Democrats are composed of folks from all walks of life with a wide range of viewpoints. We believe ALL these viewpoints should have the forum for expression in the primary election, and that primary voters should be enabled to vote for whomever best represents their philosophies.

Measure 65 limits this expression, limits discourse, and limits the choice Oregon voters deserve.

Please, vote NO on Measure 65.

*(This information furnished by Carla "KC" Hanson, Multnomah County Democrats.)*

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**Argument in Opposition**

The Libertarian Party of Washington County strongly opposes Ballot Measure 65. It is patently unfair, almost certainly unconstitutional, and should be soundly rejected by Oregon voters!

Proponents of this measure use the fair-sounding term "open primary", but actual results will be anything but open! Oregon voters – Democrat, Republican, Libertarian – will lose their right to select candidates of their choice from the party of their choice!

By allowing only the "top two" vote-getters in a primary election to advance to the general election, this measure would effectively eliminate small parties from the ballot in general elections. Although small parties seldom win elections, they frequently offer genuine alternatives to the status quo. Since small party candidates rarely compete in primaries, this measure would dramatically reduce choices available to voters by eliminating these candidates from general elections.

In districts where one party is historically dominant, this measure could have the effect of placing two candidates from the same party on the ballot in the general election. Depending on where you live, would you really want to see only two Democrats or two Republicans on the ballot? What kind of choice is that?

The Bill of Rights of Constitution of the United States wisely prohibits any law "prohibiting the right of the people peaceably to assemble". What is a political party – even a so-called "minor" party – other than a peaceful, politically-oriented assembly? By what right do the proponents of this ballot measure propose to strip valid minor and major party candidates of their right to stand for election in Oregon?

A far better solution to the problems this ballot measure purports to address is term limits, which would have the effect of throwing every voting district "up for grabs" every few years instead of allowing politicians to entrench themselves in office by showering endless pork-barrel projects in their districts with your tax money.

**Vote NO on Measure 65.**

*(This information furnished by David E. Long, Chairman, Libertarian Party of Washington County.)*

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**Argument in Opposition****Measure 65 — This is not just an Open Primary measure.**

If Ballot Measure 65 was just about letting independents vote in the primaries, then that would be something to talk about. But that idea is only the "bait" to try and entice people to vote for this measure — the "switch" is that it will make it harder for regular folks to get elected and impossible for third parties to be on the ballot in the general election. **We don't need elections that cost more and become the sole domain of rich folks.**

Under Measure 65 even if you beat your opponent in the primary election 95 percent to 5 percent, you still have to run against them in the general election. In the present system, the conversation in the primary election between two members of the same party is important and very different than the debate between two folks of a different party that occurs in the fall. Under this proposal that is gone and we have to hear the same rhetoric for an entire year. Don't we want both debates?

The worst part is this: what person that actually works for a living can take off a whole year to run for office? Measure 65 is supported overwhelmingly by rich CEOs. These are people that aren't concerned that elections will be twice as long and cost twice as much. Regular folks that want to be part of the process and run for office don't stand a chance to get elected — it will be only those people that don't have to work for a living that will be able to run for office. That's not the kind of Oregon Legislature that serves everyone.

We need to let everyone have a chance to get elected, not only the rich. Please join us, Oregon AFSCME Council 75 (American Federation of State, County and Municipal Employees) in rejecting this proposal.

**Vote NO! on Measure 65.**

*(This information furnished by Joe Baessler, Oregon AFSCME Council 75.)*

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**Measure 65 Arguments****Argument in Opposition**

Fellow Oregonians.

I strongly urge you to VOTE NO on 65

This is a solution looking for a problem.

It will cause the election season to start earlier, last longer and cost more.

Under this "TOP TWO" primary system, all candidates would appear in a long complicated list on the May primary ballot.

The "Top Two" vote-getters, regardless of what they believe and stand for, would be on the November ballot. In many races, your only choice will be two candidates from the SAME Party!

Under this poorly thought-out system, Democrats could be forced to either vote for a Republican in many races, or not vote at all. Likewise, Republicans could be forced to vote for Democrats. That is not choice and it is not democracy. There is nothing "open" about this proposed scheme.

And for our other parties – the Green Party, Libertarians, Independents, would be effectively forced off Oregon's November ballot.

Oregon's Primary election system has nominated and elected some of our state's most outstanding leaders – of both parties. Tom McCall, Bob Straub, Dave Frohnmayer, Maurine Neuberger, Les AuCoin, Norma Paulus, Jim Hill.

It worked then. It works now.

The claim that this measure will give Oregon more moderate office-holders has no basis in fact. The claim that Measure 65 will magically help legislators play nice together in Salem is nothing more than a campaign tactic.

Once again – this is an invented solution to a non-existent problem. Don't be fooled.

Vote NO on 65.

Governor Barbara Roberts

*(This information furnished by Barbara Roberts.)*

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**Argument in Opposition**

Join us in Voting No on Measure 65 because it would shut out different voices, especially women and people of color.

We belong to different parties.

We were elected from different communities all over Oregon. We have sharply different ideas about what government should do and how to do it.

We think our differences are good for democracy and force the legislature to make better decisions.

While we disagree about many issues, we all agree that Measure 65 would make it much harder for women, people of color, and people with different ideas and different life experience to win elections. We think that would be bad for democracy and bad for Oregon.

Right now, Oregon is 8th best among the states for women's share of legislative seats. The only state with any track record using a Measure 65-type primary (Louisiana) has the 43rd **worst** proportion of women in its legislature, largely due to the exclusionary effect of the "Top Dogs" primary. Republican and Democrat alike, we don't want to see women and people of color in Oregon lose their influence in important policy and budget decisions.

Please join us in voting NO on Measure 65.

Sen. Margaret Carter (Portland)

Sen. Suzanne Bonamici (Washington County)

Rep. Jean Cowan (Lincoln County)

Rep. Tina Kotek (N/NE Portland)

Rep. Nancy Nathanson (Lane County)

Rep. Mary Nolan (Multnomah County)

Rep. Patti Smith (Hood River, Sandy)

Rep. Carolyn Tomei (Clackamas County)

*(This information furnished by Representative Mary Nolan.)*

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**Argument in Opposition**

We usually are all on very different sides when it comes to candidates and issues, but there is one thing we can agree on:

**MEASURE 65 IS NOT SOLVING A PROBLEM; IT IS CREATING A BIGGER ONE!**

Supporters of Measure 65, the "Top Two Primary", believe this measure opens the process to all voters.

The fact is, when only two candidates move forward out of the Primary, **VOTERS HAVE FEWER CHOICES** in the General, when THE MAJORITY of voters cast their ballot.

This measure closes off our election system.

**VOTE NO ON 65!**

Under this system all candidates, REGARDLESS of party affiliation, run in a single primary. Even if the two candidates who receive the most votes are from the SAME PARTY they would still both advance to the general election. This means the general election is then CLOSED to ALL other parties and their chosen candidates!

In many corners of our state, this means the top two candidates could in fact be from the same party, eliminating any REAL choice for the voting public.

Since 1990, on average less than 45% of registered voters send in their primary ballots.

Do we really want **less than HALF** of registered voters to narrow ALL VOTERS' choices?

A 'TOP TWO' primary would effectively OUTLAW third party participation!

Don't let the state elites rig the game! Demand FAIR elections!

**VOTE NO ON 65.**

Meredith Wood Smith, Chair of the Democratic Party of Oregon  
Vance Day, Chair of the Republican Party of Oregon

Joe Tabor, Chair of the Libertarian Party of Oregon

Seth Woolley, Secretary and Co-Chair of the Pacific Green Party of Oregon

*(This information furnished by Meredith Wood Smith, Democratic Party of Oregon.)*

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**Argument in Opposition**

**Vote NO on 65.**

**A Top Two primary will guarantee that big money will always have a handpicked candidate on the general election ballot.**

Top Two primaries force campaigns to start earlier, driving up the costs of campaigns, and pushing qualified candidates to knock on the doors of big money.

This will be an even greater burden on our part-time legislators who have real jobs, too.

Don't be fooled -- a Top Two primary ensures the growth of money's influence on our politics.

#### **Vote No on 65.**

#### **Oregonians will lose opportunities to choose if the Top 2 Primary becomes a reality.**

Measure 65's so called "open primary" will actually eliminate many qualified candidates. We deserve more than just two choices in the general election.

Don't be fooled -- a Top Two primary leaves us with fewer choices – not more.

#### **Vote No on 65.**

Oregon State Senator Ted Ferrioli

*(This information furnished by Senator Ted Ferrioli.)*

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*(This information furnished by Bob Shiprack, Oregon State Building & Construction Trades Council.)*

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#### **Argument in Opposition**

#### **The Oregon Education Association Asks You To Vote No On Measure 65**

**Measure 65 takes away the rights of Oregonians.** We represent 48,000 Oregonians working in our public schools and community colleges. Our members come from different backgrounds and belong to every political party. Measure 65 would take away the right of every Oregonian who belongs to a major party to choose their nominee in a primary election. That's unfair.

#### **Vote No on Measure 65.**

**Measure 65 limits the voice of minor parties.** If measure 65 passes, it will take away the rights of minor parties to have their voice heard, and eliminate choices for all voters. As educators, we believe that every voter should have a voice.

#### **Vote No on Measure 65.**

**Measure 65 will limit the political debate to only two candidates' positions.** The general election should be open to candidates of all parties. Win or lose, minor party candidates bring a voice to the table that is unique and deserves to be heard. We don't want to limit voters' choice when it counts the most -- in November

#### **Vote No on 65**

**Measure 65 will make political campaigns longer and more costly.** We all get tired of the seemingly endless cycle of political ads. And the cost of candidate campaigns is outrageous. Measure 65 will only make matters worse. Candidates will have to start running ads earlier and spend more of their time raising money rather than talking directly with voters.

Please join thousands of Oregon public school teachers and me.

#### **Vote NO on Ballot Measure 65.**

Larry Wolf, President  
Oregon Education Association

*(This information furnished by Larry Wolf, Oregon Education Association.)*

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#### **Argument in Opposition**

#### **THE TRUTH ABOUT A "TOP TWO" PRIMARY: LESS POWER FOR VOTERS! NO THIRD PARTY CANDIDATES! DECREASED VOTER TURNOUT!!**

Measure 65's supporters would have us believe that our primary system doesn't work and is out of date.

But Measure 65 is a solution looking for a problem. At the heart of this complex and poorly written ballot measure is the idea that only the "Top Two" finishers in primary candidate races will compete in the general election--regardless of party affiliation! Oregonians deserve more than just two choices in the general election.

They want to call this proposal an "open primary" system. It's not.

**Measure 65 means we will lose our voice in Oregon's electoral system.**

#### **Vote No on Measure 65.**

Oregon State Building and Construction Trades Council  
United Association of Plumbers & Steamfitters  
Bricklayers Local 1 of Oregon  
Ironworkers Local 29  
International Brotherhood of Electrical Workers Local 48  
International Brotherhood of Electrical Workers Local 112  
International Brotherhood of Electrical Workers Local 280

## Measure 65 Arguments

It is a "Top Two" primary. Ask the questions. Get the Facts:

Q: Will A TOP TWO SYSTEM will bring voters more choices?

A: NO! Since the state of Louisiana adopted a TOP TWO primary system a third party candidate has NEVER appeared on a general election ballot!

Q: Will a Top Two primary increase voter turnout?

A: NO! Since adopting a TOP TWO primary system Louisiana ranks near the bottom in voter turnout NATIONALLY!. In 2002, just over **one-third** of eligible voters showed up for congressional elections!! Not surprising, given that voters had so few choices on the final ballot.

Q: Will a Top Two Primary give voters more power?

A: NO! A Top Two Primary gives even more power for well-funded special interests to influence the outcome of primary and general elections.

### JOIN THE OREGON AFL-CIO IN SAYING NO TO:

A flawed system that will take away the rights of minority parties to have their voices heard.

A so called "open primary" that disenfranchises both voters and qualified candidates.

A system that gives even MORE power to special interests and less power to voters.

### VOTE NO ON 65!

Tom Chamberlain, President  
Oregon AFL-CIO

(This information furnished by Tom Chamberlain, Oregon AFL-CIO.)

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### Argument in Opposition

**People who work for a living deserve to be able to run for office.  
Measure 65 shuts us out.  
VOTE NO on Measure 65**

Running for office is already expensive. Measure 65 will increase the time and cost of elections.

Working Oregonians and retirees deserve to have real choices among candidates and the opportunity to run for office. Measure 65 will set the bar higher for candidates of modest means by forcing the cost of primary elections through the roof.

That is why corporate CEOs are kicking in big money to pass the measure.

Grass roots campaigns and a citizen legislature will be a thing of the past. If you like all the campaign ads and all the candidate mail, then you will love Measure 65.

**Give candidates who work for a living a chance.  
VOTE NO on Measure 65.**

### Signed by the following leaders of SEIU Local 503:

**Barbara Casey, Social Service Specialist, Portland  
Rena M. Chapel, Child Welfare, Tigard  
Jill Sipes, Human Services Specialist, Klamath Falls  
Kurt Kessler, Social Services Hearings Representative, Ashland  
Carlie K. Jackson, Eligibility Specialist, DHS, Keizer  
Phyllis Wills, Homecare, Hillsboro  
Mike Johnson, Accountant, Keizer  
Judy Sugnet, Retiree, Salem**

### Kermit S. Meling, Motor Carrier Enforcement Officer, Estacada

**Jenny Garner, Social Service Specialist, The Dalles**

**Mary L. McGrath, Office Worker, Portland**

**Saundra Mies-Grantham, Business and Employment Specialist, Newport**

**Joy'e Willman, Homecare, Portland**

**B.G. Gray, Homecare, Portland**

**Lorna Burnell, Homecare, Eugene**

**Kay Cullen, Homecare, Salem**

**James Jacobson, Office Specialist, Eugene**

**Steve Shumate, Homecare, Portland**

**Bill Kinyoun, Wildlife Biologist, Charleston**

**Robert Gourley, Retiree, Corvallis**

**Barney Gorter, Retired Program Technician, Milwaukie**

**John D. Leppink, Retiree, Beaverton**

**Marty Olson, Business Analyst, West Linn**

**Lea Spencer, Auditor, Salem**

**Mary Wood, Homecare, Lincoln City**

(This information furnished by Arthur Towers, Service Employees International Union (SEIU), Local 503.)

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### Argument in Opposition

**Measure 65 will destroy minor parties in Oregon, reduce voter choices, confuse the ballots, and encourage dirty politicking.**

Today, Oregon's six minor parties can provide good alternatives to Democratic and Republican candidates in the November general election. Measure 65 will stop this.

**Fewer choices.** Measure 65 will abolish the Pacific Green, Constitution, Working Families, and Peace parties by removing their legal basis (getting 1% of the vote in a statewide general election).

Measure 65 is also intended by its sponsors to remove all minor party and citizen-sponsored candidates from the general election ballot, including those supported by tens of thousands of signatures.

**More Dirty Tricks.** Measure 65 will allow effective ballot sabotage.

Under Measure 65, anyone can register as say, "Republican" and immediately file to run for public office, **with**

**"Registered: Republican" next to his name on the ballot**, whether or not anyone in the Republican Party knows him (he may be a Nazi, Communist, convicted child molester, etc.).

Each party will try to reduce the resulting voter confusion by "endorsing" a candidate in each race. This means Measure 65 will replace the major party primaries with back-room "endorsement" deals. It will also force minor parties to "endorse" major party candidates they do not agree with, just to oppose **the strangers on the ballot who suddenly claim be "their" candidates**.

Primary elections could become a game of "ringers," with political consultants recruiting phony candidates just to split the votes of other parties. Republican consultants could recruit people to register and file as "Democratic" candidates, splitting the Democratic vote and allowing two Republican candidates to win the "top two" primary and proceed to the general election, alone. Democrats could recruit phony "Republicans." Both of them could recruit phony "Independents." **Every party in every primary election can be sabotaged this way, under Measure 65.**

Expect a confusing ballot, with a dozen or more candidates for each major office who are "Registered" and/or "Endorsed" by the surviving parties.

*(This information furnished by Dan Meek.)*

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### Argument in Opposition

#### BALLOT MEASURE 65 IS BAD FOR DEMOCRACY

Ballot Measure 65 will create what is known as a Top Two election system in Oregon. It is **not** an open primary. Under Top Two, only two candidates for each race will appear on the ballot in November. Top Two is used only in Louisiana and, recently, in Washington.

Ballot Measure 65 will drastically change Oregon's primary election. **All candidates from all parties will compete in the same election in one big free-for-all.** There will be no majority vote requirement. Candidates will advance to the general election with the support of a tiny percentage of voters. That's undemocratic. And unfair.

#### BALLOT MEASURE 65 MAKES CAMPAIGNS LONGER AND MORE EXPENSIVE

Campaigns are already too long and too expensive. BM 65 will make them even longer and more expensive. Candidates will have to start running earlier and will have to raise and spend more money to reach voters from other parties.

#### BALLOT MEASURE 65 LIMITS VOTER CHOICES

Voters should have more than two choices on Election Day. Freedom of choice is the heart of democracy. Why should our choices be restricted?

#### BALLOT MEASURE 65 ELIMINATES "THIRD PARTIES" FROM THE GENERAL ELECTION

Based on research conducted by the nation's leading expert on ballot laws, third party candidates will be virtually eliminated from the November election.

#### BALLOT MEASURE 65 IS UNNECESSARY

**No one** in Oregon is **ever** denied the right to participate in the primary. Any eligible Oregonian can register with a political party 21 days prior to the election.

"Top Two severely restricts voters' choices for the November election."

Richard Winger, Editor, *Ballot Access News*

"Top Two is unfair and undemocratic."

Blair Bobier, Programs Director, Civics Education League

"Top Two' deprives the voters of a meaningful debate and choice."

Luke Esser, Chair, Republican Party of Washington  
*OPB Radio, 8/20/08*

"Top Two' limits our democracy rather than expanding it."

Dwight Pelz, Chair, Democratic Party of Washington  
*OPB Radio, 8/20/08*

*(This information furnished by Seth Woolley, Pacific Green Party of Oregon.)*

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

### Argument in Opposition

It is DANGEROUS to your freedom.

It severely LIMITS your choices.

It gives ultimate POWER TO TWO PARTIES and DESTROYS all the rest.

Far from giving you more choice – it will eliminate even your ability to HAVE a choice. Yes, Independents and current third parties will get to choose between all the candidates but let's look a little further down the track and maybe we'll see the train coming.

First you'll have 3 Democrats, 3 Republicans, 1 Green, 1 Libertarian, 1 Constitution, 1 Family Party, 1 Socialist. If the county is strongly Democrat – you very well could get 2 Democrats on the General Ballot to choose from. If the county is strongly Republican, you get 2 Republicans. But you will NEVER see a third party on the General Ballot. Is this what YOU call choice?

Now let's look at the following election. Ah, the Democrats and Republicans are wising up. They know there is no percentage in running more than TWO candidates in the primary so they eliminate everyone but the two THEY think have the best chance. The only problem is YOU are not the one making that choice – the party is making it for you.

No wonder there is bi-partisan support for this ballot measure! It truly benefits the power of Democrat and Republican leaders to make decisions for you.

And then when there's only ONE candidate running for each party in the primary ....why don't we just GET RID OF THE PRIMARY election all together.

Even the website sponsoring and promoting this measure knows it is deeply flawed. Why else would they not bother to have a link to the actual ballot measure on their site? They think you're too stupid to even look past their little sound bite summaries.

We believe in YOU making choices on your own. You don't need ANY party making the decision for you.

Renee Kimball  
Hugo Schulz

*(This information furnished by Renee Kimball and Hugo Schulz.)*

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### Argument in Opposition

#### Vote NO! Do not give up your rights.

**Measure 65 violates your right of free association.** The U.S. Supreme Court says: "The right to associate for the election of candidates is fundamental to the operation of our political system." People have the right to have their candidate presented to the people. Under Measure 65, smaller political parties will be driven out of existence.

**Measure 65 violates your right of free speech.** Only the viewpoints of the top two vote recipients will be heard. Even if a contrary viewpoint is supported by a media campaign, that campaign can not offer any alternatives since access to the general election ballot has been denied.

**Measure 65 violates your right to vote.** Your right to vote for a candidate of your choice will be denied. The ability to cast a write-in ballot is no substitute for ballot access.

**Measure 65 can result in only one candidate on the ballot.** If a candidate withdraws after the primary and there was no third candidate, only one name will be on the ballot.

**Measure 65 will reduce voter turnout.** Despite Measure 65's goal, the recent primary election in Washington demonstrated this system depresses voter participation.

**Measure 65 can result in only a single party being represented in the general election.** The recent primary election in Washington demonstrated this happens even when multiple parties participate in the primary. This is not healthy for democracy.

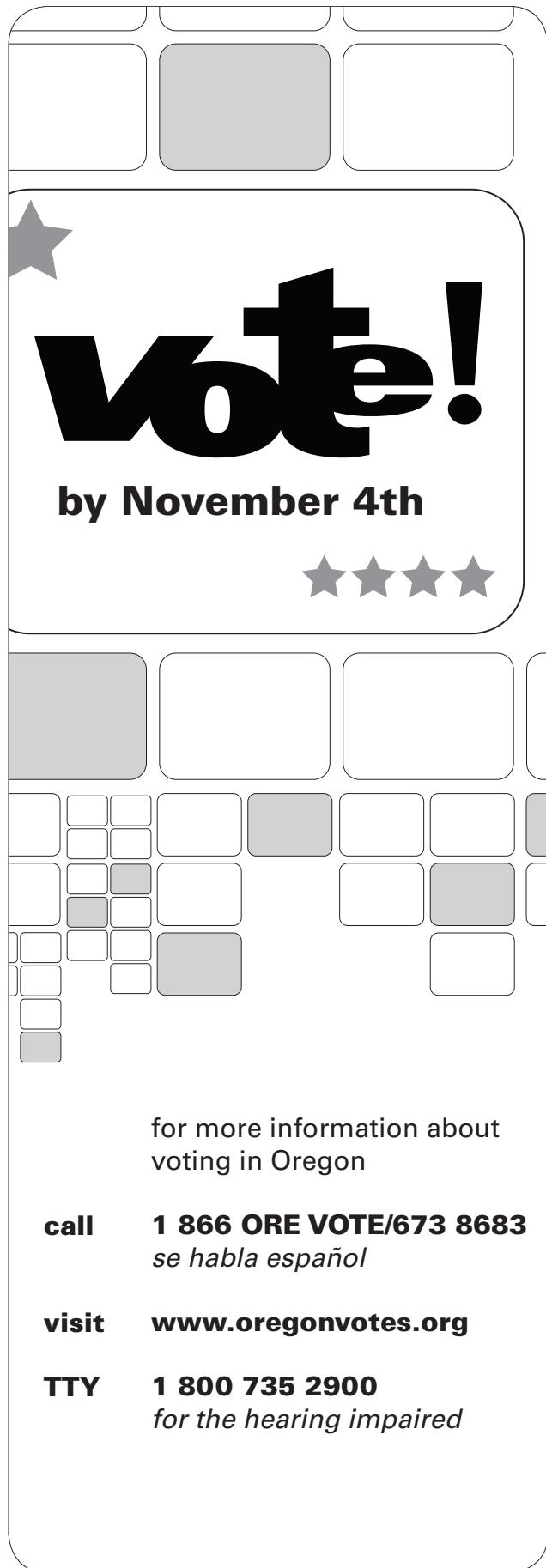
Political parties exist because they have different world views and opinions of how government should operate. However, this isn't a partisan issue, it is a fairness issue. Every viewpoint should be represented in the general election.

**The Oregon Republican Party urges you to vote NO in Measure 65.**

(This information furnished by Andrew Over, Executive Director, Oregon Republican Party.)

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**Registering to Vote**

To vote in Oregon you need to be registered in the county where you reside.

You can register if you can answer yes to these three questions:

- Are you a resident of Oregon?
- Are you a US citizen?
- Are you at least 17 years of age?

*If you are 17 years of age, you will not receive a ballot until an election occurs on or after your 18th birthday.*

**How to register**

You can get a voter registration card at any of the following places:

- in this Voters' Pamphlet
- any County Elections Office
- the Secretary of State's Office
- some state agencies such as the Division of Motor Vehicles
- a voter registration drive

You can fill the card out in person or send it in by US mail.

You can also print out a registration card online at [www.oregonvotes.org](http://www.oregonvotes.org).

To vote in the November 4, 2008, General Election, your completed voter registration card must be either:

- postmarked by Tuesday, October 14, 2008
- delivered to a county elections office by Tuesday, October 14, 2008 or
- delivered to any voter registration agency (e.g., DMV) by Tuesday, October 14, 2008.

**What information is required to register?**

To complete your registration you will provide your:

- Full legal name
- Home address
- Date of birth
- Signature
- Valid identification

**What are the identification requirements?**

1. If you have a current, valid Driver's License or ID number issued by the State of Oregon Division of Motor Vehicles (DMV), you must provide it in Section 4 of the card.

*A suspended Driver's License is still valid; a revoked Driver's License is NOT valid.*

2. If you do not have a current, valid Driver's License or ID number issued by the State of Oregon Division of Motor Vehicles, you must affirm this on the card by marking the circle in Section 4 and you must then provide the last four digits of your Social Security Number in Section 4a of the card.

3. If you do not have a Social Security number, you must affirm this on the card by marking the circle in Section 4a of the card.

4. If you do not have a Driver's License or ID number, or a Social Security Number, and you are registering by mail, you must provide a copy of one of the following:

- valid photo identification
- a paycheck stub
- a utility bill
- a bank statement
- a government document
- proof of eligibility under the Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA) or the Voting Accessibility for the Elderly and Handicapped Act (VAEH)

If you do not provide valid identification, you will not be eligible to vote for Federal races. You will, however, still be eligible to vote for state and local contests.

**Selecting a political party**

You may want to select a political party when you register but it is not required.

Major political parties require you to be registered as a member of their party in order to vote for their candidates in the Primary Election.

**Updating your voter registration**

Once you have registered, you are responsible for keeping your information up to date. You can do this by completing and returning a voter registration card with the new information.

You should update your registration if you do any of the following:

- change your home address
- change your mailing address
- change your name
- change your signature
- want to change or select a political party

If you notify your county elections office of your change of residence address after October 30, 2008, you must request that a ballot be mailed to you or go to your county elections office to get your ballot.

**1 qualifications** *If you mark no in response to either of these questions, do not complete this form.*Are you a citizen of the United States of America?  yes  noAre you at least 17 years of age?  yes  no*If you are 17 years of age, you will not receive a ballot until an election occurs on or after your 18th birthday.***2 personal information** \*denotes optional information

name last first middle

Oregon residence address (include apt. or space number) city zip code

date of birth (month/day/year) county of residence\*

phone number\* email address\*

mailing address (required if different than residence address) city zip code

**3 political party** choose one of the following:

- Constitution Party  Democratic Party  Independent Party  Libertarian Party  
 Pacific Green Party  Peace Party  Republican Party  Working Families Party  
 Not a member of a party  Other

**4 Oregon DMV Driver's License/ID number** *If you fill in this section, do not send a copy of ID.*      

valid Oregon DMV Driver's License/ID number

- Mark here only if you **do not have** a valid Oregon DMV Driver's License/ID and go to step 4a.

**4a last four digits of Social Security number** *If you fill in this section, do not send a copy of ID.*   

last four digits of Social Security number

- Mark here only if you **do not have** a valid Oregon DMV Driver's License/ID or a Social Security number. If you are registering by mail, please include a copy of acceptable identification, listed to the left.

**5 signature** I swear or affirm that I am qualified to be an elector and I have told the truth on this registration.

sign here \_\_\_\_\_ date today \_\_\_\_\_

- !** If you sign this card and know it to be false, you can be fined up to \$125,000 and/or jailed for up to 5 years.

**6 registration updates** *If you are previously registered and updating your information, fill out this section.*

previous registration name previous county and state

home address on previous registration date of birth (month/day/year)

**If you have any questions, or if you would like more information on voting in Oregon:****call 1 866 ORE VOTE/673 8683**

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**visit [www.oregonvotes.org](http://www.oregonvotes.org)****tty 1 800 735 2900**

for the hearing impaired

