

**1** of 2

**Voters' Pamphlet**  
State Measures

Oregon General Election  
**November 7, 2006**

**vote!**



*Bill Bradbury*  
Bill Bradbury  
Oregon Secretary of State

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

**BILL BRADBURY**  
SECRETARY OF STATE

PADDY J. MCGUIRE  
DEPUTY SECRETARY OF STATE



JOHN LINDBACK  
DIRECTOR

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Dear fellow Oregonian,

Every election, we get a chance to make our voices heard by voting. From the simplest local issue to determining our nation's leaders, we have a chance to weigh in on the things that matter to us and to our future. I hope you'll take the opportunity to have your say by voting on the ballot measures described in this booklet.

One of the great things about our vote by mail system in Oregon is that we can take the time to read as extensively as we want about the issues we're asked to vote on by November 7th. Oregon's unique vote by mail process gives all of us the time to study the important issues facing voters without the pressure of a line of people behind us waiting to vote in a polling place. This pamphlet is unique too, in that it affords the opportunity for any Oregonian to share their views on these important issues with the rest of us. I urge you to use the time that vote by mail provides and the information that this pamphlet provides to make informed decisions on these issues that we face.

The first step in voting is making sure you're registered by October 17, 2006. If you've already registered, thank you. If not, you can use the voter registration card in this pamphlet to do so.

If you find you have questions about returning your ballot, registering or any other topic regarding voting, you have even greater resources than ever before to get the answers you need.

You can call our toll-free voter information line: 1-866-ORE-VOTES (1-866-673-8683) or use our TTY line, if you're hearing impaired, at 1-866-350-0596. Elections representatives are available, Monday through Friday, 8:00 am to 5:00 pm – or you can log onto our website and look for your answers there anytime at [www.oregonvotes.org](http://www.oregonvotes.org).

Please remember to return your ballot so that it is received in your county elections office by 8:00 pm on Tuesday, November 7th. Voting is simple, easy – and one of the most important things you can do as a citizen of this great country. Your willingness to be an active part of the process is what keeps America great. Thank you for helping build our future by voting.

Best wishes,

Bill Bradbury  
Secretary of State

# General Information

## Voters' Pamphlet

Your official 2006 General Election Voters' Pamphlet is divided into two separate volumes. This is Volume 1 and contains information on the ten 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 18-20.

For each of the ten 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); and
- (6) 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 and optional explanation for each measure is 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.

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.

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

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

## 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 November 2. After that, you may pick it up at the elections office. If you have already mailed your original ballot before you realize you made a mistake, you have cast your vote and will not be eligible for a replacement ballot.

Your voted ballot must be returned to your county elections office by 8:00 p.m. election day, Tuesday, November 7, 2006.

### Postmarks do not count!

County elections offices are open on election day from 7:00 a.m. to 8:00 p.m.

## 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-VOTES (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 1-866-350-0596.

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# Voter Registration Information

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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 18 years old?\*

*\* In some cases you can register to vote before you turn 18 or before you become a citizen. For more information call 1-866-ORE-VOTES.*

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## 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 7, 2006, General Election, your completed voter registration card must be either:

- Postmarked by Tuesday, October 17, 2006
- Delivered to a county elections office by Tuesday, October 17, 2006 **or**
- Delivered to any voter registration agency (e.g., DMV) by Tuesday, October 17, 2006.

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## 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

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## 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 on the card.
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.
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 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.

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## Selecting a political party

You may want to select a political party when you register but it is not required.

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## 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 17, 2006, 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  no  
Will you be 18 years of age on or before election day?  yes  no

**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
- Pacific Green
- Other \_\_\_\_\_
- Democratic
- Republican
- Libertarian
- Not a member of a party

**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.*

**x x x - x x -**      
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.

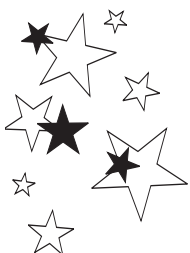
**5 signature** *I swear or affirm that I am qualified to be an elector and I have told the truth on this registration.*

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 VOTES/673 8683**  
*se habla español*

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

**tty 1 866 350 0596**  
*for the hearing impaired*



# Voters with Disabilities

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If, because of a disability, you would like assistance in voting your ballot

**or**

If you would like instructions on assisting voters with disabilities

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

**tty**                      **1 866 350 0596**  
*for the hearing impaired*

If, because of a disability, you would like a cassette or CD version of the Voters' Pamphlet, the League of Women Voters Easy To Read Voters' Guide, or the League of Women Voters Regular Nonpartisan Voters' Guide

**call**                    **Talking Book and Braille Services**  
**1 800 452 0292**

Digital audio and accessible text versions of the Voters' Pamphlet are available online at [www.oregonvotes.org](http://www.oregonvotes.org)

Digital audio and accessible text versions of the League Guides are available online at [www.lwvor.org/votersguide.htm](http://www.lwvor.org/votersguide.htm)

# Guide to State Measures

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# Measure 39

39

Proposed by initiative petition to be voted on at the General Election, November 7, 2006. The information in the shaded area below will appear on your ballot.

## Ballot Title

# 39

### PROHIBITS PUBLIC BODY FROM CONDEMNING PRIVATE REAL PROPERTY IF INTENDS TO CONVEY TO PRIVATE PARTY

**RESULT OF "YES" VOTE:** "Yes" vote prohibits public body from condemning certain private real property if it intends to convey all or part to a private party, with exceptions.

**RESULT OF "NO" VOTE:** "No" vote retains current law, allowing government to acquire private real property required for an authorized public purpose that involves transferring property to private party.

**SUMMARY:** The Oregon Constitution allows public bodies to condemn real property required for a public purpose, requires compensation to property owner. Statutes permit owner to challenge amount of compensation in court. Measure prohibits public bodies from condemning private residence, business establishment, farm, or forest operation if government intends to convey all or part of the property to another private party. Measure excludes property condemned as dangerous to health or safety, or for transportation or utility services; allows government to lease condemned property for accessory retail uses. Requires court to decide whether public body unlawfully intended to convey the property to another private person. Expands rights to attorney fees and costs if court prohibits condemnation or if compensation awarded is more than government's initial offer. Other provisions.

**ESTIMATE OF FINANCIAL IMPACT:** This measure could require annual state budget expenditures of approximately \$8 million to \$17 million a year.

This measure has no financial effect on state government revenue.

This measure could require local government expenditures of between \$8 million to \$13 million a year.

This measure has no financial effect on local government revenue.

**(See Voters' Pamphlet for Explanation of this financial estimate).**

## Explanation of Estimate of Financial Impact

This measure could increase the state's budget expenditures for highway rights-of-way by \$8 million to \$17.25 million a year. County government's property costs could increase between \$5 million to \$10 million per year. Cities' costs could increase by up to \$3 million per year.

A portion of Measure 39 changes the rules for determining when the state, a city or a county must pay attorney's fees and court costs in condemnation cases. Condemnation is an act by a government to acquire privately-owned property for a public purpose, such as highway right-of-way, city streets, public buildings and utilities or to transfer to another party.

When the state, a county or a city needs to acquire property for a public purpose, it offers to buy the property from the owner. If the property owner is not willing to sell for the amount that is offered, the state, county or city may make one or more higher offers. If no agreement is reached, the case may go to court,

where the value of the property that must be paid will be decided. Under current law, each party must pay their own attorney fees, appraiser fees and other related costs – unless the value determined by the court is more than the highest written offer that was made by the government before trial. In that case, the state, county or city must pay the property owner's costs and fees.

This measure would require the government to pay a property owner's fees and other costs if the value determined by the court is more than the first offer made by the government instead of the highest offer made before trial. The financial impact for this measure is based on two assumptions. Property owners may be less likely to accept the initial offer, and more likely to wait for a court to decide the value of their property, if the measure is approved. Also, government may spend more on appraisals before making their first offer.

The state buys about 600 pieces of property each year for highway rights-of-way. In most cases the state and the property owner agree on a sale price. The state goes through the condemnation process for about 10 percent of the properties, and most of those cases are settled without going to trial. If this measure passes, it is assumed that the number of condemnation cases that must be filed could double and that all of them would go to trial. Legal and other costs for the state would increase. It is more likely for those cases that go to trial, that the court would find that the property owner should receive more compensation for the property than the state's first offer, simply because of the amount of time that will pass between the first offer to buy and the date a condemnation case is filed in court. As a result the state would pay attorney fees, appraiser fees and other costs for the property owner.

### Committee Members:

Secretary of State Bill Bradbury  
State Treasurer Randall Edwards  
Lindsay Ball, 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

SECTION 1. Section 2 of this 2006 Act is added to and made a part of ORS Chapter 35.

SECTION 2. (1) Except as otherwise provided in this section, a public body as defined in ORS 174.109 may not condemn private real property used as a residence, business establishment, farm, or forest operation if at the time of the condemnation the public body intends to convey fee title to all or a portion of the real property, or a lesser interest than fee title, to another private party.

(2) Subsection (1) of this section does not apply to condemnation of:

(a) Improved or unimproved real property that constitutes a danger to the health or safety of the community by reason of contamination, dilapidated structures, improper or insufficient water or sanitary facilities, or any combination of these factors;

(b) Any timber, crops, top soil, gravel or fixtures to be removed from the real property being condemned;

(c) Real property condemned for maintenance, improvement, or construction of transportation facilities, transportation systems, utility facilities or utility transmission systems;

(3) Subsection (1) of this section does not prohibit a public body from leasing a portion of a public facility to a privately owned business for the provision of retail services designed primarily to serve the patrons of the public facility.



# Measure 39

(4) A public body as defined in ORS 174.109 may at any time publish notice that the public body intends to consider condemnation of a lot or parcel. If the public body publishes notice under this subsection, subsection (1) of this section does not apply for such time necessary to provide the public body reasonable opportunity to condemn the property, if the lot or parcel is conveyed by the owner of the lot or parcel to another private party after the notice is published, but prior to the time the property is condemned.

(5) Subsection (1) of this section does not affect the ability of a public body as defined in ORS 174.109 to make a conveyance of a non-possessory interest in condemned property for the purpose of financing acquisition of the property.

(6) A court shall independently determine whether a taking of property complies with the requirements of this section, without deference to any determination made by the public body. If a court determines that a taking of property does not comply with the requirements of this section, the owner of the lot or parcel that is the subject of the condemnation proceeding shall be entitled to reasonable attorney fees, expenses, costs, and other disbursements reasonably incurred to defend against the proposed condemnation.

SECTION 3. If any portion or portions of this 2006 Act are declared invalid by a court of competent jurisdiction, the remaining portions of this 2006 Act shall remain in full force and effect.

SECTION 4. ORS 35.346 is amended as follows (matter in **boldfaced** type is new; matter *[italic and bracketed]* is existing law to be omitted):

(1) At least 40 days before the filing of any action for condemnation of property or any interest in property, the condemner shall make an initial written offer to the owner or party having an interest to purchase the property or interest, and to pay just compensation therefor and for any compensable damages to remaining property.

(2) The offer shall be accompanied by any written appraisal upon which the condemner relied in establishing the amount of compensation offered. If the condemner determines that the amount of just compensation due is less than \$20,000, the condemner, in lieu of a written appraisal, may provide to the owner or other person having an interest in the property a written explanation of the bases and method by which the condemner arrived at the specific valuation of the property. The amount of just compensation offered shall not be reduced by amendment or otherwise before or during trial except on order of the court entered not less than 60 days prior to trial. An order for reduction of just compensation offered, pleaded by the condemner in the complaint or deposited with the court for the use and benefit of the owner pending outcome of the condemnation action, may be entered only upon motion of the condemner and a finding by clear and convincing evidence that the appraisal upon which the original offer is based was the result of a mistake of material fact that was not known and could not reasonably have been known at the time of the original appraisal or was based on a mistake of law.

(3) Unless otherwise agreed to by the condemner and the owner, prior to appraising the property the condemner shall provide not less than 15 days' written notice to the owner of the planned appraisal inspection. The property owner and designated representative, if any, shall be invited to accompany the condemner's appraiser on any inspection of the property for appraisal purposes.

(4) The owner has not less than 40 days from the date the owner receives the initial written offer required by subsection (1) of this section, accompanied by the appraisal or written explanation required by subsection (2) of this section, to accept or reject the offer. If the owner rejects the condemner's offer and obtains a separate appraisal, the owner shall provide the condemner with a copy of the owner's appraisal not less than

60 days prior to trial or arbitration.

(5)(a) Failure to provide the opposing party with a copy of the appropriate appraisal as provided in subsections (2) and (4) of this section shall prohibit the use of the appraisal in arbitration or at trial.

(b) In the event the owner and condemner are unable to reach agreement and proceed to trial or arbitration as provided in subsection (6) of this section, each party to the proceeding shall provide to every other party a copy of every appraisal obtained by the party as part of the condemnation action.

(6)(a) If an action based on the condemnation is filed, the owner may elect to have compensation determined by binding arbitration if the total amount of compensation claimed by any party does not exceed \$20,000. Notice of an election of binding arbitration must be given to the condemner at least 90 days prior to the date on which an arbitration hearing is scheduled under ORS 36.420.

(b) Notwithstanding the amounts established under ORS 36.400, if the owner elects to proceed with binding arbitration, the arbitration shall be conducted according to the mandatory arbitration program established under ORS 36.400 to 36.425. Notwithstanding ORS 36.425, no party may request a trial de novo after the filing of the decision and award of the arbitrator. Within 20 days after the filing of the decision and award of the arbitrator under ORS 36.425, any party may file a motion with the court for the vacation, modification or correction of the award. The court may vacate an award only if there is a basis to vacate the award described in ORS 36.705 (1)(a) to (d). The court may modify or correct an award only for the grounds given in ORS 36.710. Except as provided in this subsection, no party may appeal from the decision and award of an arbitrator if the owner elects binding arbitration in lieu of trial.

(c) If the total amount of compensation claimed exceeds \$20,000 but is less than \$50,000, the owner may elect to have compensation determined by nonbinding arbitration under the applicable provisions of ORS 36.400 to 36.425.

(7) If a trial is held or arbitration conducted for the fixing of the amount of compensation to be awarded to the defendant owner or party having an interest in the property being condemned, the court or arbitrator shall award said defendant costs and disbursements including reasonable attorney fees and reasonable expenses as defined in ORS 35.335 (2) in the following cases, and no other:

(a) If the amount of just compensation assessed by the verdict in the trial exceeds the *[highest]* **initial** written offer in settlement submitted by condemner to those defendants appearing in the action *[at least 30 days prior to commencement of said trial]* pursuant to subsection (1) of this section; or

(b) If the court finds that the first written offer made by condemner to defendant in settlement prior to filing of the action did not constitute a good faith offer of an amount reasonably believed by condemner to be just compensation.

(8) Costs and disbursements other than reasonable attorney fees and expenses as defined in ORS 35.335 (2) shall be awarded to condemner in all cases other than those in which defendant is entitled to costs and disbursements under subsection (7) of this section.

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

# Measure 39

## Explanatory Statement

39

Current law allows the taking of private property by government upon the showing of a public purpose and the payment of just compensation for the property.

BM 39 makes changes to Oregon statutes by limiting the authority of the government to condemn residences, businesses establishments, and farms or forest operations if the government intends to subsequently transfer an interest in the property to another private property.

BM 39 contains four exceptions to this new limitation for private property that cannot be taken from one private property owner and given to another private party. The four exceptions are: 1) real property that is a danger to health or safety for specified reasons; 2) timber, crops, topsoil, gravel or fixtures that can be removed from the real property being condemned; 3) real property to be used for transportation or utility-related projects; and 4) real property acquired by a new owner after the government publishes a notice that it intends to consider condemning the real property.

In addition to these four exceptions, BM 39 authorizes the government to use the real property to secure financing for the property's acquisition and to lease portions of the property for retail uses that serve patrons of the public facility.

If a property owner believes the government's condemnation of the property violates BM 39 the property owner may object to the condemnation. Under BM 39 the court must determine on its own, without deferring to the decision of the local government, whether the government's condemnation violates the new provisions of BM 39. If the court determines the government's condemnation does not satisfy the new requirements of BM 39, then the property owner is entitled to recover reasonable attorney's fees, costs, expenses and other disbursements.

BM 39 also modifies current condemnation procedures contained in Oregon Law. Currently, when the government decides to condemn private real property, the government must provide the property owner with an initial offer for purchasing the private real property. If the property owner rejects the government's initial offer additional offers may be made. If agreement is not reached the case proceeds to trial. If the property owner receives a verdict above the highest offer made by the government at least 30 days prior to the beginning of trial, the property owner is entitled to recover attorney fees, costs and other disbursements.

BM 39 modifies the condemnation process by allowing an owner of private real property to recover attorney fees costs and other disbursements if the judgment awarded at trial exceeds the initial offer of compensation offered by the government even if the government subsequently made a higher offer.

**Committee Members:**

Ross Day  
Dave Hunnicutt  
Mayor Tom Hughes  
Chip Lazenby  
Daniel B. Cooper

**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 39 Arguments

## Argument in Favor

As Chief Petitioners for this Measure, we offer this statement to explain the Measure.

In June, 2005, most Americans were shocked when the United States Supreme Court issued its decision in Kelo v. City of New London. In Kelo, the Supreme Court held that the Constitution did not prevent the City of New London from condemning Mrs. Kelo's home and transferring that home to a developer for a new shopping development.

Most Americans thought that government could not condemn their land and transfer it to a developer for a "new" or "better" development. But the Supreme Court said that was okay.

The reaction to the Kelo decision was swift and strong. In the last year, 27 states have passed tough new laws restricting state and local governments from using the condemnation power to take private property from one citizen to give to another.

To have the legislatures in so many states act so quickly is remarkable, and demonstrates that people across America believe that government should not use its condemnation power to take land from one citizen for the benefit of another citizen.

If this Measure passes, Oregon will join that long list of states.

This Measure places tough new limits on government's power to condemn land from one citizen if the government intends to transfer the condemned property to another private citizen.

At the same time, the Measure does not prohibit government from condemning land for truly public uses, like public schools, roads, parks, libraries, or police stations.

No Oregonian should have to worry that their home, business, or farm will be condemned and given away to a developer who convinces a city council that he can make a "better" use of the property.

Your home is your castle. Its where memories are made, and families are raised. This Measure will help protect your home from being taken for economic development. That's why the Measure is important. Please vote yes on this Measure.

*(This information furnished by David J. Hunnicutt, Ross A. Day.)*

**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

Should a person's home or business be taken by a city and transferred to another private citizen, developer, or corporation?

Most people don't believe that government should take property from one private citizen to give to another private citizen.

Unfortunately, this type of condemnation abuse is becoming all too common.

Today, state and local governments face pressure from developers to condemn neighborhoods or small businesses for transfer to developers, who demolish the homes or business and build new developments.

The developer receives land that he could never acquire on the open market. In turn, the local government generates new property taxes and a shiny new development.

And who loses? Property owners. They are forced against their will to move from their homes, relocate their businesses, or lose their farm, all in the name of "progress."

Fortunately, citizens are fighting back. In the last year alone, 27 states have passed laws protecting citizens from losing their homes or businesses to condemnation.

But the Oregon legislature failed in its effort to protect private citizens against condemnation abuse, as partisan politics stopped a bill that passed with overwhelming bipartisan support in the Oregon House. That is why this measure is needed.

This measure prohibits government condemnation when government is simply acting as a middle man, forcibly taking land from one private citizen to give to another private citizen.

At the same time, this measure **does not** restrict the government from condemning land for truly public purposes, like schools, parks, police/fire stations, libraries or roads.

Please vote yes.

*(This information furnished by David J. Hunnicutt, Ross A. Day.)*

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## Argument in Favor

THE CITY OF PORTLAND WANTS TO CONDEMN MY BUSINESS AND GIVE IT TO A DEVELOPER

I own and operate Hogan's Electric, an electrical supply company in the Lents neighborhood in Portland. My business is small but successful, and I've worked hard to establish my location and my reputation.

You can imagine my surprise when I learned that the City of Portland wanted to condemn my property and business, along with my neighbors' property. I understand that government must sometimes condemn property to build a road, school, courthouse, or some other public facility, but that's not why the city wanted to condemn my land.

But that's not why Portland wanted to condemn my business.

The reason Portland wants to condemn my property and business is because City Commissioner Randy Leonard has decided that he would like a natural food store in my neighborhood, and the best place for a natural food store is on my property and that of my neighbors.

So in order to get his natural food store, Commissioner Leonard wants to take my property and turn it over to a developer who will build the store.

I guess Commissioner Leonard doesn't care about me, my neighbors, or my business.

I don't want to sell my property, and I don't want to move my business. It is unfair to demand that I do so because Randy Leonard wants a natural food store.

If Measure 39 passes, Portland won't be able to condemn my land and give it to a developer, and no other homeowner or small business will have to suffer what I've suffered.

Please vote yes on Measure 39.

James R. Hogan

*(This information furnished by David Hunnicutt, Neighbors Helping Neighbors Committee.)*

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# Measure 39 Arguments

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## Argument in Favor

DO YOU WANT TO KNOW HOW IT FEELS WHEN PUBLIC OFFICIALS THREATEN TO TAKE YOUR HOME AND GIVE IT TO A DEVELOPER? ASK US

Until recently, Marilyn and I owned and operated a nursery in Keizer, Oregon. Our home and business had been in the Lowery family since 1946.

Our son was born and raised in our house, we made memories there, and we intended to live there our entire lives.

So when a developer asked us to sell our land to create a shopping mall, we said no. We weren't interested in the money, and had no intention of selling the property. Period.

But that was where our troubles began. The Keizer City Council really wanted the development to go through, because our property would be much more valuable, and raise a lot more property taxes, if it were used for a shopping mall instead of our home and nursery.

So the City Council threatened to condemn our land, so they could turn it over to the shopping mall developer.

**We thought the law protected us, and didn't require us to sell our property to another private citizen. We were wrong.**

It's hard to explain how we felt when we learned that the city was actually considering taking our home and farm from us by force because it was needed for a shopping mall.

One thing is for sure. What happened to us should never happen to anyone.

That's why we support Measure 39. Measure 39 guarantees that government will not use its condemnation power to take a person's home, small business, or farm to give to another private citizen.

Had Measure 39 been in place a couple of years ago, we would still live in our home in Keizer.

Every day, we remember our home and nursery in Keizer. But even though our home is gone, they can't take our memories.

Please vote yes on Measure 39.

Robert and Marilyn Lowery

*(This information furnished by David Hunnicutt, Neighbors Helping Neighbors Committee.)*

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## Argument in Favor

VOTE YES ON MEASURE 39

Oregonians In Action PAC asks you to vote yes on Measure 39, a measure which protects Oregonians from having their homes and small businesses condemned by an aggressive public official and given to another private citizen.

Cities, counties, and state governments across the nation have the authority to condemn private property for public uses. This is an important and necessary power, as private land is sometimes needed for important public projects, like schools or roads.

But recently, as the cost of government has risen and state and local governments have looked for new ways to raise revenue without tax increases, more aggressive local officials have begun using their condemnation power to take private land away from one citizen to give to another private citizen who

promises to make a "new" and "improved" use of the property, like a shopping center, apartment complex, or factory.

In fact, in the last decade alone, there have been over 10,000 reported cases of state and local governments using condemnation to take land from one private citizen to give to another, and reports of condemnation abuse have appeared on nearly every national news program.

Unfortunately, the fact that the current property owner does not want to sell their home or business does not matter. Their home is condemned, bulldozed, and given to a company for development.

Forcing a family to leave their home because a developer promises the city that he will make a higher and better use of the property is shameful, and hurts us all.

Fortunately, most states have begun to react to the misuse of condemnation power by government. In the last year alone, over half the states in the country have passed tough new laws limiting the use of condemnation to take land from one private citizen and give it to another.

Measure 39 will continue that trend in Oregon. That's why it is important.

Please vote yes on Measure 39.

*(This information furnished by David Hunnicutt, Neighbors Helping Neighbors Committee.)*

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## Argument in Favor

THE OREGON FAMILY FARM ASSOCIATION PAC ASKS YOU TO VOTE YES ON MEASURE 39

If a farmer does not want to sell his land to a developer, should a city be allowed to condemn the farm and transfer the land to the developer?

State and local governments across the country have the power to take private property. Most of the time, condemnation is used responsibly, and only when absolutely necessary.

But some state and local governments are using condemnation for other purposes, like taking farms, homes, and businesses away from their current owners and transferring the land to other private citizens for new development.

The Oregon Family Farm Association PAC believes that property owners should not have to worry that their home, farm, or family owned business will be taken from them by their state or local officials and transferred to another private citizen.

But under current Oregon law, overaggressive public officials can do just that. That's why we need Measure 39.

Measure 39 places limits on government's ability to take a home, farm, or small business, while still allowing the use of condemnation for true public uses.

These limits are reasonable and necessary. Our economy is built on private property. If a farm can be taken from one family by force for no other reason than to sell it to another family, we all suffer, and our rights and freedoms are threatened.

Please join us in voting yes on Measure 39.

*(This information furnished by David Hunnicutt, Neighbors Helping Neighbors Committee.)*

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# Measure 39 Arguments

## Argument in Favor

### THE OREGON BUSINESS NETWORK URGES "YES" ON MEASURE 39

In the last decade, aggressive state and local governments have begun using their condemnation power to take homes, farms and small businesses from one private citizen to give to another private citizen, who promises to make a "new" and "improved" use of the property, like a shopping center or apartment complex.

Forcing a family to leave their home or give up their business because a developer promises the city that he will make a "better" use of the property is shameful, and hurts us all. Objecting to a recent court decision, former Supreme Court Justice Sandra O'Connor, said it best: "Any property may now be taken for the benefit of another private party, but the fallout from this decision will not be random. The beneficiaries are likely to be those citizens with disproportionate influence and power in the political process, including large corporations and development firms. As for the victims, the government now has license to transfer property from those with fewer resources to those with more."

Small businesses are the heart and soul of Oregon communities. Small business owners are community leaders, volunteer coaches, mentors, and church leaders. In the last decade, small businesses throughout America have increasingly been targeted by state and local officials for "redevelopment." Using their power of condemnation, public officials have taken thriving neighborhood businesses from business owners who did not want to sell, knocked down buildings, and sold the property to another private company who promises to make a "better" use of the land.

That is why the Oregon Business Network supports Measure 39. No one's home or business should be taken by government and sold to the highest bidder.

Vote yes on Measure 39.

*(This information furnished by David Hunnicutt, Neighbors Helping Neighbors Committee.)*

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## Argument in Favor

### VOTE YES ON MEASURE 39

The Oregon State Grange asks you to vote yes on Measure 39.

As a predominantly rural based organization, grange members are deeply concerned with private property ownership, and the importance it has in our country.

Which is why it was hard for us to believe that the United States Supreme Court would authorize a city to condemn an entire neighborhood of well kept homes for the purpose of selling that property to a developer for commercial development.

Yet that is exactly what happened in June, 2005 when the Supreme Court decided [Kelo v. City of New London](#).

Whether its your home, business, or farm, a person should not be stripped of their land by an aggressive land use planner or state agency, because the planner has decided that another private company will do something else with the land that provides more taxes to the government. That's just wrong.

Measure 39 will help safeguard private citizens, and will protect private property ownership, one of our sacred rights.

Vote yes on Measure 39.

*(This information furnished by David Hunnicutt, Neighbors Helping Neighbors Committee.)*

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## Argument in Favor

### OREGON'S HOMEBUILDERS SUPPORT MEASURE 39

The Oregon Home Builders Association (OHBA) asks that you support Ballot Measure 39, a measure that helps protect the rights of homeowners across Oregon.

OHBA is Oregon's trade association for the building industry. OHBA members construct the homes that Oregonians live in, the homes where families are raised and memories are made.

We understand how important private property is in a free society and to OHBA as well. America was built on the foundation of private property ownership. Laws that weaken private property ownership weaken our economy, threaten our nation's heritage, and harm our industry. Allowing government to condemn a family's home to give to another private citizen is just such a law.

No homeowner should have to worry that their home will be taken from them by a government official who decides that another private citizen can make a better use of that property.

Unfortunately, it is becoming increasingly common throughout the country for governments to use their power of eminent domain to condemn land from one citizen and turn it over to another. Builders groups across the country have joined with civil rights groups and homeowners to oppose this type of condemnation, but the battle continues.

**That's why Measure 39 is important.** Measure 39 adds additional protections for homeowners, by imposing additional restrictions on government's ability to condemn one families home and transfer it to another private company or person.

At the same time, Measure 39 does not interfere with government's ability to condemn property for true public uses, like roads, parks, schools, and libraries.

It is not often that OHBA takes a formal position on a ballot measure, but Measure 39 is truly important for all private citizens and businesses. Please vote yes on Measure 39.

*(This information furnished by David Hunnicutt, Neighbors Helping Neighbors Committee.)*

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## Argument in Favor

### OREGON AGRICULTURE SUPPORTS MEASURE 39

John Guynup, President, Oregon Sheep Growers Association asks for your support for Measure 39.

Like most Americans, we were shocked when the United States Supreme Court issued its decision in [Kelo v. City of New London](#) in June, 2005, authorizing state and local governments to take someone's home, business, or farm for the sole purpose of handing it to a developer.

We thought the Constitution protected a homeowner's right to not be forced to sell their land to another private citizen. We were wrong.

Fortunately, state legislatures across the country have been working hard to protect homeowners and small businesses from condemnation abuse. In the last year, 27 state legislatures

# Measure 39 Arguments

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have passed laws making it harder for government to take land from one citizen to give to another.

With Measure 39, Oregon will join those states.

Measure 39 places important safeguards and reasonable restraints on the use of condemnation to take private property from one citizen to give to another private citizen.

These safeguards protect every private property owner, from the husband and wife with a single family home in Portland to the rancher with 10,000 acres in Harney County.

It is simply wrong for government to use its exclusive power to take private property from one citizen to give to another. When government condemns private property, it should only do so when it needs the property for a true public use, like a school, road, police station, or library.

Please join us in voting "yes" on Measure 39.

*(This information furnished by David Hunnicutt, Neighbors Helping Neighbors Committee.)*

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## Argument in Favor

Please join Oregon's farmers and ranchers and Vote YES on Ballot Measure 39. Measure 39 will make sure the government only uses its power to take private property for public purposes. Private property should not be taken by government simply to hand it to other private parties.

Measure 39 is on the ballot in response to the US Supreme Court decision in Kelo v. New London. In Kelo, the Court expanded the government's power to take private property even in instances when the beneficiary is another private party. This unprecedented attack on private property rights should concern all of us.

Agriculture is a vital industry in Oregon. In addition to providing \$4 billion in direct economic activity, agriculture also provides green spaces for our citizens to enjoy and habitat for wildlife. For agriculture to survive, a land base is necessary to grow crops and raise animals. This land is often valued at lower prices than land in urban areas. Because of its relatively cheap cost, it is an easy target for government takings. Transferring agricultural lands to other uses often increases the value of the land, thus increasing the tax base for government. It is one thing for this transfer to occur on the open market. It is an entirely different matter for government to take agricultural land for the benefit of other private parties simply because it might increase the value of its tax roll. The Kelo decision allows government to do this and it must be corrected.

Upholding private property rights against undue government interference is critical to maintaining the very fabric of our society. As Justice O'Connor wrote in her dissenting opinion about the scope of the majority ruling, "[n]othing is to prevent the State from replacing any Motel 6 with a Ritz-Carlton, any home with a shopping mall, or any farm with a factory." The Oregon Farm Bureau Federation urges you to Vote YES on Measure 39.

*(This information furnished by David Hunnicutt, Neighbors Helping Neighbors Committee.)*

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## Argument in Favor

### SMALL BUSINESSES SUPPORT MEASURE 39

The Oregon chapter of the National Federation of Independent Business (NFIB) asks you to please vote yes on Measure 39.

Small businesses are the heart and soul of Oregon communities. Small business owners are community leaders, volunteer coaches, mentors, and church leaders. NFIB/Oregon is dedicated to protecting the interests of small businesses throughout the state.

In the last decade, small businesses throughout America have increasingly been targeted by state and local officials for "redevelopment." Using their power of condemnation, public officials have taken thriving neighborhood businesses from business owners who did not want to sell, knocked down buildings, and sold the property to another private company who promises to make a "better" or "higher" use of the land.

Although the existing business owner gets a check from the government, the business is gone, along with the hard work and sweat that has been poured into the operation.

Creating a small business is difficult enough. No business owner should have to worry that their hard work, hopes, and dreams will be eliminated overnight by an overly aggressive city council and a wrecking ball.

That's why small businesses across the United States have joined in fighting condemnation abuse, and why NFIB/Oregon supports Measure 39.

While government should be able to condemn land for public uses like schools, parks, police stations, and roads, they should never be able to take a person's home or business for the purpose of giving it to another property owner.

Property rights are important to all Americans. Measure 39 helps protect your rights. Please vote yes on Measure 39.

*(This information furnished by David Hunnicutt, Neighbors Helping Neighbors Committee.)*

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## Argument in Favor

### THE OREGON ASSOCIATION OF REALTORS® SUPPORTS MEASURE 39

**The Oregon Association of REALTORS® asks you to please vote YES on Measure 39.**

The Oregon Association of REALTORS® is the trade association for Oregon's REALTORS®, real estate professionals who help Oregonians achieve the American Dream of homeownership.

We believe that homeownership is the cornerstone of our society. Homeownership helps families build equity and creates financial security. Homeownership leads to a sense of community and a pride in ownership. Communities with high rates of homeownership have less crime, children who do better in school, and adults who are more likely to participate in civic and charitable organizations.

**That is why Measure 39 is so important.**

Measure 39 protects homeownership. Measure 39 prevents the government from taking away a person's home merely because the government wants to give it to a private developer. Believe it or not, this happens all too often in communities across the United States. If Measure 39 does not pass, it could happen in Oregon too.

# Measure 39 Arguments

Measure 39 will not interfere with the government's ability to condemn property for true public uses such as schools, parks, roads and libraries. Measure 39 only stops the government from condemning property in order to give it to another private party.

The American Dream of homeownership unites people of all backgrounds and political persuasions. It unites us as Oregonians and as Americans. REALTORS® help make this dream a reality. That is why the Oregon Association of REALTORS® strongly supports Measure 39.

**Please vote YES on Measure 39.**

*(This information furnished by Jeremy Starr, President, Oregon Association of REALTORS.)*

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## Argument in Favor

### WHAT JUDGES ACROSS THE COUNTRY SAY ABOUT USING CONDEMNATION TO TAKE LAND FROM ONE PRIVATE CITIZEN TO GIVE TO ANOTHER

"Any property may now be taken for the benefit of another private party, but the fallout from this decision will not be random. The beneficiaries are likely to be those citizens with disproportionate influence and power in the political process, including large corporations and development firms. As for the victims, the government now has license to transfer property from those with fewer resources to those with more." Former Supreme Court Justice Sandra Day O'Connor, objecting to the Court's decision in *Kelo v. City of New London*.

"The consequences of today's decision are not difficult to predict, and promise to be harmful. So-called 'urban renewal' programs provide some compensation for the properties they take, but no compensation is possible for the subjective value of these lands to the individuals displaced and the indignity inflicted from uprooting them from their homes." Supreme Court Justice Clarence Thomas, dissenting in *Kelo*.

*(This information furnished by David Hunnicutt, Neighbors Helping Neighbors Committee.)*

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## Argument in Opposition

The  
**League of Women Voters of Oregon**  
urges you to

**VOTE NO ON MEASURE 39**

### IMPACTS OF MEASURE 39

If your community wants to redevelop its waterfront with stores and pedestrian walkways, **Measure 39 will make it more expensive!**

If your community wants to develop a business park to create jobs for the community, **Measure 39 will require the government own it!** Do the promoters of this measure want the government to own more property?

If your community wants a public economic development project that involves selling property (bringing in profitable businesses into the community), **Measure 39 won't allow it!**

### COSTS OF MEASURE 39

The official Financial Estimate says it could cost Oregonians from \$16 to \$30 million per year. The measure drives most disagreements over the value of condemned property into court rather than negotiation. The cost of lawyers alone will prevent many communities from purchasing land necessary for new roads, bridges, schools, sewer and water systems and other valuable public resources. **Measure 39 would surely increase the cost of government ownership of public property.**

OREGONIANS CARE ABOUT OREGON. **Don't let out-of-state special interests buy your vote.**

### MEASURE 39

- Makes public projects more expensive
- Will increase the amount of property that the government owns and the costs to manage it
- Inhibits most job-producing public economic development projects
- Was mostly **paid for by out-of-state lobbying interests**

**VOTE NO ON MEASURE 39**

*(This information furnished by Margaret Noel, League of Women Voters of Oregon.)*

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## Argument in Opposition

**BEWARE OF OUT-OF-STATE BALLOT MEASURES!**

**VOTE NO ON MEASURE 39**

**OREGONIANS SHOULD VOTE NO ON MEASURES WRITTEN BY PEOPLE OUTSIDE OREGON!** THESE FOLKS HAVE AGENDAS THAT SUIT THEIR PURPOSES, NOT OURS, AND USE SCARE TACTICS TO GET THEIR WAY. THEY HIDE THEIR TRUE INTENTIONS BY PLACING INNOCENT-SOUNDING PHRASES AT THE TOP, THEN SNEAK IN CONCEPTS THAT WOULD NEVER FLY ON THEIR OWN.

**NOW IT'S MEASURE 39!** BIG MONEY INTERESTS FROM THE EAST COAST PAID TO PUT THIS MEASURE ON OUR BALLOT. THEY ARE TRYING TO FRIGHTEN OREGONIANS-SAYING THAT OUR HOMES WILL BE TAKEN BY GOVERNMENT IF WE DON'T VOTE "YES". THIS MEASURE WON'T PROTECT YOUR HOME, BUT MAY STOP YOUR COMMUNITY FROM DETERMINING ITS FUTURE.

# Measure 39 Arguments

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IF YOUR CITY WANTS TO REDEVELOP ITS WATERFRONT WITH STORES AND PEDESTRIAN WALKWAYS, **MEASURE 39 MAY NOT ALLOW IT.** IF YOUR COUNTY WANTS TO DEVELOP A BUSINESS PARK, **MEASURE 39 MAY NOT ALLOW IT.** OUR COMMUNITIES MAY BE PREVENTED FROM ECONOMIC DEVELOPMENT PROJECTS THAT MAKE JOBS.

**MEASURE 39 GETS WORSE!** HIDDEN IN THE MIDDLE IS FINE PRINT THAT WILL COST YOU HUNDREDS OF THOUSANDS OF DOLLARS WHEN CONDEMNATION IS USED TO BUY PROPERTY FOR PUBLIC PURPOSES LIKE BUILDING ROADS, SCHOOLS OR A WATER SYSTEM. MEASURE 39 WILL REQUIRE THE COMMUNITY TO PAY THE PROPERTY OWNER'S LAWYER IN NEARLY EVERY CASE. **MEASURE 39 ENCOURAGES A PROPERTY OWNER TO HIRE THE MOST EXPENSIVE LAWYERS BECAUSE THE PUBLIC HAS TO PAY FOR IT!** OREGON'S SECRETARY OF STATE SAYS IT WILL COST \$16 TO \$30 MILLION **EACH YEAR!**

**MEASURE 39 DOESN'T SOLVE ANYTHING! EVEN THE SUPPORTERS OF THIS MEASURE CAN'T CITE A SINGLE EXAMPLE OF ABUSE!** MEASURE 39 IS A SOLUTION IN SEARCH OF A PROBLEM!

MEASURE 39:

- BROUGHT BY OUT-OF-STATE INTERESTS
- INHIBITS MOST ECONOMIC DEVELOPMENT PROJECTS
- PAYS LAWYERS MILLIONS IN PUBLIC DOLLARS
- DOESN'T SOLVE ANYTHING

*(This information furnished by Gregory Winterowd, Legislative Vice-Chair, Oregon Chapter of the American Planning Association.)*

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# Measure 40

Proposed by initiative petition to be voted on at the General Election, November 7, 2006. The information in the shaded area below will appear on your ballot.

## Ballot Title

# 40

### AMENDS CONSTITUTION: REQUIRES OREGON SUPREME COURT JUDGES AND COURT OF APPEALS JUDGES TO BE ELECTED BY DISTRICT

**RESULT OF "YES" VOTE:** "Yes" vote requires Oregon Supreme Court, Court of Appeals judges to be elected by, and reside in, legislatively established districts, which are based on population.

**RESULT OF "NO" VOTE:** "No" vote retains the current system for electing Oregon Supreme Court judges and Court of Appeals judges by statewide vote with no district residency requirement.

**SUMMARY:** Amends constitution. Currently, Oregon Supreme Court, Court of Appeals judges are elected by statewide vote; judges must live within state but have no other residency requirements. Measure divides state into seven population-based districts for electing Supreme Court judges; electors from each district elect one Supreme Court judge. Measure divides state into five population-based districts for electing other appellate court judges (except Tax Court); electors from each district elect two appellate court judges. Requires Supreme Court, Court of Appeals judges to reside within their districts; legislature to establish judicial districts and reapportion them when reapportioning legislative districts. Revises requirements for appointments to judicial vacancies and recall of judges; candidate is not considered incumbent when first running in newly created or reapportioned district. Other provisions.

**ESTIMATE OF FINANCIAL IMPACT:** The financial effect of the measure on state government expenditures cannot be determined. The cost to implement the measure could range from none to \$1.5 million per two-year budget period.

The measure will have no financial effect on state government revenue.

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

See Voters' Pamphlet for Explanation of this Financial Impact.

## Explanation of Estimate of Financial Impact

Measure 40 would require judges of the Supreme Court and Court of Appeals to be elected from separate geographic districts. The judges would also be required to remain as residents in their districts during the term of office.

At present, these courts have central functions in Salem, and the judges live within commuting distance of Salem. Although the districts would be drawn by the Legislature, it is reasonable to assume that several judges would not be able to travel daily to work in Salem from a district residence.

If the measure requires judges to remain physically present in their districts, court functions would have to change. The State Court Administrator has advised that there are several ways that the courts could change how they do business so that the judges can do their jobs and remain residents of their districts. Those costs will depend upon the location of districts and the residences of the judges in those districts. It is likely that these costs will be between \$600,000 and \$1,500,000 for each two year budget period beginning in 2007-2009.

### Committee Members:

Secretary of State Bill Bradbury  
State Treasurer Randall Edwards  
Lindsay Ball, 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:** This initiative shall be known as the Judicial Accountability Act. It is designed to insure that the appellate courts of Oregon are accountable to the People and that they adequately represent all areas of the State. The Framers of the Oregon Constitution originally required districting, reasoning that districting would keep appellate judges more representative and accountable. This initiative will restore accountability and fair representation as envisioned by the Framers of the Oregon Constitution.

Paragraph 1. The Constitution of the State of Oregon is amended by creating new sections 1b, 1c, 1d, 1e, and 1f to be added to and made part of Article VII (Amended); such sections to read:

Section 1b. (1) The Supreme Court shall consist of seven judges. The state shall be divided by law into seven districts for the purpose of electing the judges of the Supreme Court and one judge shall be elected by the electors of each of the districts. The boundaries of the Supreme Court districts shall be determined based on population. The Legislative Assembly shall by law provide for regular reapportionment of the districts at the same time established for reapportionment of legislative districts.

(2) A person seeking election or being appointed to one of the Supreme Court positions, as a qualification for the position, must have been a resident of the appropriate Supreme Court district for a period of at least one year before the election for the position is conducted or the appointment made. A person so elected or appointed must remain a resident of the district throughout the term of office.

Section 1c. (1) The judges of any other appellate court created by law, other than one solely with jurisdiction over tax law, shall be elected by the electors of five appellate court districts. The state shall be divided by law into five districts for the purpose of electing the judges of any other appellate court, and two judges shall be elected by the electors of each of the

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# Measure 40

districts. The boundaries of appellate districts shall be determined based on population. The Legislative Assembly shall by law provide for regular reapportionment of the districts at the same time established for reapportionment of legislative districts.

(2) A person seeking election or being appointed to one of the other appellate judge positions, as a qualification for the position, must have been a resident of the appropriate district for a period of at least one year before the election for the position is conducted or the appointment made. A person so elected or appointed must remain a resident of the district throughout the term of office.

Section 1d. (1) Except as provided in this subsection, a reapportionment of districts enacted by the Legislative Assembly becomes operative on the next date at which a judge will commence a term of office. On the effective date of the law reapportioning the districts, the reapportionment becomes operative for the purpose of nominating and electing judges for the districts established by the reapportionment, and for the purpose of determining residency of persons seeking election to a judge position. Any judge whose term continues through the next date on which a judge will commence a term of office shall be assigned to a district.

(2)(a) Except as provided in paragraph (b) of the subsection, a vacancy in a judge position that occurs after the effective date of the law reapportioning the districts and before the next date on which a judge will commence a term of office shall be filled from the district that existed before the effective date of the reapportionment.

(b) If a vacancy occurs in a judge position for a district to which a judge has been assigned under subsection (1) of this section, the vacancy shall be filled from the district to which the judge is assigned.

Section 1e. Notwithstanding section 18, Article II of this Constitution, a judge who has been assigned under section 1d of this Article is subject to recall by the electors of the district to which the judge is assigned and not by the electors of the district existing before the last reapportionment. The number of signatures required on the recall petition is 15 percent of the total votes cast for candidates for Governor at the last election before the effective date of the reapportionment in the district that existed before the latest reapportionment and that elected the judge.

Section 1f. (1) The Legislative Assembly at its next regular session after the election at which this 2006 Amendment was approved shall establish by law the districts required by sections 1b and 1c of this Article. Sections 1b and 1c of this Article shall first apply to the general election held in November 2008 and to judicial appointments made after the effective date of the law passed establishing the districts.

(2) Sections 1b and 1c of this Article do not affect the term of any judge who is serving on the effective date of sections 1b and 1c of this Article, but their positions shall be assigned a district under the law establishing the districts. A judge who is serving on the effective date of sections 1b and 1c of this Article and who thereafter seeks election to another term as judge of the Supreme Court or any other appellate court must meet the residency requirement imposed for that position.

(3) No candidate for a position on the Supreme Court or an appellate court shall be considered an incumbent the first time the candidate runs in a newly created or reapportioned judicial district.

## Explanatory Statement

Ballot Measure 40 amends the Oregon Constitution to require that judges of the Supreme Court and any other appellate court created by law, which includes the existing Court of Appeals, be elected by district. Voters in each Supreme Court district would elect one judge. Voters in each Court of Appeals district would elect two judges. Under current law, voters elect each of the seven Supreme Court and ten Court of Appeals judges on a statewide basis when the positions are up for election; those courts hear cases primarily in Salem.

Ballot Measure 40 requires each judge of the Supreme Court and Court of Appeals to have been a resident of his or her district for at least one year before the judge's appointment or election. Following appointment or election, the judge would be required to remain a resident of the district throughout the judge's six-year term of office. Under current law, a Supreme Court judge must have been an Oregon resident for at least three years before appointment or election, and a Court of Appeals judge must be an elector of the judge's county of residence.

Ballot Measure 40 sets the number of Supreme Court judges at its present number of seven and requires the legislature to divide the state into seven districts for appointing and electing Supreme Court judges. Under current law, the number of Supreme Court judges is subject to change by statute. The measure also requires that any other appellate court created by law, except for an appellate tax court, must have ten judges and requires the legislature to divide the state into five appellate districts with two Court of Appeals judges for each district. Current law provides for a ten-judge Court of Appeals, and the number of judges of the Court of Appeals presently is subject to change by statute in any amount.

Ballot Measure 40 requires the legislature to create the judicial districts based on population and to reapportion the districts regularly. The legislature also would be required to assign the current judges of the Supreme Court and Court of Appeals to judicial districts. Any judge who does not reside in the assigned district would be required to move to the district at least one year before re-election. This requirement also applies to reapportioned districts.

The original Oregon Constitution provided for election of justices by district and for changing district boundaries. It also stated that no change of districts could remove a justice from office or require the justice to change residence; this measure does not contain such provisions.

Ballot Measure 40 addresses procedures for filling vacancies after a reapportionment and for recall of Supreme Court and Court of Appeals judges. Also, under this measure, Supreme Court or Court of Appeals judges who run for election for the first time in a newly created or reapportioned judicial district would not be considered incumbents. Current law provides that regularly elected or appointed judges are identified on the ballot as incumbents.

### Committee Members:

Kevin Mannix  
Bob Swift  
Keith Garza  
Maureen Leonard  
Jim Nass

### 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 40 Arguments

## Argument in Favor

In Oregon, we elect all of our trial court judges by district. In fact, Oregon's trial court judges are divided into 27 different districts.

All Ballot Measure 40 requires is that Oregon's appellate court judges also be elected by district.

Under this Measure, Supreme Court judges will be elected in 7 different districts and Court of Appeals judges will be elected in 5 different districts.

The reason we elect our trial court judges by district is to ensure fairness, impartiality and accountability in our judiciary. Ballot Measure 40 will instill that same fairness, impartiality and accountability into Oregon's appellate courts.

By requiring our appellate judges to be elected by district, Ballot Measure 40 will guarantee that our courts will reflect the broad range of viewpoints and opinions which make Oregon so special and unique.

Oregon's appellate courts routinely make new laws, and yet only a small segment of Oregon is represented on these courts. Ballot Measure 40 will guarantee a diversity of views on the courts that have the biggest impacts on our lives, the appellate courts.

Instead of a Supreme Court and a Court of Appeals made up of lawyers from one part of the state, Ballot Measure 40 will make sure all parts of Oregon - from La Grande to Brookings, from Lakeview to Portland, and all points in between - are represented on our appellate courts.

This is not a new idea. Originally, the Oregon Constitution required all judges to be elected by district. This measure simply restores our courts to the way Oregon's founding fathers originally intended all judges to be selected.

Which is the way it should be. The authors of Oregon's Constitution intended **ALL** judges in Oregon be selected by district to ensure fairness, impartiality and accountability in **ALL** judges, and **ALL** courts, at every level of Oregon's judiciary.

Please vote Yes on Ballot Measure 40.

*(This information furnished by Russ Walker.)*

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

### Circuit Court Judges Ask You to Vote Yes on Measure 40.

As former circuit court judges, we ask you to vote "yes" on Measure 40.

Why? Because it is common sense.

Being a judge is a difficult job. When reaching a decision, a judge must rely upon many things to help guide him or her - the laws enacted by the Legislature, the Oregon Constitution, prior court decisions, just to name a few.

But judges are human, not robots, and they bring with them a core set of principles that come largely as a result of where the judge is from. For instance, it is entirely likely that a judge from Portland would have a different perspective than a judge from John Day.

**That is why it is vital that we elect judges with a wide range of experiences and backgrounds, so our courts are not filled with judges from one section of the state who share one judicial philosophy.**

That is why Measure 40 is so important.

Measure 40 will allow voters to elect judges to the Oregon Supreme Court and the Oregon Court of Appeals from all areas of Oregon.

Right now, 16 of the 17 judges on Oregon's appellate courts are from Portland, Salem or Eugene. No judge on the bench is from an Oregon coastal community, any county south of Lane County, and only one judge is from a community east of the Cascade Mountains.

But who knows, 10 years from now all of the judges on Oregon's appellate courts may be from Pendleton and Baker City, leaving the rest of Oregon without a voice in the appellate courts.

**Measure 40 guarantees that judges on Oregon's Supreme Court and Court of Appeals will be from every region of Oregon. We think that is important.**

That is why we are supporting Measure 40.

Ted Abram, former circuit court judge, Klamath County (retired)

Hollie Pihl, Senior Judge, former circuit court judge, Washington County

*(This information furnished by R. Russell Walker, Our Courts Committee.)*

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## Argument in Favor

Oregon's judges should reflect Oregon's diversity.

Oregon has a strong populist tradition which call for the election of the ministers of justice; public prosecutors and judges of the trial and appellate bench. District Attorneys and Circuit Judges are locally elected, but the 10 judges of the Court of Appeals and the 7 justices of the Oregon Supreme Court are elected "at large" from across the state.

As elected district attorneys who answer to the citizens of the counties we represent we believe Oregon's appeals courts would better reflect Oregon's citizens - not just lawyers - if judges ran from district similar to those that divide Oregon into five Congressional districts.

Measure 40 poses NO threat to judicial independence. In fact, it guarantees true diversity on Oregon's appeals courts. These men and women would be elected, as they are now, without regard to political party, but would reflect the concerns of people from coastal, southern, central and eastern regions of the state as well as the greater Portland area. Portland will be represented by at least two Supreme Court justices and four judges on the Court of Appeals.

As elected District Attorneys we believe Oregon's courts should represent ALL Oregonians.

Vote yes on Measure 40.

Stephen Atchison, Columbia County District Attorney  
Josh Marquis, Clatsop County District Attorney  
Paul Burgett, Coos County District Attorney  
Edwin I. Caleb, Klamath County District Attorney  
David Schutt, Lake County District Attorney  
Dan Norris, Malheur County District Attorney  
William Porter, Tillamook County District Attorney  
Thomas W. Cutsforth, Wheeler County District Attorney  
Tara Lawrence, Sherman County District Attorney  
John Sewell, Hood River County District Attorney  
Matthew B. Shirtcliff, Baker County District Attorney

# Measure 40 Arguments

(This information furnished by R. Russell Walker, Our Courts Committee.)

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## Argument in Favor

### Shouldn't ALL of Oregon Have a Voice?

"Courts are community problem solvers..."

- Chief Justice Paul DeMuniz, Oregon Supreme Court,  
*Oregon State Bar Bulletin*, July, 2006

If this is true, shouldn't ALL of Oregon have a voice in solving problems? Shouldn't all of Oregon have the chance to offer solutions?

Not according to the special interests, especially trial lawyers and the criminal defense bar, who have invested over \$400,000 in the 17 judges currently sitting on Oregon's appellate courts. They want to deny the rest of Oregon a seat at the table. They want to protect their investments.

That's right. The only communities that get to have a voice in Oregon's courts are located in the Willamette Valley, the rest of Oregon is on the outside looking in.

### Ballot Measure 40 fixes this unfairness

Ballot Measure 40 will guarantee that every part of Oregon – not just the parts inhabited by Oregon trial lawyers – is represented in our courts. So that when the courts start trying to solve your problems, you will have a say in the solution.

**Please Vote YES on Measure 40.**

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## Argument in Favor

### IF YOU LIVE IN:

Columbia County

or

Clatsop County

or

Tillamook County

or

Lincoln County

### **RIGHT NOW THERE ARE NO JUDGES ON THE OREGON APPELLATE COURTS FROM YOUR COUNTY**

Measure 40 will guarantee that **AT LEAST** two judges will be from your corner of Oregon.

Don't you want at least a couple of judges to be familiar with the issues important in your community?

Guarantee your voice in the courts

**Please Vote YES on Measure 40**

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## Argument in Favor

### IF YOU LIVE IN:

Washington County

or

Clackamas County

or

Yamhill County

or

Polk County

### **RIGHT NOW THERE ARE NO JUDGES ON THE OREGON APPELLATE COURTS FROM YOUR COUNTIES!**

Measure 40 will guarantee that **AT LEAST** two judges will reflect the community values of your part of Oregon.

Guarantee your voice in the courts.

**Please Vote YES on Measure 40.**

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## Argument in Favor

### IF YOU LIVE IN:

Linn County

or

Benton County

### **RIGHT NOW THERE ARE NO JUDGES ON THE OREGON APPELLATE COURTS FROM YOUR REGION OF OREGON**

Measure 40 will guarantee that **AT LEAST** two judges will reflect the values and principles of the people who live in the central Willamette Valley - principles that the courts currently lack.

Guarantee your voice in the courts

**Please vote YES on Measure 40.**

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## Argument in Favor

### IF YOU LIVE IN:

Coos County

or

Curry County

or

# Measure 40 Arguments

Douglas County  
or  
Josephine County  
or  
Jackson County

## **RIGHT NOW THERE ARE NO JUDGES ON THE OREGON APPELLATE COURTS REFLECTING YOUR REGION OF OREGON**

Measure 40 will guarantee that **AT LEAST** two judges will reflect the values and concerns important in your corner of Oregon.

Guarantee your voice in the courts

**Please Vote YES on Measure 40.**

*(This information furnished by R. Russell Walker, Our Courts Committee.)*

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## **Argument in Favor**

### **IF YOU LIVE IN:**

Hood River County  
or  
Wasco County  
or  
Sherman County  
or  
Gilliam County  
or  
Morrow County

## **RIGHT NOW THERE ARE NO JUDGES ON THE OREGON APPELLATE COURTS REPRESENTING YOUR REGION OF OREGON**

Measure 40 will guarantee that **AT LEAST** two judges will understand and consider issues important to the counties located along the Columbia River.

Guarantee your voice in the courts

**Please Vote YES on Measure 40**

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## **Argument in Favor**

### **IF YOU LIVE IN:**

Wheeler County  
or  
Crook County  
or  
Deschutes County

## **RIGHT NOW THERE ARE NO JUDGES ON THE OREGON APPELLATE COURTS REFLECTING THE PRINCIPLES OF CENTRAL OREGON!**

Measure 40 will guarantee that **AT LEAST** two judges - when deciding cases - will bring with them the good sense of the people who live outside of the Willamette Valley.

**Please vote YES on Measure 40**

*(This information furnished by R. Russell Walker, Our Courts Committee.)*

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## **Argument in Favor**

### **IF YOU LIVE IN:**

Klamath County  
or  
Malheur County  
or  
Lake County  
or  
Harney County

## **RIGHT NOW THERE ARE NO JUDGES ON THE OREGON APPELLATE COURTS REFLECTING YOUR REGION OF OREGON**

Measure 40 will guarantee that **AT LEAST** two judges will reflect the values and concerns important in your corner of Oregon.

If you want to make sure that your voice is heard and your community is protected, then it is time for a change.

Guarantee your voice in the courts

**Please Vote YES on Measure 40**

*(This information furnished by R. Russell Walker, Our Courts Committee.)*

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## **Argument in Favor**

### **IF YOU LIVE IN:**

Umatilla County  
or  
Union County  
or  
Grant County  
or  
Wallowa County  
or  
Baker County

## **RIGHT NOW THERE ARE NO JUDGES ON THE OREGON APPELLATE COURTS REPRESENTING YOUR CORNER OF OREGON**

# Measure 40 Arguments

Measure 40 will guarantee that **AT LEAST** two judges will reflect the principles of your special corner of Oregon.

Right now the judicial system is rigged so that only lawyers from Eugene, Salem or Portland will be elected or appointed. There is no guarantee you will ever have a voice in Oregon's appellate courts, unless you.....

**Please Vote YES on Measure 40.**

(This information furnished by R. Russell Walker, Our Courts Committee.)

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## Argument in Favor

**If you live in Portland, Salem or Eugene  
READ THIS STATEMENT!**

**(Actually, everyone should read this statement)**

Would you agree to make the following changes to Oregon's government:

Only people from Klamath Falls, Lakeview and Burns could serve in the Oregon Legislature, and

Everyone who serves in the Oregon Legislature is selected by one political party, and

Everyone who serves in the Oregon Legislature must be a cattle rancher; who will receive hundreds of thousand of dollars from the cattle ranching industry, and

If any rancher tries to run against an incumbent Legislator/Rancher, the incumbent will always win and then be able to retaliate against anyone who dares to challenge the incumbent; and finally

If anyone tries to change the Rancher Legislature to reflect all of Oregon, not just three communities, the cattle ranching industry (with the help of the media) will cry "politics!" and scare voters away from ever changing the government.

Would you like to have a branch of government in Oregon like this?

Guess what, you do. In Oregon, we call this branch "The Courts":

Only people from **Portland, Salem and Eugene** could serve in the **Oregon Appellate Courts**, and

Everyone who serves in the **Oregon Appellate Courts** is selected by one political party, and

Everyone who serves in the **Oregon Appellate Courts** has to be a **lawyer**; and receives hundreds of thousand of dollars from **lawyers associations**, and

If any **lawyer** tries to run against an incumbent **Judge**, the incumbent will always win and then be able to retaliate against anyone who dares to challenge the **Judge**; and finally

If anyone tries to change the **Oregon Appellate Courts** to reflect all of Oregon, not just three communities, the **lawyers associations** (with the help of the media) will cry "politics!" and scare voters away from ever changing the government.

This is not the system Oregon's founding fathers envisioned. Judges were supposed to be elected by district.

**Please Vote YES on Measure 40**

(This information furnished by R. Russell Walker, Our Courts Committee.)

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## Argument in Favor

**County Commissioners Across Oregon Ask You to Vote Yes on Measure 40**

Why? Because Measure 40 insures fairness in Oregon's courts for **ALL** Oregonians.

Measure 40 **guarantees** that every corner of Oregon will be represented in Oregon's appellate courts.

In other words, Measure 40 will guarantee that every Oregonian will have one supreme court justice and two court of appeals judges from his or her part of the state.

Consider this: Right now, 16 out of the 17 judges on Oregon's appellate courts are from one area of the state - the Willamette Valley. The rest of Oregon is not represented in any way on the Supreme Court or the Court of Appeals.

Today the Willamette Valley is over-represented on these courts, tomorrow, the coast could enjoy the special benefits of over-representation.

That's right! Right now there is no guarantee that any Oregonian will be represented on Oregon's appellate courts.

And that is just wrong.

As county commissioners from every part of Oregon, we know the importance of ensuring geographical diversity on Oregon's appellate courts.

Ballot Measure 40 ensures every Oregonian will have a voice in the operation of our courts. Please join us in voting Yes on Ballot Measure 40.

Roger Nyquist, Linn County Commissioner  
Leslie Lewis, Yamhill County Commissioner  
Anna Morrison, Lane County Commissioner  
Kathy George, Yamhill County Commissioner

(This information furnished by R. Russell Walker, Our Courts Committee.)

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## Argument in Favor

Each of us comes from a different and unique part of our state. Once every two years, we gather in Salem to resolve problems and protect the people of Oregon. The fact that everyone in the Oregon Legislature is from a different area of the state helps bring fresh perspective and ideas to the discussion.

Imagine if all but 2 or 3 legislators were from Bend. How well do you think the legislature would be able to respond to problems in Portland, Salem, Medford, or on the Oregon coast?

The answer: not very well.

That is why, when the Oregon Constitution was originally drafted, those offices that would make law - legislators and appellate judges - were supposed to be elected by district. Oregon's founding fathers knew that citizens serving on the Oregon Supreme Court should reflect all of Oregon, not just one area of the state, as is currently the case.

What makes Oregon strong - and what makes Oregon, Oregon - is that all of our citizens have an equal voice and an equal opportunity to participate in our state government.

# Measure 40 Arguments

We are supporting Measure 40 because:

- Measure 40 restores in our Constitution the principle of equal representation in our justice system
- Measure 40 is about fairness and equality for ALL Oregonians
- Measure 40 is a much needed step in the right direction.

We ask that you vote yes on Measure 40:

State Senator Doug Whitsett, District 28  
State Senator Roger Beyer  
State Senator Bruce Starr  
State Representative Kim Thatcher  
State Representative R. Thomas ("Tom") Butler, HD #60  
State Representative Derrick Kitts  
State Representative Jerry Krummel  
State Representative Gene Whisnant  
State Representative Dennis Richardson

*(This information furnished by R. Russell Walker, Our Courts Committee.)*

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## Argument in Favor

### **Measure 40 will reduce the cost of judicial elections and get politics out of the courts**

The increasing cost of judicial elections is a serious problem in Oregon, where our judges are elected **statewide**. Because our judges are elected statewide, it is very expensive for judges to run effective elections and it is even harder to challenge a sitting judge. Why?

Start with this question: Who do the judges turn to when they need campaign cash quickly? That's right, big money special interests such as lawyers associations.

In fact, according to reports filed with the Secretary of State, lawyers have invested over \$400,000 in the 17 judges sitting on Oregon's appellate courts.

And as you can imagine, when a sitting judge asks a lawyer for campaign money, the lawyer is very willing to help the judge's campaign. And because Oregon is one of 2 states that does not limit the amount of money lawyers can give, lawyers will give incumbent judges plenty of money to run a statewide campaign.

The result? Challengers cannot raise the kind of money needed to effectively challenge an incumbent, so judicial races go uncontested, and the voters are the worse off.

But the lawyers who have invested all that money in the judges now have friends in Oregon's appellate courts.

Measure 40 will make judicial elections fair and open to more potential candidates by reducing the cost of running a campaign for judge. How does Measure 40 reduce the cost of campaigns? Simple, instead of running statewide, candidates for Oregon's appellate courts would run in a district – just like trial court judges do now.

And a smaller district means lower campaign costs – which will make it harder for special interests to buy influence in Oregon's appellate courts. Lower campaign costs will mean more qualified candidates will be able to afford to run for Oregon's appellate courts.

And everyone – except for the special interests – wins.

For more information go to [www.oregonwatchdog.com](http://www.oregonwatchdog.com)

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

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## Argument in Favor

### **A pop quiz..... Who Made These Laws?**

- Public sex acts cannot be prohibited by the government.
- Obscene material cannot be prohibited by the government.
- The government is permitted to take up to 93% of your property without paying you a dime of compensation.
- A judge can release a convicted child rapist and murderer if the Court of Appeals or Supreme Court take too long to decide the case.

If you guessed **APPELLATE JUDGES** then you would be correct.

These are important issues of public policy made by a few of Oregon's legal elite who represent only a small region of Oregon.

Shouldn't **ALL** of Oregon have a say in these important issues?

In Oregon, a small cell of lawyers controls a branch of our government that has a tremendous impact on our lives. This cell – also known as the Oregon State Bar Association – will stop at nothing to make sure that most of Oregon is left out of the courts.

Why? Because according to the Oregon State Bar, people who live outside of the Willamette Valley are "not experienced", "not competent" or "not highly qualified" to sit on the Oregon appellate courts.

The Oregon State Bar's condescending attitude towards the people of the state of Oregon should not be tolerated.

When judges make new law out of thin air, ALL Oregonians should have a voice reflected on Oregon's courts – not just those judges the Oregon State Bar approves of.

Measure 40 will restore your voice.

**Please Vote YES on Measure 40.**

*(This information furnished by R. Russell Walker, Our Courts Committee.)*

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## Argument in Favor

### **YOU WON'T BELIEVE YOUR EYES!!!**

Take a look at this statement written by the Oregon State Bar:

"Passage of Measure 40 would not only reduce the competence of the judges.....Oregonians should have the right to elect the most qualified judges possible, and deserve capable, efficient appellate courts. Passage of Measure 40 would work against both of these goals."

- Draft Statement, Oregon State Bar, August 8th, 2006

### **Can you believe the arrogance and ignorance of this statement?**

You read it right, the Oregon State Bar thinks that the only lawyers who are "competent" or "qualified" are lawyers from Portland, Salem and Eugene!

# Measure 40 Arguments

This statement reflects the general opinion the organized lawyers associations have of the general public, and is why these special interests are fighting to keep your voice out of Oregon's courts. The trial lawyers, and criminal defense lawyers, and Portland good-old-boys club don't think the rest of Oregon should have a voice in our courts because Oregonians are "not competent" enough to choose judges on their own.

The fact is that Oregon's court system is controlled by a small group of special interests such as the Oregon Trial Lawyers Association, the Oregon Criminal Defense Lawyers Association and the Oregon State Bar. **The members of these special interest lawyer associations have invested over \$400,000 in the judges currently sitting on the bench, and Ballot Measure 40 threatens their investment.**

If you vote yes on Measure 40, you will take back control of the courts that have the greatest impact on your life. The people, and not narrow-minded special interests, will once again have the final say in the selection and election of judges, just as Oregon's founding fathers intended.

You don't have to let the lawyers get away with this. You have the power to stop them.

Take back your courts.

**Please Vote YES on Measure 40**

*(This information furnished by R. Russell Walker, Our Courts Committee.)*

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## Argument in Favor

In 1857 the framers of the Oregon Constitution felt it critical that **voters know the judges they elect and to "understand the character of the person they put in office."** To achieve this purpose they required that Supreme Court Justices be elected from districts.

**Today Supreme Court Justices are selected without regard to region.** And the result has been nothing short of disastrous for Oregonians. Oregon Supreme Court Justices come from two Oregon cities, and their decisions are deficient because the Supreme Court lacks the geographical diversity Measure 40 will bring.

**Can you name two Supreme Court Justices?** Most people cannot. There are seven. Yet this Court effects every aspect of your life. Their decisions may have extraordinary impacts on your life, the life of your community **and you don't know who they are.** Measure 40 fixes that.

Measure 40 is a simple concept: **every region of the state should be represented on the Oregon Supreme Court** – not just the interests of people who live in two Oregon cities.

Most of the opposition to Measure 40 comes from self-interested lawyers associations centered in the Willamette Valley. Under Measure 40, these special interests would still have the opportunity to **elect 4 judges to the Oregon Supreme Court. Isn't that enough?**

Apparently not.

One Supreme Court Justice - Bill Riggs – is leaving the Supreme Court early, and the Governor can appoint a new lawyer to fill his place. **The Governor will appoint a lawyer approved by the Oregon Trial Lawyers Association and the Oregon State Bar.** Most likely another lawyer from Salem or Portland.

Ballot Measure 40 would require the Governor to appoint justices from all parts of the state so that the voters will know their

judges and **"understand the character of the person whom they put in office."**

It was a great idea in 1857. It is a great idea today.

**Please vote YES on Measure 40**

*(This information furnished by Steve Doell, Crime Victims United of Oregon.)*

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## Argument in Favor

### **BUILDING ONE OREGON MEANS COURTS FROM ALL OF OREGON** **Ron Saxton**

There are growing social, cultural and economic divides in Oregon and bridging those divides is essential for Oregon to prosper and excel. Our judicial system is part of the problem – and Measure 40 represents part of the solution.

Just as the vast majority of our elected officials and government appointees come from the Willamette Valley, so too do virtually all of Oregon's Supreme Court and Appellate Court judges.

The reason is simple: most judges in Oregon are initially appointed to their positions by the Governor, and recent Governors have shown an overwhelming preference for candidates from Portland and the Willamette Valley. Indeed, it is now almost customary that a judge "retire" prior to the end of his/her term so that the appointment process continues and the appointee can enter the next election from with the coveted designation on the ballot of "Incumbent."

But this wasn't always the case. Prior to the 1980's, the Oregon tradition was for the Governor to appoint judges from all over the state and competitive elections were far more common.

Measure 40 helps restore that tradition by requiring that Supreme Court and Appellate Court judges be elected or appointed from geographically distinct districts, thus guaranteeing true diversity without lessening judicial independence.

It is important to understand that Measure 40 is not about judges "representing" parts of Oregon - once on the court judges understand they serve all of Oregon. This measure also isn't about competing judicial ideologies – there are "liberal" and "conservative" lawyers in all parts of the state.

Measure 40 is about Courts that benefit from the differing perspectives and experiences of individuals from all across Oregon, and it is about giving Oregonians from all parts of the state a sense of connection to our Courts. It is time for our Courts to reflect the true strength of our state and the diversity of our citizens.

*(This information furnished by Ron Saxton, Friends of Ron Saxton.)*

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## Argument in Favor

### **The Oregon Family Farm Association PAC asks you to vote yes on Ballot Measure 40**

For decades, small family farms have been the backbone of Oregon agriculture. Many of the products we all enjoy are produced in Oregon by family owned and operated farms.

But the ability of Oregon's small farmers to produce products



# Measure 40 Arguments

for all of us is increasingly under attack, at both the state and federal level. Groups opposed to farming and ranching increasingly use lawsuits as a weapon to put the small family farm out of business.

Because of the aggressive tactics of these extreme groups, small farmers find themselves at the mercy of judges, many of whom don't have the first clue about farming, ranching, or producing or raising an apple, ear of corn, chicken, or cow.

Having your business succeed or fail based on the decision of a judge who doesn't know anything about how it operates is frightening, even for farmers, who are used to risks in the weather and rising and falling crop prices.

That's why we are thrilled to support Measure 40.

Measure 40 will make sure that judges from all areas of the state are elected to the Oregon Supreme Court and Oregon Court of Appeals.

That means that we will have judges who live and work in areas where farming and ranching are the predominant activity, not just the Willamette Valley.

Having judges who understand how farmers and ranchers produce their products and operate their businesses is important. Measure 40 will help ensure that happens.

## **Please Vote YES on Measure 40**

*(This information furnished by Larry George, Oregon Family Farm Association PAC.)*

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## **Argument in Favor**

**MEASURE 40** speaks to the wisdom of U.S. Supreme Court Justice Holmes who said, "The life of the law has not been logic: it has been experience." This measure seeks to restore the original intent of the authors of the Oregon Constitution which provided for judicial districting. The authors knew that those who wield judicial power, **the least democratic branch of our government**, should have walked our streets, attended our schools, prayed in our churches, and should be from every corner of our state.

The current state of Oregon's judiciary reveals how far we have strayed from this critical political insight. **Today 16 of our 17 appellate judges are from the Willamette Valley.** 87% of all judges in the state are political appointees. These startling statistics would seem more descriptive of Soviet-style elections than those of Oregon.

Tocqueville, a 19th century observer of American democracy warned us that when extremist or elitist elements hijack a governmental branch it

extends its arms over society as a whole; it covers its surface with a network of small, complicated, painstaking, uniform rules through which the most original minds and the most vigorous souls cannot clear a way to surpass the crowd; it does not break wills, but it softens them, bends them, and directs them; it rarely forces one to act, but it constantly opposes itself to one's acting; it does not destroy, it prevents things from being born; it does not tyrannize, it hinders, compromises, enervates, extinguishes, dazes, and finally reduces each nation to being nothing more than a herd of timid and industrious animals of which the government is the shepherd.

*Democracy in America, Alexis de Tocqueville.*

Heed the warning.....

*(This information furnished by Greg Ferguson.)*

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## **Argument in Favor**

### **FIX A BROKEN PROCESS - VOTE YES ON MEASURE 40**

Anyone who follows the method in which we choose our appellate judges in Oregon can see that the process is broken.

**For too long, Oregon governors have been appointing judges from Portland, Salem, or Eugene, with no appointments from any other area of the state.**

Are we supposed to believe that there are no qualified lawyers or judges outside of Portland, Salem, or Eugene? Of course not.

Unfortunately, it has been years since Oregon has had an appellate judge from outside of the Willamette Valley. That's not fair.

**Our appellate courts shouldn't be stacked with judges from one area of the state. We must have a system where judges are chosen on their qualifications, not on their contacts.**

That's why Measure 40 is important. It levels the playing field, and allows judges to be chosen because of their experience, not because of who they know in Salem.

And that's important. A hard working, well-respected trial judge in Grants Pass, Klamath Falls, St. Helens or Lincoln City should have just as much chance to be an appellate court judge as a wealthy trial lawyer in downtown Portland, who just happens to be a friend of the governor.

**Measure 40 takes the politics out of how we choose judges in Oregon.**

**That's why Measure 40 deserves your vote.**

**Please Vote YES on Measure 40.**

*(This information furnished by Glenn Cloyd, Oregon Sportsmen's Association PAC.)*

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## **Argument in Favor**

### **Who are we and why do we support Measure 40?**

In 1983 my husband and I, along with other parents of murdered children, created an organization named Crime Victims United.

Our statement of purpose: "To promote a balanced criminal justice system through public awareness and legislative action."

Our organization has battled for almost 23 years to make our purpose a reality. Our personal experiences and legislative efforts have taught us:

- Oregon's highest courts are consumed with the rights of the criminal defendant
- If you live outside the areas of greater Portland, Salem or Eugene, you will not be represented on the Appellate or Supreme Court
- Oregon's Constitution has been extremely altered by judicial interpretations
- Many who interpret our laws have no experience as trial judges

# Measure 40 Arguments

- Our Constitution originally required higher court judges to be elected by districts

## Who is in opposition?

- Oregon criminal defense bar
- Oregon trial lawyers

## Their justification for opposition

- It would be a hardship to travel to Salem

Supreme Court judges managed to bear this hardship from 1859 to 1910, they should be able to bear it in 2006.

- Candidates from less populated areas would not be qualified to write opinions

This elitist statement is inexcusable, especially considering some of the opinions written by Oregon's higher courts

In my opinion, the real reason is that the defense and trial lawyers want to protect the advantage they have had in the courts over the last 30 years.

## What to expect this measure to accomplish

- Bring more representation to all citizens of Oregon
- Seat more judges with trial experience
- Provide knowledge of issues vital to the safety and economy of all Oregonians
- Reduce pressure from self-serving individuals and organizations who disregard the impact on the rest of the state

## Please vote 'YES' on Measure 40. It's simply fair and good government.

Dee Dee Kouns  
Founder, Crime Victims United

*(This information furnished by R. Russell Walker, Our Courts Committee.)*

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## Argument in Favor

### TAKE THE POLITICS OUT OF THE COURTS VOTE YES ON MEASURE 40!

Take a look at who opposes this measure....the special interests who oppose this measure have spent \$400,000 on the current crop of appellate judges, and they are afraid that if you vote for this measure the judges they will lose the judges they have paid for.

**The fact is that politics were injected into Oregon's courts long ago.** Right now, lawyer groups and other special interests control Oregon's courts, and they are afraid that Measure 40 will return control of our courts to the people of Oregon.

And the judges hate the fact that they are elected. In fact, in the July edition of the *Oregon State Bar Bulletin*, the Chief Justice of the Oregon Supreme Court said he "is not excited about electing judges" in Oregon.

### **EVEN THOUGH JUSTICE DeMUNIZ WAS POPULARLY ELECTED!**

His ultimate goal is to stop electing judges altogether. Just further evidence that the establishment doesn't want the courts to be held accountable to the voters.

### **DON'T LET THE LEGAL ELITE TAKE AWAY YOUR VOICE!!**

Politics is already in your courts. 16 of the 17 judges in Oregon's appellate courts were appointed by one political party. That is

the very definition of politics and partisanship.

The legal elite really hates this measure, and for good reason. Measure 40 takes away their control of our courts and returns control to the people of Oregon, where it belongs.

### **Please Vote YES on Measure 40.**

*(This information furnished by R. Russell Walker, Our Courts Committee.)*

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## Argument in Favor

### **ACTIVISTS COURTS DISTORT OREGON CONSTITUTION AND CANCEL WILL OF OREGON VOTERS**

For many years the Oregon Supreme Court and the Oregon Court of Appeals have been dominated by judges from Portland, Salem and Eugene. There are several theories why this has occurred: changing demographics, concentration of the political elite in the state's urban centers, and the fact that one political party is responsible for all the judicial appointments made in the last 20 years.

Whatever the reason, the exclusion of 80% of Oregon from involvement in the important decisions made by the Oregon appellate courts is bad for all Oregonians. Because of the activist nature of Oregon courts, it is especially bad today.

Starting in the 1980s, the Oregon Supreme Court began a systematic process to reinterpret the Oregon Constitution. This has caused fundamental changes in Oregon constitutional law. The Oregon Supreme Court has substantially expanded the rights of criminals, limited the rights of property owners, and limited the initiative process. Many of the changes instituted by the court are more properly the responsibility of the legislature or of the people through the initiative process.

The historic changes instituted by the courts have occurred with little or no public input. To the contrary, the Oregon appellate courts have aggressively thwarted attempts by the public to influence the outcome. In the last decade the Oregon Supreme Court has struck down voter-approved measures to reform campaign financing, to require that public employees contribute to their retirement, to guarantee a crime victim's rights in the state constitution, and to limit the terms of elected officials.

The magnitude of the issues before Oregon's appellate courts require input from the diverse opinions of all of Oregon.

### **Please Vote YES on Measure 40**

*(This information furnished by Steve Doell, Crime Victims United of Oregon.)*

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## Argument in Favor

### **GET POLITICS OUT OF OUR APPELLATE COURTS VOTE YES ON MEASURE 40**

The lawyers associations who oppose Measure 40 are trying to fool you into thinking that Measure 40 will somehow "insert politics into the courts."

What the lawyers aren't telling you is that they have invested over **\$400,000** in the current crop of appellate judges. The lawyers want a return on their investment, and the Oregon Court of Appeals and Oregon Supreme Court are definitely

# Measure 40 Arguments

paying back their friends:

- The Oregon Supreme Court recently changed the law allowing trial lawyers to sue for an unlimited amount of damages due to “pain and suffering.”
- Not to be outdone, the Oregon Court of Appeals recently changed the law to allow trial lawyers the right to sue public employees personally as a way for trial lawyers to sue the state of Oregon for any amount of money.

The Court of Appeals and Supreme Court gave their biggest contributors - trial lawyers – a generous return on their investment.

## **IS IT ANY WONDER THEN WHY THE TRIAL LAWYERS AND THE OREGON STATE BAR ASSOCIATION HATE MEASURE 40?**

They have saturated Oregon’s appellate courts with “politics” - their politics – and they are afraid Measure 40 will clean up our courts.

### **AND IT WILL!**

Rather than representing a narrow interest group, under Measure 40, the Oregon Court of Appeals and the Oregon Supreme Court will have to be responsive to ALL of Oregon, not just their biggest contributors. Which takes the political power out of the trial lawyers’ hands.

Which explains why the lips of so many lawyers are moving.

### **TAKE BACK OUR COURTS. VOTE YES ON MEASURE 40**

*(This information furnished by R. Russell Walker, Our Courts Committee.)*

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## **Argument in Favor**

### **JUDGES MAKE OVER \$100,000 PER YEAR!!!**

**Opponents of Measure 40 are hoping you buy this argument:**

Measure 40 will place an undue burden on judges because the judges will have to have two residences, one in their home district, and one in the Salem area.

Appellate judges in Oregon make well over \$100,000! It is unbelievable to hear opponents of Measure 40 complain about “financial hardships” for judges whose salaries are in the six figures!

If you made more than \$100,000 per year, could you afford a home in your district and an apartment in Salem? Of course you could.

And so can appellate judges.....

Consider this: there are roughly two dozen state legislators who have to maintain a residence in their legislative district and rent and apartment in Salem:

### **And Legislators Get Paid \$30,000 Per Year!!!**

If we expect legislators to afford a home and an apartment on \$30,000 per year, we can expect judges to “get by” on over \$100,000 per year.

This “argument” is advanced by the Oregon State Bar Association. The Bar Association is hoping you will feel for judges who have to scrape by on a mere \$100,000 per year.

### **This is the silliest argument against Measure 40 that one could imagine.**

But as you have read, the Oregon State Bar has no respect for Oregonians. The Bar Association doesn’t think average Oregonians can pick “competent” judges. The judges themselves don’t think they should be accountable to the voters.

The judges and special interests are hoping you will buy their argument.

### **Please Vote YES on Measure 40.**

*(This information furnished by R. Russell Walker, Our Courts Committee.)*

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## **Argument in Favor**

### **ONE FINAL THOUGHT.....**

On the next several pages of this Voters’ Pamphlet you will read statements in opposition to Measure 40.....

The statements that follow are from special interests who benefit from the current political state of the courts in Oregon, and will say anything to keep fairness out of the courts.

These groups are going to make two arguments against Measure 40.

1. Measure 40 will politicize the courts, and
2. Measure 40 will help Portland by guaranteeing Portland can vote on three judges, but rural Oregon will be hurt because right now rural Oregon votes on seven judges, and Measure 40 will lower that number

Neither argument should change your mind, and here’s why:

First, your courts are already politicized, controlled by the groups that oppose Measure 40. It isn’t that Measure 40 will politicize the judiciary, it is the fact that Measure 40 will reduce the political influence of the opponents of Measure 40 that really has them concerned.

Think of it this way: if you had the power to choose all seven Oregon Supreme Court Justices, and then the power was changed allowing you to choose four and someone else chooses three justices, of course you would cry “Politics!” That is exactly why these groups oppose Measure 40.

Second, the idea that rural Oregon will be hurt by Measure 40 is laughable. Just this year, a lawyer from Pendleton – Gene Hallman – ran for the Oregon Supreme Court. He raised more money than his opponents, and he finished third in a three-way race!

Right now only lawyers from Eugene, Salem or Portland are elected or appointed and there is no guarantee that rural Oregon will ever have a voice on Oregon’s appellate courts.

Measure 40 restores fairness by guaranteeing that rural Oregon **WILL** have a voice in Oregon’s appellate courts.

Don’t be fooled by the statements that follow.....Please Vote YES on Measure 40

*(This information furnished by R. Russell Walker, Our Courts Committee.)*

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# Measure 40 Arguments

## Argument in Opposition

Oregonians pride themselves on wanting the best whenever possible. So why would we settle for less than the best on the important issue of selecting judges?

Boiled down, that's what Ballot Measure 40 guarantees: that at some point, a less qualified judge will take office over a more qualified judge, and for one reason: his or her ZIP Code.

Logically, the state law is the law for **all** of the state. We don't have, nor do we want, "Portland law," "Medford law," "Burns law," "Tillamook law" and so on. Yet that's exactly what Measure 40 supporters want, something apparently akin to how justice was doled out on *The Dukes of Hazzard*.

If you're not following this logic, you're not alone. Measure 40 supporters want to paint a picture that says every lawyer (and potential judge) in the Willamette Valley is a left-wing liberal, and therefore we should appoint and elect judges by geographic district, allowing for cultural differences. Huh? Cultural differences in local statutes may be fine when it comes to barking dogs in Multnomah County vs. barking dogs in Lake County, but state statutes should certainly be interpreted the same for every corner of Oregon.

The bottom line is this: when voters elect a judge, or the sitting governor appoints a judge, that judge should be the best possible judge from the "talent pool." If for some reason two judges in a row happen to live in Forest Grove (or Cottage Grove, or Lake Grove) and they are the best two judges, so be it.

Oregon is largely modeled after our federal form of government, and our judges are meant to be a check and balance to the geographically elected Legislature. This is a fundamental concept that should not be changed.

**Vote No! on Ballot Measure 40.**

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

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## Argument in Opposition

### DON'T DIVIDE OREGON TO SELECT JUDGES

Voters should reject Ballot Measure 40 because:

**APPELLATE JUDGES SHOULD REMAIN ACCOUNTABLE TO ALL OREGONIANS.**

The justice Oregonians deserve does not depend on region. All Oregonians deserve that each appellate judge be fair and impartial. This initiative would make appellate judges accountable to only one district's voters.

**JUDGES SHOULD BE IMPARTIAL AND FAIR, NOT POLITICAL.**

Judges are unlike legislators in a crucial way: Judges should have no political agenda. They are committed only to upholding federal and state constitutions and laws. Appellate judges' constituency is all Oregonians; creating local districts for judges to "represent" threatens their impartiality. Appellate judges should not be more loyal to one region than to another.

**SELECTING JUDGES BY DISTRICT WOULD LIMIT AVAILABLE JUDICIAL TALENT.**

For any appellate vacancy, the voters or governor can now choose the most qualified person in Oregon. This initiative would limit choice to one district only, regardless of whether the most qualified person resides there. Oregonians deserve the highest quality courts possible. To disqualify 80% or more of Oregonians from each judicial position would defeat

that goal.

### THIS PROPOSAL PROMOTES PLAYING POLITICS WITH COURTS.

This initiative's sponsors plainly believe it will make judges more fearful of the kind of "attack politics" that FreedomWorks (a Washington, D.C.-based organization) and others recently directed at a Marion County judge. The initiative would make such special-interest attacks on appellate judges easier. By limiting elections to fewer voters, it also would prevent most Oregonians from voting in each election and from deciding who is most qualified.

**OREGON'S VOTERS GOT THIS RIGHT TWICE BEFORE.**

District elections for appellate judges were abolished by Oregon voters in 1910, and this same initiative to bring them back was voted down in 2002. The initiative's sponsors refuse to accept those votes. Tell them the people have spoken.

Susan Marmaduke,      Bruce A. Bishop,      Arden J. Olson,  
Portland                      Salem                      Eugene

*(This information furnished by Arden J. Olson.)*

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## Argument in Opposition

**OUR STATE HAS ONLY ONE LAW -- OREGON LAW**

**CONSTITUTIONAL AMENDMENT 40 IS BASED ON THE FLAWED IDEA THAT THE LAW SHOULD BE DIFFERENT DEPENDING ON WHERE A PERSON LIVES.**

**BY POPULATION, OREGON'S APPELLATE COURTS ARE AMONG THE BUSIEST COURTS IN THE COUNTRY.**

**MEASURE 40 WOULD CRIPPLE THE APPELLATE COURTS' ABILITY TO KEEP UP WITH THE THOUSANDS OF CASES FILED EVERY YEAR, MEANING CITIZENS WILL HAVE TO PAY MORE AND WAIT LONGER FOR JUSTICE.**

Constitutional Amendment 40 would force MOST of the judges of the Court of Appeals and the Supreme Court to live outside Salem where the appellate courts are located. Measure 40 requires each elected judge remain a resident of the district for the entire term of office. Oregon taxpayers would have to foot the bill for the gross inefficiencies and extra costs that would result -- for no good purpose.

**OREGON'S APPELLATE COURTS STRIVE TO DECIDE CASES QUICKLY AND CONSISTENTLY, IN SPITE OF THEIR EXCESSIVE WORKLOADS.**

With judges scattered across the state simply because they have to be, Measure 40 will make it even more difficult for the judges to work together to produce a body of law that is internally consistent. Confusion in the law is frustrating and expensive for everyone.

**OREGONIANS NOW HAVE THE RIGHT TO ELECT ALL 17 APPELLATE JUDGES. CONSTITUTIONAL AMENDMENT 40 WILL RESTRICT OREGON CITIZENS' RIGHT TO CONTROL WHO IS ON THE APPELLATE COURTS -- FROM ALL 17 TO ONLY THREE.**

**PROTECT YOUR RIGHTS AND VOTE "NO" ON MEASURE 40**

*(This information furnished by Laura Graser.)*

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# Measure 40 Arguments

## Argument in Opposition

**The League of Women Voters of Oregon urges you to vote "No" on Constitutional Amendment 40.**

**Oregonians deserve to have the most competent, experienced judges possible, regardless of where they live.**

Judges should be selected on merit, not politics. Geography has nothing to do with justice.

- **This unnecessary constitutional amendment would make it more difficult to attract the most qualified judges for the Oregon Supreme Court and the Oregon Court of Appeals.** We should be able to vote for the best people for these important positions.
- **This unnecessary constitutional amendment invites politics into our system of judicial selection—which should be as free from political influence as possible.** Measure 40 would make it easier for special interest groups to defeat judges whose decisions they don't like. The promoters of this measure are just such special interests with much of their money coming from outside of Oregon.
- **This unnecessary constitutional amendment would upset the constitutional balance of power.** The Legislature is designed to be the branch of government that geographically represents state voters. There is nothing geographic or representative about truth and justice. Judges should not represent geographical districts—they should act in the interest of all the people of the State.
- **This unnecessary constitutional amendment would make Oregon courts less accountable to all Oregon's citizens.** Our Supreme Court and Court of Appeals judges interpret the laws for the entire state. Oregonians deserve accountable, knowledgeable, experienced judges to ensure all individuals in the state are afforded the rights and protections guaranteed in Oregon's Constitution and laws.

The League of Women Voters of Oregon is a nonpartisan political organization that encourages informed participation in government.

**Please join the Oregon League of Women Voters in voting "No" on Constitutional Amendment 40.**

*(This information furnished by Margaret Noel, League of Women Voters of Oregon.)*

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## Argument in Opposition

**LAW ENFORCEMENT PROFESSIONALS AND ADVOCATES FOR CRIME SURVIVORS URGE A NO VOTE ON CONSTITUTIONAL AMENDMENT 40**

**Constitutional Amendment 40 would limit our ability to choose the most qualified judges from across the state to serve on the Supreme and Appellate Courts.**

As law enforcement professionals, we believe that **Oregonians' safety and security is best served by electing the most qualified judges, whose loyalty is to the law** – not to any one group of special interests or constituents.

- "As a former U.S. Attorney, I have seen the importance of qualified, impartial judges in every court. This is especially true when it comes to Oregon's highest courts. Knowledgeable, accountable, experienced judges are the foundation to ensure each of us will be afforded the rights

and protections guaranteed in Oregon's Constitution."  
- Kristine Olson, Former U.S. Attorney for Oregon

- Constitutional Amendment 40 would limit our ability to choose the most qualified judges from across the state to serve on our Supreme and Appellate Courts. Judges would be excluded simply because of where they live.
- We are one Oregon; we deserve one court system, undivided by individual agendas or regional priorities. This measure brings politics into the court system by electing judges who will put the interests of their region ahead of the good of all Oregonians.
- Our judges already do a good job of making the right decisions for all of Oregon. There is no crisis in our courts worth amending the Constitution to make such a major change.

**We urge you to vote NO on Constitutional Amendment 40. Vote NO to weakening Oregon's courts.**

Kristine Olson, Former U.S. Attorney  
Oregon Council of Police Associations

*(This information furnished by Charles S. Tauman, No on Constitutional Amendment 40 Committee.)*

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## Argument in Opposition

**Constitutional Amendment 40:  
Good deal for corporate special interests,  
Bad deal for Oregonians.**

Constitutional Amendment 40 would allow special interests to gain more power over Oregon's judiciary.

- Makes it easier for big corporate interests like tobacco and pharmaceutical companies to influence the makeup of our courts.
- Is largely funded by the same special interests who want more control over our courts
- Makes it easier for special interests to defeat judges that have ruled against them.
- Makes it easier for corporate America to avoid being held accountable in Oregon courts.

In 2002, these same special interests put a nearly identical measure on the ballot. Oregonians defeated the measure, largely because we want less special interest influence on our courts – not more.

**Medford Mail Tribune:**

"Contrary to what...proponents contend, the changes are more likely to increase the political nature of selecting judges than reduce it." October 2, 2002

**The Daily Astorian:**

"...[T]his initiative is an attempt to put a judge beholden to a special interest on the state's high court." October 18, 2002

**The Bend Bulletin:**

"We do not want judges ruling on constitutional questions... while looking over their shoulders at the latest polling numbers or while taking calls and contributions from their supporters in the upcoming election.

"[The initiative serves] not to improve the judiciary...but to make it far more political than it already is."  
September 26, 2002

# Measure 40 Arguments

Constitutional Amendment 40 is a good deal for corporate special interests, but a bad deal for Oregonians.

**Join the Oregon Consumer League and Oregonians across the state in voting NO on Constitutional Amendment 40.**

*(This information furnished by Charles S. Tauman, No on Constitutional Amendment 40 Committee.)*

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## Argument in Opposition

**Seniors OPPOSE Constitutional Amendment 40**

If it ain't broke, don't fix it.

For many, many years, Oregon's judicial system has served us well.

By electing Appeals and Supreme Court judges in a non-partisan, statewide vote, Oregonians ensure that we get the most qualified, experienced judges who will rule impartially for the good of all of us.

Constitutional Amendment 40 would radically change all that, instead electing judges in a way that would be more political, and more open to the influence of special interests.

The same special interests behind Constitutional Amendment 40 put a nearly identical measure on the ballot back in 2002 that was rejected by Oregon voters. *The Register-Guard* newspaper editorialized about the measure, saying:

"The current system works well....As the old saying goes, 'If it ain't broke, don't fix it.'"

"Oregon judges aren't supposed to act like legislators, heeding special interests of constituents...Judges are supposed to uphold the constitution and hold sacred the rule of law, not keep voters happy back in the home district."

*The Register-Guard, October 6, 2002*

We agree.

These days it seems like everything in our government is getting more and more political. Let's keep our judicial system impartial, and our judges accountable to ALL Oregonians.

**Portland Gray Panthers  
Oregon State Council for Retired Citizens  
Gray Panthers of Oregon**

**Urge You to please Vote NO  
On Constitutional Amendment 40**

*(This information furnished by Charles S. Tauman, No on Constitutional Amendment 40 Committee.)*

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## Argument in Opposition

**Former Governors  
and other statewide elected officials  
Republicans and Democrats  
ask for your NO vote on Constitutional Amendment 40**

**Constitutional Amendment 40 is an attempt to divide our state even more along urban and rural lines.**

As a group, we've run dozens of statewide elections in Oregon from both parties during the past four decades. We know

Oregonians value their right to choose the most qualified candidate. Constitutional Amendment 40 limits Oregonians' right to choose the most qualified judges. The result will be a loss of experienced judges and an injection of politics into Oregon courtrooms like never before.

**Constitutional Amendment 40 takes away Oregonians' rights to vote for the most qualified judges and places regional politics ahead of justice.**

Oregon voters appreciate the right to elect the most qualified judges, whether they're from Bend, Portland, Gresham, Coos Bay, or Pendleton. Constitutional Amendment 40 will force Oregonians to select their judges from a list of candidates based on where they live, rather than their qualifications.

**Constitutional Amendment 40 is backed by special interests that want greater influence over Oregon's courts.**

Without a statewide vote of the people, it becomes much easier for powerful special interests to influence judicial elections. These special interests will work to defeat judges who rule against them, and avoid accountability in state courts.

Judges must be able to rule on merits of case, letting the Constitution serve as their guide, without fear of political retaliation in their next campaign.

**We should be working toward One Oregon – and voting for measures that heal the divide, not fracture the state even more along rural and urban lines.**

Constitutional Amendment 40 is a step in the wrong direction. We strongly urge your NO vote.

Former Governor Vic Atiyeh  
Governor Barbara Roberts  
Former Governor John A. Kitzhaber, MD  
Former Oregon State Treasurer Bill Rutherford

*(This information furnished by Charles S. Tauman, No on Constitutional Amendment 40 Committee.)*

**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

**PROTECT OREGON'S HIGH STANDARDS FOR JUDGES BY  
OPPOSING CONSTITUTIONAL AMENDMENT 40**

The Oregon State Bar advises AGAINST making these unnecessary and extreme changes to Oregon's Constitution.

We now select the best for our statewide judges – in a nonpartisan statewide vote. This process results in the election of the most qualified judges, possessing great integrity, knowledge and experience.

When Oregonians cast their votes for judges under our current system, we choose judges for their qualifications and experience, not by where they live.

**Constitutional Amendment 40 unnecessarily limits Oregonians' choices to selecting only Appeals and Supreme Court judicial candidates that live in our own local area, making geography more important than qualifications.**

Constitutional Amendment 40 would unnecessarily change this system to one that would be less fair, more political, and hinder our ability to attract the most qualified judges to the bench.

Further, Constitutional Amendment 40 would give special interests even more power in judicial elections that rightly should be based on "what you know," not "who you know."

# Measure 40 Arguments

The way judges are elected now works. Our Appellate and Supreme Court judges make decisions, based on the right things: the Constitution and established legal precedent.

**Constitutional Amendment 40 would make it more difficult to elect the most qualified, experienced judges.**

**That's why the Oregon State Bar strongly recommends a NO vote on Constitutional Amendment 40.**

*(This information furnished by Dennis P. Rawlinson, President, Oregon State Bar Board of Governors.)*

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## Argument in Opposition

**Vote NO on Constitutional Amendment 40  
Because there are more important things  
than where you live.**

Imagine you land a job interview for your dream job. You are exceptionally qualified for this job. In fact, you've been preparing for it your whole life.

You walk in to the interview and begin to explain your qualifications. The interviewer stops you.

Interviewer: "Yes, yes. But where are you from?"

You: "Well, I was born and raised in Oregon and I've lived and worked in just about every corner of the state – Central, Eastern, Southern, the coast..."

You are interrupted again.

Interviewer: "Yes, yes – very impressive. But where do you live NOW?"

You: "Well, now I live in Eugene, but as you can see from my resume..."

Interviewer: "I think we're done here."

You: "But I really do have all the qualifications you specified in the job description: I'm thoughtful, practical, knowledgeable about the issues at hand..."

Interviewer: "Actually, you'd be perfect. But you live in the wrong place – we already have people who live in Eugene. Let me know if you decide to move somewhere else in Oregon. Thanks for your time. Goodbye."

Under Constitutional Amendment 40, this is how we would select our Appeals and Supreme Court judges. **It's unfair, and it makes no sense.**

Under the current system, we can vote for judges based on qualifications, like fair-mindedness, balanced approach, thoughtfulness, accountability, knowledge of the law, experience, and background.

Under Constitutional Amendment 40, which judges we can vote for is based on one thing: LOCATION.

**Vote NO on Constitutional Amendment 40  
Because there are more important things  
than where you live.**

SEIU Local 503

Oregon Education Association

*(This information furnished by Charles S. Tauman, No on Constitutional Amendment 40 Committee.)*

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## Argument in Opposition

**Rural Judges Ask You to  
Keep Our Nonpartisan, Statewide Judicial Elections.**

**Say NO to Constitutional Amendment 40.**

As judges ourselves, we understand that it is our duty – and the duty of all judges, regardless of where they live – to make critical decisions that are right for all of Oregon.

Whether from Klamath Falls or Newport, Beaverton or Baker City, we must act as impartial interpreters of our state Constitution and the Oregon's statewide law, not representatives of regional concerns.

**That is why we oppose Constitutional Amendment 40,** which would replace our current nonpartisan, statewide election of Supreme and Appellate Court judges with a more political – and fragmented – "judges-by-district" system.

**This measure brings politics further into the court system, and may well result in the election of judges who will put the interests of their region ahead of the good of all Oregonians, or ahead of the Constitution.**

Increasing diversity in regional representation on Oregon's courts is a fine objective – one on which we can all agree. But we must not sacrifice Oregonians' right to select the most fair-minded, balanced, thoughtful judges in the process.

Unfortunately, Constitutional Amendment 40 asks Oregonians to give up too much choice, it compromises the independence of our courts from politics, and it has the potential to divide our state even more along urban and rural lines.

**Oregon Court of Appeals and Supreme Court judges decide cases for all Oregonians. They should be elected by all Oregonians.**

As judges from rural areas, we strongly encourage Oregonians to vote NO on Constitutional Amendment 40.

Deschutes County Circuit Judge Michael Sullivan  
Deschutes County Circuit Judge Stephen Tiktin  
Umatilla County Circuit Judge Garry Reynolds  
Baker County Circuit Judge Gregory Baxter  
Crook County Circuit Judge Gary Thompson  
Jackson County Circuit Judge Mark Schiveley  
Josephine County Circuit Judge Lindi Baker  
Curry County Circuit Judge Howard Lichtig  
Coos/Curry County Circuit Judge Richard Barron  
Clatsop County Circuit Judge Paula Brownhill

*(This information furnished by Charles S. Tauman, No on Constitutional Amendment 40 Committee.)*

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## Argument in Opposition

**Planned Parenthood of the Columbia/Willamette  
Opposes Constitutional Amendment 40:  
Don't damage our non-partisan, merit-based  
judicial system!**

**Oregon's independent judicial branch provides an important and impartial check on the Legislature and Governor.**

Even with the best of intentions, our Legislative and Executive branches have been known to pass laws that are unconstitutional. That's why it's so important to have independent judges, especially on the Appeals and Supreme Courts.

# Measure 40 Arguments

## **Our judges do a good job protecting our civil rights and making the right decisions.**

Under the current system of non-partisan statewide elections for Appeals and Supreme Court judges, we can be certain we're voting for the most qualified judges, regardless of where they – or we – live. These judges are accountable to the law, and to making the right decisions for ALL Oregonians.

## **Constitutional Amendment 40 is unnecessary.**

Constitutional Amendment 40 would unnecessarily make radical changes in our judicial system. It would prioritize where a judge lives over his or her merits and abilities, and make judges accountable to interest groups and to constituents in a specific geographical area – like the Legislature.

## **Constitutional Amendment would make the courts more political, not less.**

As newspapers around the state said about a nearly identical measure in 2002:

"Judges on the Supreme Court and Court of Appeals are meant to serve all Oregonians without partiality. Judges shouldn't have constituents. Being accountable to a geographic area is right for legislators, but it's wrong for judges." *Statesman Journal*, October 22, 2002

### **Please don't damage our non-partisan, merit-based judicial system.**

## **Planned Parenthood of the Columbia/Willamette urges a NO vote on Constitutional Amendment 40.**

*(This information furnished by Charles S. Tauman, No on Constitutional Amendment 40 Committee.)*

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## **Argument in Opposition**

### **CONSTITUTIONAL AMENDMENT 40 IS UNNECESSARY AND WOULD WEAKEN OUR JUDICIAL SYSTEM**

#### **Our current nonpartisan, statewide method of electing judges works well.**

Today, all Supreme Court Justices and Appellate Judges are elected by a nonpartisan, statewide vote of the people. This ensures that every Oregon citizen has the opportunity to vote for the most qualified judges, regardless of where they live.

Constitutional Amendment 40 would place unnecessary limits on which judges Oregonians could vote for – based solely on geographic location.

#### **Constitutional Amendment 40 would politicize the judicial system.**

The backers of Constitutional Amendment 40 are special interest groups who want to bring their agenda into Oregon's courtrooms.

But the judiciary was set up as an impartial branch of government for a reason: to serve as a check on exactly the kind of political wrangling that Constitutional Amendment 40 would introduce into Oregon's highest courts.

#### **Judicial elections should be about legal expertise, not about partisan politics.**

Judges are not like legislators, who are charged with representing the will of regional constituents. The proper role of a judge is to apply the law fairly and equally across the state, without regard to political ideology.

Judges do not – and should not – represent people, regions or political viewpoints; they must represent and uphold the constitution and the law.

## **Constitutional Amendment 40 threatens to diminish the quality of our Supreme and Appeals Courts.**

### **Please join the Multnomah Bar Association, Deschutes County Bar Association, Marion County Bar Association, the Oregon Association of Defense Counsel, the Oregon Criminal Defense Lawyers Association and the Oregon Trial Lawyers Association in OPPOSING Constitutional Amendment 40.**

*(This information furnished by Judy Edwards, Multnomah Bar Association.)*

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## **Argument in Opposition**

ADDRESS MAY MATTER,  
BUT QUALIFICATIONS MATTER MORE.  
RURAL OREGONIANS URGE A **NO** VOTE  
ON CONSTITUTIONAL AMENDMENT 40.

Constitutional Amendment 40 would make unnecessary major changes to our legal system, and put a system that is more political and more divided in its place.

- All Oregonians, no matter where they live, should keep the right to vote for the judge they believe is most qualified. Constitutional Amendment 40 would take that right away, forcing Oregonians to vote only for judges that live in their particular region of the state.
- All Oregonians want the choice to vote for the judge they believe to be the most fair, the most impartial, the most balanced, the most thoughtful, the most experienced and the most knowledgeable. Constitutional Amendment 40 would unnecessarily limit our choices.
- Limiting our choices will hurt our ability to elect the best judges to the bench, resulting in the election of less qualified judges.
- Our Supreme Court and Appeals Courts, the highest courts in Oregon and important checks on the other, more political, branches of government, are too important to gamble on such a risky scheme.

Rural Oregonians – like all Oregonians – want a court system that is fair and independent. A statewide vote of the people is the best way to keep our courts accountable to all of us.

**PLEASE VOTE **NO** ON CONSTITUTIONAL AMENDMENT 40, BECAUSE QUALIFICATIONS MATTER MORE THAN ADDRESS.**

Rural Organizing Project

*(This information furnished by Charles S. Tauman, No on Constitutional Amendment 40 Committee.)*

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# Measure 40 Arguments

## Argument in Opposition

### Keep Special Interests Out of Our Courts.

Passing Constitutional Amendment 40 will make it much easier for powerful special interests, like tobacco and pharmaceutical companies, to influence our court system.

If Constitutional Amendment 40 passes, and judges are no longer elected by a statewide, nonpartisan vote of the people, it becomes much easier for pharmaceutical companies, big tobacco, or other powerful corporations to defeat any judge who might rule against them.

That's why corporate interests such as the tobacco and pharmaceutical industries, who don't want to be held accountable by Oregon's courts, are lining up to support Constitutional Amendment 40.

Judges must be able to rule on merits of case, without fear of political retaliation. Constitutional Amendment 40 would hinder judges' ability to remain impartial.

By changing our current statewide, nonpartisan election of judges to small regional districts like the Legislature, powerful outside special interests would have a much greater opportunity to influence the outcome of judicial elections.

Constitutional Amendment 40 might be good for the special interests, but it's no good for Oregonians.

Preserve the integrity of our judicial system and keep special interests from gaining more power over our courts by voting **NO on Constitutional Amendment 40.**

*(This information furnished by Charles S. Tauman, No on Constitutional Amendment 40 Committee.)*

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## Argument in Opposition

### Retired Supreme Court Justices, Trial Judges and Law Professors Urge a NO Vote on Constitutional Amendment 40

Judges and legal experts agree: There is no crisis in our courts to justify such a major change to our judicial system and amend Oregon's constitution.

**Oregonians deserve the most qualified, professional, and impartial judges – regardless of where they live.**

But Constitutional Amendment 40 would make geography more important than experience, integrity, background and other qualifications.

**Constitutional Amendment 40 turns judges into local politicians.**

Legislators and Congress members are elected by districts to be political representatives of those districts. Judges are no one's political representatives. They must act as impartial interpreters of our state Constitution, and apply the law equally for the whole state.

**The Medford Mail Tribune said it well when they editorialized:**

“Electing Supreme Court justices and appellate judges by district would diminish the courts, which after all are supposed to represent the best legal minds in the state. If two of those great minds live in Medford – or Portland or Lakeview – only one would be eligible to serve. These are not positions selected to represent the provincial interests of a geographical corner of Oregon, but rather to represent the best interests of all

Oregonians through a thorough understanding of the law.”  
October 2, 2002

**The judges of the Oregon Court of Appeals and Supreme Court decide cases for all Oregon citizens. They should be elected by all Oregon citizens.**

Please vote NO on Constitutional Amendment 40.

Betty Roberts, Former Supreme Court Justice  
Edwin J. Peterson  
Former Supreme Court Justice Berkeley Lent  
Hans Linde, Former Supreme Court Justice  
Susan M. Leeson  
Harl H. Haas, Retired Judge  
Valerie J. Vollmar, Professor of Law  
Susan F. Mandiberg, Professor of Law  
Laird Kirkpatrick  
William Funk, Professor of Law

*(This information furnished by Charles S. Tauman, No on Constitutional Amendment 40 Committee.)*

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## Argument in Opposition

Judges should be accountable to **ALL** Oregonians, regardless of where we live.

Right now, they are.

**We should ALL have a voice – and a vote – in electing ALL of Oregon's Supreme Court and Appellate Judges.**

Right now, we do.

**But with Measure 40 We Won't.**

With Measure 40, these judges' elections would change - permanently; and most of them won't be elected by you.

**Measure 40 Cuts You Out.**

Out of seven judges on Oregon's Supreme Court, you will only get to vote for one.

Of ten judges on Oregon's Court of Appeals you will only get to vote for two.

**Measure 40 Brings More Politics and Partisanship into Our Judicial Elections**

The legislature will be in charge of creating and “regularly” adjusting these new judicial districts.

Just like the partisan shenanigans we've seen in the creation of congressional and legislative districts, **special interests will work to create custom-designed districts to get their candidates elected.**

What kinds of court decisions will we get then?

Instead of sound, fact-based judgment, we'd be left with a judiciary that operates like the legislature, accountable to certain voters and special interests, instead of ALL Oregonians.

**Measure 40 Has Been Rejected by Oregon Voters Before**

Oregonians rejected a measure just like this in 2002. Now the same special interests, out-of-state corporations that don't want to be held accountable in Oregon's courts, are at it again – because they have something to gain.

**These special interests want more control over Oregon's judges. And more control for them means less judicial accountability to the people and the Constitution.**

**Protect Your Right to Vote for ALL Judges.**

# Measure 40 Arguments

Working families of the Oregon AFL-CIO urge you to Vote NO on Measure 40.

*(This information furnished by Tom Chamberlain, President, Oregon AFL-CIO.)*

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## Argument in Opposition

Address May Matter,  
But Qualifications Matter More.

### The Oregon Business Association Urges your NO vote on Constitutional Amendment 40.

In business, nothing compares to the value of experience and true credentials.

Leading businesses succeed by hiring the best and the brightest. We would never unnecessarily limit candidates for an important position solely based on geography, when there are countless more important factors to consider – like work ethic, intelligence and integrity.

The same should hold true for our courts.

### We must always elect the most qualified judges to serve on Oregon's Appeals and Supreme Court, regardless of where they are from.

Constitutional Amendment 40 would limit our ability to "hire" the most qualified judges in the state.

In our justice system, as in business, qualifications matter most.

### Please join the Oregon Business Association in opposing Constitutional Amendment 40.

*(This information furnished by Lynn Lundquist, President, Oregon Business Association.)*

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## Argument in Opposition

### Judges should be selected based on their merits, not where they happen to live.

Vote NO on Constitutional Amendment 40.

*(This information furnished by Charles S. Tauman, No on Constitutional Amendment 40 Committee.)*

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## Argument in Opposition

### "JUSTICE" FOR SALE OCCURS UNDER DE-FACTO ARTICLE VII (AMENDED) JUDGES

Measure 40 operates on the flawed assumption that Article VII (Amended) is lawfully part of the Oregon Constitution. Article VII (amended) is fatally flawed because it eliminates separation of powers. Under Article VII (Amended) the Legislative Assembly can arbitrarily change the Oregon Constitution without our vote. Additions to the flawed amendment are extensions of the government de-facto, that unlawfully replaces our State Government, and will also be void.

For additional details on supplanting (usurpation) see Legislative Counsels' notice appearing between the two articles designated as Article VII in the Oregon Constitution.

Why is this state's government uniquely corrupt? In 1878 Oregon's Supreme Court (staffed by Justices elected from districts), was unlawfully replaced. By 1906 Oregonians were, rebelling, using the remaining State Courts to complain. Article VII (Amended), eliminating all State Courts, appears on 1910-ballot; the voters rejected "it" - but fraud was used to alter Oregon's Constitution. Under de-facto Article VII (Amended) the Legislative Assembly now controls this state's judicial system, eliminating rule by law and constitutional government.

Recent cases question existence of Article VII (Amended). De-facto court's response: "In 1962 voters approved a change to Article VII (Amended)." "Thus, even if the adoption of Article VII (Amended) was originally flawed – that portion of it [approving in 1962 inferior legislative de-facto courts] is now firmly established." Quoting CAREY (Dec. 2005) A 117696. That flawed decision violates federal guarantees that **no "judge" shall decide he has a job**, and sets a pattern; Article VII (Amended) de-facto judges will use a favorable vote on measure 40 to claim Article VII (Amended) de-facto courts now exists.

Federal Guarantees extend to assure no State will operate (as Oregon is) under government de-facto. We should not vote for this band-aid measure; we should at every opportunity question jurisdiction and work to return Oregon to a State in good standing under the United States Constitution.

*(This information furnished by Curtis Hart.)*

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# Measure 41

Proposed by initiative petition to be voted on at the General Election, November 7, 2006. The information in the shaded area below will appear on your ballot.

## Ballot Title

# 41

### **ALLOWS INCOME TAX DEDUCTION EQUAL TO FEDERAL EXEMPTIONS DEDUCTION TO SUBSTITUTE FOR STATE EXEMPTION CREDIT**

**RESULT OF "YES" VOTE:** "Yes" vote allows personal income tax deduction equal to total federal deduction for all exemptions to substitute for state exemption credit; reduces revenue to state.

**RESULT OF "NO" VOTE:** "No" vote rejects allowing personal income tax deduction equal to total federal deduction for all exemptions to substitute for state exemption credit.

**SUMMARY:** To determine taxable income for federal personal income tax, taxpayers generally may claim deduction (\$3,100 maximum in 2004) for each exemption; exemption exists for taxpayer, spouse, each dependent. For state income tax purposes, taxpayers currently may not claim deductions based on federal return's exemptions but may subtract exemption credit (\$151 in 2004, multiplied by number of federally-allowed exemptions) from state income tax liability. Measure authorizes a deduction on state income tax return for each dependent, taxpayer, and spouse claimed as exemption on federal return; the deduction shall be no less than total deduction for all exemptions on federal return; exemption credit may substitute for the deduction if lower tax results. Reduces revenue available for state expenditures; provides no replacement revenue. Other provisions.

**ESTIMATE OF FINANCIAL IMPACT:** This measure will reduce state budget revenues from personal income taxes. The reduction will be approximately \$151 million for 2006-07. In 2007-08 the measure will reduce state budget revenues by \$385 million and reduce the 2007 personal income tax "kicker" by \$151 million. The measure will reduce state budget revenues \$407 million for 2008-09 and \$430 million for 2009-10. The annual impact will increase over time due to population growth and increases in the amount of the federal income tax personal exemption, which is indexed for inflation.

The measure will require \$114,750 in state expenditures to pay for the cost of implementation.

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

See Voters' Pamphlet for Explanation of this Financial Estimate.

## Explanation of Estimate of Financial Impact

This measure changes the way Oregon law treats "personal exemptions" for income tax purposes. The measure would change the "personal exemption" tax credit to a tax deduction. A tax credit is a dollar-for-dollar reduction in the amount of tax due. A tax deduction reduces the amount of income that is used to calculate the tax due.

In 2005, the personal exemption tax credit was \$154 for each personal exemption on an Oregon tax return. The tax deduction would have been \$3,200 for each exemption if the measure applied in 2005. Most taxpayers will pay less state income tax under measure. Some will see no tax change. No taxpayers will pay more state income tax under this measure than under current law. Most taxpayers will pay more federal income tax (\$40 million per year) because their state tax deductions on their federal tax returns will be less.

The measure will reduce state income tax collections, which are used to pay for state and local services such as public education, public safety and health care for low-income Oregonians. In the first full fiscal year that the measure will be effective (2007-08), state income tax revenue will be reduced by \$385 million, about 6% of total expected revenue. A state surplus refund ("kicker") is expected to be paid in the fall of 2007. The measure will reduce the amount of the "kicker" refunds by \$151 million in that year. Beginning in 2008-09 the measure will reduce state income tax revenue by about 6.5% each year - \$407 million in 2008-09; \$430 million in 2009-2010.

### **Committee Members:**

Secretary of State Bill Bradbury  
State Treasurer Randall Edwards  
Lindsay Ball, 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.)*

41

# Measure 41

## Text of Measure

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OREGON:  
The Oregon Revised Statutes shall be revised by adding the following section, which section shall read:

Section 1. On personal state income tax returns for tax years beginning on or after January 1, 2007, a deduction shall be allowed against income for each dependent, taxpayer, and spouse, lawfully claimed as an exemption on an Oregon taxpayer's federal income tax return. The total amount of the deduction allowed on the state income tax return shall not be less than the total amount of the deduction allowed for all exemptions on the taxpayer's federal tax return.

(a) Any legislative Act repealing or delaying implementation of all or part of this section, or decreasing the amount of the deduction enacted by this section shall be deemed to be a tax increase and subject to the supermajority requirement of the Oregon Constitution and the prohibition on attachment of an emergency clause to the Act.

(b) A taxpayer shall have the option of using the existing Exemption Credit, or a larger Exemption Credit adopted by the state legislative assembly, in lieu of the deduction set forth in this section, if the taxpayer would pay a lower tax using the Exemption Credit than by taking the deduction enacted by this section.

## Explanatory Statement

Ballot Measure 41 changes how state income taxes are calculated. Currently, Oregon taxpayers may take a personal exemption tax credit (\$154 for 2005) for each exemption allowed under federal tax law. Typically a taxpayer may take a credit for him or herself, a spouse and each dependent. A tax credit is a dollar-for-dollar reduction in the amount of taxes owed. This tax credit is adjusted for the cost of living each year.

This Measure gives Oregon taxpayers the option of taking a tax deduction equal to the amount deducted on federal taxes. In contrast to a tax credit, a tax deduction is an amount that is subtracted from gross income to determine the amount of income that is subject to tax, or "taxable income." Currently, federal law allows taxpayers to take a deduction (\$3,200 in 2005) for each personal exemption allowed under federal law. Typical exemptions are for the taxpayer, the spouse and dependents. The federal personal income exemption is adjusted for the cost of living each year.

This Measure permits a taxpayer to claim either the new deduction created in this Measure or the existing personal exemption credit, if the existing credit would result in a lower tax for the taxpayer.

Existing federal law sets forth many exemptions from federal income tax that are unrelated to the deduction for personal exemptions. This Measure provides that the new state deduction shall not be less than the total amount of the deduction allowed for all exemptions on the taxpayer federal tax return but does not contain a definition of all exemptions.

This Measure is a statutory measure, not a Constitutional amendment. This Measure states that a repeal, delay in implementation or decrease in the amount of the deduction allowed would be subject to existing provisions of the Oregon Constitution requiring a supermajority vote for tax increases and prohibiting a bill regulating taxation or exemption from taking effect immediately following enactment through a declaration of an emergency.

This Measure will reduce general fund revenue for a variety of state funded programs. The impact of the measure on state revenue will be greater each successive year because the federal deduction is indexed for inflation. The Measure would reduce tax revenue for 2006, and it may have an impact on current budgets. A change in revenue may also have an impact on the 2007 personal kicker.

### Committee Members:

Kevin Mannix  
R. Russell Walker  
Margaret Olney  
Laurie Wimmer-Whelan  
Bill Richardson

### 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 41 Arguments

## Argument in Favor

### Vote for the Oregon Family Tax Cut

Measure 41 is supported by members of Oregon Citizens for a Sound Economy PAC because today Oregonians pay more than they should in taxes. Measure 41 is a tax cut directly targeted at those who need it most; Oregon's hard working middle class families.

The Oregon Family Tax Cut allows Oregon taxpayers the same deduction they get on their federal taxes, (3,200 dollars per family member) on their State taxes. This is a significant tax cut for Oregon families that will dramatically cut the amount of taxes they currently pay to the state.

Imagine saving roughly \$140 per person in your family – for a family of four that would mean roughly \$560.00 dollars a year in additional savings. You can spend that money on a college fund for your children, gas for your car, or making ends meet. The choice is yours!

Oregon's spending special interests will try to scare you into voting against Measure 41. But this is because they don't have any good arguments to oppose it.

Consider the following facts and it's easy to see why the other side has such a problem making the case against this tax cut:

- Measure 41 gives Oregon's hard working, middle class taxpayers and their families a tax cut.
- Oregon state officials have estimated that the state will collect over a billion dollars more in taxes than they originally forecasted, that more than makes up for this tax cut.
- Measure 41 gives taxpayers a choice; they can take the higher deduction or stay with the old deduction.
- The impact of Measure 41 will help Oregon families make ends meet without reducing one cent of the overall state budget.

By supporting Measure 41 you are helping those that need it the most, Oregon's hard working families.

**Please join the members of  
Oregon Citizens for a Sound Economy PAC  
by Voting YES on Measure 41**

*(This information furnished by R. Russell Walker, Oregon Citizens For A Sound Economy PAC.)*

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## Argument in Favor

### Measure 41, A Tax Cut for the Little Guy

Measure 41 is a tax cut designed to help everyday Oregonians who are struggling just to get by and take care of their families.

Measure 41 is a middle class tax cut. It is not a tax cut for the wealthy. In fact, Measure 41 does not cut taxes at all for the top 2 percent of income earners.

The way Measure 41 works is it gives Oregon taxpayers the same deduction on their state tax return that they are allowed on their federal tax return for each member of their family. This is the deduction you get on your federal return based on the number of exemptions you claim. It amounts to \$3,200 per family member.

You may have noticed that your taxable income on your state return is sometimes quite a bit higher than on your federal tax return. This is because Oregon does not allow the \$3,200 deduction that the IRS allows. As unbelievable as it sounds, the IRS actually offers more generous deductions than the state of

Oregon.

For most Oregonians, the loss of this deduction results in a shockingly high state income tax bill that either increases the amount they are required to pay or reduces the amount of the refund they will receive.

Measure 41 fixes this problem. It reduces a taxpayer's taxable income and thus reduces his or her state income tax obligation. The savings are equal to the number of household exemptions one claims times approximately \$140 each. For a lot of Oregonians, that extra money will put food on the table or buy school clothes for their children.

It is not very often we get the chance to vote for a tax measure that will do as much good for so many everyday people.

**Please join with us and vote Yes on Measure 41.**

*(This information furnished by R. Russell Walker, FreedomWorks.)*

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## Argument in Favor

### Measure 41 Restores Fairness to Oregon Income Tax

Every year, hundreds of thousands of everyday Oregonians are shocked when they learn the amount of their Oregon income tax obligation. The typical question that comes to mind: how can the tax be so high when the maximum income tax rate for Oregon is less than 10 percent?

The primary reason so many middle and lower income taxpayers pay such a high amount in Oregon income taxes is that the state legislature has created a clever way to make the actual income tax you pay a lot higher than you would expect by artificially increasing your income.

When you file your federal income tax return, you are allowed a deduction against your income of approximately \$3,200 for each exemption you claim. That's a \$3,200 deduction for yourself, your spouse, and for each of your children. Unbelievably, the legislature does not allow Oregonians this deduction. Instead you get a tax credit of approximately \$162.00 per exemption.

Measure 41 allows taxpayers the choice of claiming either the \$162.00 tax credit or the \$3,200 deduction. By choosing the more generous federal deduction, the net difference for most Oregonians would be a tax savings of \$140.00 per exemption. For a family of four, that is a reduction in state income taxes of approximately \$560.00 per year. Multiply the number of exemptions you claim on your tax return times \$140.00 and see how much you will save.

For those worried about the state not having enough money to pay its bills, this measure could not appear on the ballot at a better time. Voters can pass this tax fairness measure without reducing the size of state budgets at all. The impact of the measure would be merely to slow the rate of growth in state spending.

Restore fairness to our state income tax system.

**Vote Yes on 41**

*(This information furnished by R. Russell Walker, FreedomWorks.)*

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# Measure 41 Arguments

## Argument in Favor

### Measure 41 and the Spending Limit

Measure 41 is a very popular measure. It is so reasonable and fair that it is difficult to criticize. Opponents are desperate to find negative things to say about it.

Measure 41 gives a larger percentage tax reduction to lower and middle income taxpayers, so opponents can't use their "this is a tax cut for the wealthy" argument.

The size of the tax cut is modest, so opponents can't credibly argue that the measure will devastate state budgets.

Also, the measure is on the ballot at a time when the state is projecting growth in revenue that far exceeds normal growth. This means opponents cannot say, "Yes, this measure is a good idea, but we just can't afford it right now." In reality, this is the perfect time.

So, what criticism can opponents conjure up?

Some have claimed that if a spending limit and a tax cut both pass, this will be too much for the state to absorb all at once. However, if you think about this argument for a moment, you will see that it is entirely baseless.

First, the spending limit does not reduce revenue below past budgets. It merely limits future increases in state spending. Nothing in the spending limit would result in the state's budget actually decreasing. It merely slows the rate of growth.

Second, the Measure 41 tax cut is not "additional money the state would lose". The tax savings that Measure 41 would direct back to taxpayers is money the spending limit would not have let the politicians spend anyway. In other words, it's the same money. It would not be cut twice.

So, don't believe some kind of "double whammy" argument. That's not the way it would work.

Measure 41 is a well-designed, common sense, affordable middle class tax cut.

**Please join with the members of the  
Taxpayer Defense Fund  
Vote YES on 41.**

*(This information furnished by R. Russell Walker, Taxpayer Defense Fund.)*

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## Argument in Favor

Opponents of Measure 41 have raised quite a fuss over the fact that I personally donated a large portion of the money that was spent placing Measure 41 on the ballot. Frankly, I don't understand their thinking. A measure says what it says and does what it does, no matter who donated the money.

However, because opponents have made such an issue over the fact that one old man put up much of the money that was spent qualifying this measure for the ballot, I thought it appropriate that I make a public statement about my reason for supporting Measure 41.

First, I turned eighty this year. At my age, a person with the means to do so tends to look around and wonder if there is anything he could do to make the world a better place. I do not want to appear to be boasting, but I give a lot of money to charities, especially those doing cancer research.

The things I do in the political arena are also aimed at making life better for everyday people. For example, I previously

sponsored a measure that requires serious jail time for violent criminals. As a result of that measure, Oregon led the entire nation with a 44 percent decrease in violent crime. That measure helped a lot of people, and I am grateful for that.

This election, I wanted to sponsor a measure to give a tax cut to lower and middle class Oregonians. Measure 41 is not a tax cut for the wealthy. In fact, I don't believe the measure will save me any money at all. That's not why I helped place it on the ballot. Measure 41 will help families, especially those with children, by cutting their taxes something in the neighborhood of \$140 per family member.

I trust Oregonians to use the extra money to make lives better for their families. There's nothing more to it than that.

*(This information furnished by Loren E. Parks.)*

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## Argument in Favor

### Oregon Can Afford To Help Middle Class Families With Measure 41

#### A Taxing Poem

Tax \$\$ for Kulongoski  
to replace his state car of 16,000 miles.  
\$400 chairs in the capitol  
for politician's cushy-bottom lifestyles.

Our state pension system  
is in deficit & can't even pay for itself.  
Since politicians are on it  
they pass the bill to somebody else.

A half-million in taxes  
for art in a county jail called Wapato.  
Only gov't would put  
public art where the public can't go.

\$40 million over budget  
on that boondoggle Portland Tram.  
Public transit for the rich,  
while local taxpayers get the sham.

The Transportation Dept.  
spends \$2 billion to help you and me.  
Yet \$2 billion still can't buy,  
a shorter line at the DEQ & DMV.

Poem by Jason Williams of the Taxpayer Association of Oregon

Yes on 41

Tax fairness and tax relief is good for Oregon  
Government waste and pork barrel politics is bad.  
Vote Yes for fairness and tax relief. Vote Yes on 41

For more tax poetry and examples of government waste go to  
[www.OregonWatchdog.com](http://www.OregonWatchdog.com) or the blog  
[www.OregonCatalyst.com](http://www.OregonCatalyst.com)

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

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# Measure 41 Arguments

## Argument in Opposition

**Measure 41 will boomerang and hurt us one way or another**

**The Oregon Consumer League Urges a NO Vote on Measure 41**

**The biggest problem with Oregon's budget is the influence of special interests and lobbyists.** Measure 41 does nothing to change that and could make the problem even worse. As special interests compete for special deals, the services that Oregonians count on the most will get the short shrift.

**Measure 41 is going to cost us.** More than 90% of the Oregon state general fund covers education, health care, and public safety. If Measure 41 passes, it will mean deep and immediate cuts to these services. There is no other place for the money to come from.

**Measure 41 is retroactive.** This measure will affect the current budget cycle. Schools and other public services will have to scramble to cut from budget that they are already counting on.

**Measure 41 is a boomerang.** Oregon is just starting to get back on track after years of recession. We cannot go backwards. The only way to maintain basic services would be to increase fees for things like schoolbooks or chemistry class.

Measure 41 doesn't solve anything  
Measure 41 will end up costing us more  
Measure 41 will mean deep cuts to education,  
public safety and health care  
**Vote NO on Measure 41**

Oregon Consumer League

*(This information furnished by Jason Reynolds, Oregon Consumer League.)*

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## Argument in Opposition

**AARP Oregon urges a "NO" vote on Measure 41**

Some things are just too good to be true. AARP Oregon believes Measure 41 is part of the same empty promises we've heard before, and urges voters to check "NO" on their ballots in November.

**Measure 41 will create far more problems that it solves.**

**Most seniors will receive no benefit from Measure 41** – 98% of all low-income seniors will get no relief from the Measure.

Instead, they may lose prescription drug coverage and access to valuable programs like Oregon Project Independence that keep seniors in their homes.

**Measure 41 is retroactive and cuts \$151 million in revenue from this budget year.** And from there, the impact just grows and grows ... it will reduce state revenues by \$400 million a year.

That's money that will have to come from critical services that not only seniors, but all Oregonians and their families and communities rely on: public safety, health care, transportation infrastructure and education. These kinds of cuts only lead to future costs that become tougher and harder to address down the road.

**Oregon's economy is just now recovering - let's not turn**

**the clock back to a time when seniors were denied access to life-saving medications, and school doors closed early.**

Wise Ben Franklin, even as an ardent tax activist, perhaps best explained the impact of Measure 41: "a penny wise, but pound foolish."

**Let's make sure Oregon seniors have the care they deserve. Vote "NO" on Measure 41.**

*(This information furnished by Jerry Cohen, State Director and Ray Miao, State President; AARP Oregon.)*

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## Argument in Opposition

**Measure 41**

- Won't do what it promises,
- Will mean we'll all end up paying more in the end,
- Will cut education, health care and public safety,
- Petition circulators were caught on camera buying and selling signatures on the street

**Sound familiar?**

Measure 41 is more of the same old false promises and fraud from Bill Sizemore. He wrote this measure and just like in years past, the signature gatherers openly violated the law and are under investigation by the Oregon Secretary of State.

And just like we've done before, Oregon voters will say NO to Bill Sizemore and his manipulations of Oregon's initiative system. Vote NO on Measure 41.

Get the facts  
Get the truth  
Defend Oregon

**[www.DefendOregon.Org](http://www.DefendOregon.Org)**

*(This information furnished by Phil Donovan, Campaign Manager, Defend Oregon Coalition.)*

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## Argument in Opposition

**Oregon Teachers Oppose Ballot Measure 41**

**Don't let Bill Sizemore do any more damage to Oregon's schools**

**Measure 41, written by Bill Sizemore, will hurt Oregon's schools.** At the very time when we need to invest in our kids and the future of the state, Sizemore's measure will force deep and painful cuts to our public schools.

Measure 41 is another false promise from Bill Sizemore. It cuts funding for schools and other public services – costing taxpayers more in the long run and doing nothing to increase accountability.

As educators, we strive for accountability every day – in our work and from our students. Measure 41 would move us in the wrong direction and cripple our ability to help prepare Oregon's kids for college and the workforce.

**Ballot Measure 41 is retroactive and would cut revenue by \$151 million this year.** Next year the situation for Oregon's schools will be even worse.

# Measure 41 Arguments

Measure 41 reduces the 2007-2009 budget by almost \$800 million. This means that students around the state will not have the materials, the class sizes and instruction days they need to be successful in their education.

## Oregon's kids have had enough of Bill Sizemore.

Our schools can't afford the deep cuts that would come as a result of Measure 41. As our economy continues to improve, we need to continue to invest in our children for the future of Oregon.

### Please Vote No on Ballot Measure 41

Caryn Connolly, Coquille High School Social Studies Teacher  
Dennis Storey, Second Grade Teacher, Kelly Creek Elementary School, Gresham

Rebecca Levison, Sixth Grade Teacher, Clarendon Elementary, Portland

David Wilkinson, English Teacher, Westview High School, Beaverton

Steve Anderson, Hermiston High School English Teacher  
Cheryl Lashley, Third Grade Teacher, Howard Elementary School, Medford

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

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## Argument in Opposition

### Children and Public Education Need Your Support Prevent Harmful Cuts to Schools

#### Oregon Education Association Urges You to Vote NO on Measure 41

**Ballot Measure 41 will have an immediate, retroactive effect.** Measure 41 will cut state revenue by \$151 million, which may mean that local schools and other important services will lose money they've already budgeted. And it doesn't stop there.

**If passed, Measure 41 would cut more than \$337 million in K-12 funding from the 2007-09 budget.**

What will this mean for your local school? Measure 41 will mean local school districts will have to make hard choices:

- Salem Schools could lose \$23.06 million – increasing class size by 3
- Bend-La Pine Schools could lose \$8.48 million – equal to 50 teachers
- Roseburg Schools could lose \$3.916 million – equal to 8 days or 24 teachers
- Corvallis Schools could lose \$4.1 million – equal to 11 days or 27 to 36 teachers
- Coos Bay Schools could lose \$2.26 million – equal to 13 days
- Springfield Schools could lose \$6.85 million – equal to 9 days or 41 teachers
- Three Rivers Schools could lose \$3.46 million – equal to 8 days or 20 teachers
- Beaverton Schools could lose \$21.22 million – equal to 9 days or 138 teachers
- Klamath County Schools could lose \$4.13 million – equal to 10 days or 43 teachers
- North Clackamas Schools could lose \$9.82 million – equal to 11 days or 60 teachers
- Lake Oswego Schools could lose \$3.85 million – equal to 11 days or 23 teachers
- Medford Schools could lose \$7.67 million – equal to 7 days or 43 teachers

- Pendleton Schools could lose \$1.97 million – equal to 10 days or 15 teachers
- Portland Public Schools could lose \$29.02 million – equal to 160 teachers

### Keep Schools Open for a Full School Year and Help Us Work to Lower Class Sizes

**Please join 45,000 teachers and education professionals  
in voting "No" on Ballot Measure 41**

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

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## Argument in Opposition

### The Oregon PTA urges a NO vote on Measure 41

#### Because our kids deserve better than false promises

The 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 41.

#### Measure 41 will take us backwards.

We cannot return to the days of shutting schools down early or crowding too many kids together in a classroom due to lack of funding. **Oregon's schools cannot absorb any more sweeping cuts.**

#### Measure 41 is retroactive, confusing, and has unintended consequences.

If Measure 41 passes, revenue will be reduced by \$157 million. Oregon's school districts may have to scramble to meet the new cuts.

#### 90% of Oregon's state budget goes to education, health care and public safety. Measure 41 will hit these services the hardest and force deep cuts to Oregon's public schools.

#### Measure 41 will boomerang. Families will have to make up the difference in higher fees.

Parents and teachers know that schools cannot absorb cuts and maintain quality education. 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.

#### Our kids deserve better than Measure 41.

Oregon PTA says please vote NO on Measure 41.

#### For more details on Measure 41 impacts to K-12 education:

[www.DefendOregon.Org](http://www.DefendOregon.Org)

Anita Olsen,  
Oregon PTA, President-elect  
Portland, Oregon

Michael Thirkill,  
Oregon PTA member  
Talent, Oregon

Diana Oberbarnscheidt,  
Oregon PTA, Past president  
Bend, Oregon

*(This information furnished by Anita Olsen, President-elect, Oregon PTA.)*

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# Measure 41 Arguments

## Argument in Opposition

### Oregon Fire Fighters Urge a No on Ballot Measure 41

The security of our communities depends on fire fighters, local police, parole officers, sheriffs and state police working to protect Oregonians. In order to curb crime and punish offenders, we need adequate funding for all facets of our integrated public safety system.

### Ballot Measure 41 would damage public safety.

**Measure 41 would eliminate almost \$800 million from the state budget.** This would force the state to reduce the number of state troopers patrolling our highways – resulting in an increase of trafficking of meth up and down I-5. It would also cut funding for emergency responders and other critical local public safety efforts.

Ballot Measure 41 also is retroactive and may force immediate and deep cuts in public safety this year. The measure would retroactively reduce revenue in 2005-07 by \$151 million.

**Over 90% of the state budget goes to fund education, health care and public safety.** Measure 41 cuts funding for vital programs without doing anything to increase accountability. There is nothing in the measure that forces the legislature to set budget priorities.

Ballot Measure 41 may force prisons to close, which could mean more convicted felons on our streets. Making a bad situation worse, Measure 41 would significantly reduce funds for parole and probation officials - making it harder to supervise sex offenders and meth dealers.

**We need to keep criminals in jail and state troopers on the road.** Ballot Measure 41 would harm our ability to keep communities across Oregon safe.

### Ballot Measure 41.... Unsafe by Any Measure

### Join Your Local Fire Fighters in Voting No on Ballot Measure 41

Kelly Bach, President  
Oregon State Fire Fighters Council

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

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## Argument in Opposition

### There are already too few troopers protecting Oregon Measure 41 will cut even more

"This is how understaffed the Oregon State Police are: No troopers were on duty when early-morning crashes occurred Tuesday on Interstate 5 between Brooks and Woodburn...With enough troopers on patrol, maybe those drivers would have been stopped beforehand." Salem *Statesman-Journal*, July 21, 2006.

**Because of severe budget cuts, the Oregon State Police has fewer troopers per capita than any other state.**

**Measure 41 will mean fewer troopers, less patrols, and more problems on Oregon's highways and interstates.** More than 90% of the budget for Oregon's General Fund goes to education, health care, and public safety. This is the portion that funds the Oregon State Police.

**Measure 41 is retroactive.** Measure 41 would cut revenue immediately, which may force even more cuts to the Oregon

State Police budget. We are already operating on a shoestring. We cannot afford to put Oregon's safety at risk.

**Measure 41 will make things worse, not better in Oregon.** We need better communications systems. We need more tools to block meth from tearing apart our communities and endangering our kids. We need enough troopers to catch drunk drivers before they hurt people. Measure 41 will make it impossible to do our jobs and keep Oregon safe.

### The Oregon State Police Officers' Association says vote NO on Measure 41.

For more information on the Measure 41 impact to public safety in Oregon go to

[www.DefendOregon.Org](http://www.DefendOregon.Org)

Jeff Leighty,  
President Oregon State Police Officers' Association

*(This information furnished by Jeff Leighty, President, Oregon State Police Officers' Association.)*

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## Argument in Opposition

### Measure 41 will make our local communities less safe

Sheriffs from around Oregon  
urge you to vote NO on Measure 41

**Across Oregon, local communities are struggling with the impacts of the meth epidemic, skyrocketing identity theft and other crimes.** Oregon sheriffs are on the front lines. Now is not the time to be making deep cuts to public safety programs.

**Oregon sheriffs and local law enforcement need all the help they can get.** But Measure 41 will cut public safety programs and make it harder to protect our local communities.

**We cannot go backwards.** Measure 41 would force Oregon back into recession budgets. Everyone remembers several years ago when budgets were so tight that local courts were open only 4 days a week and the Oregon State Police lost troopers.

**Prisoners belong in jail, not back on the streets before they have served their time.** Jail overcrowding is forcing too many counties in Oregon to put convicted criminals back on the street before they've served their debt to society. That creates a revolving door of repeat offenders who never have to pay for their crimes and increases the crime rate in our local communities.

**Cutting services is not the solution.** Measure 41 doesn't make any sense. Instead of dealing with the real problems in this state, it just forces deep cuts to the services we all count on. Cutting public safety budgets will not make things better.

We are on the front lines in your communities. We take our jobs - protecting your families, your businesses and your homes - seriously. But the deep cuts from Measure 41 will force deep reductions in Oregon's public safety programs.

Please vote NO on Measure 41. We can't take the risk.

For more information on Measure 41  
go to  
[www.DefendOregon.Org](http://www.DefendOregon.Org)

Chris Brown  
Douglas County Sheriff

Dennis Dotson  
Lincoln County Sheriff

# Measure 41 Arguments

John Trumbo  
Umatilla County Sheriff

Rick Eiesland  
Wasco County Sheriff

*(This information furnished by Becca Uherbelau, Defend Oregon Coalition.)*

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## Argument in Opposition

Oregon's University Presidents  
ask you to join them in voting  
NO on Measure 41

**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 unimagined possibilities for our graduates who go on to participate productively in every economic sector — from high tech to agriculture. Today Oregon's universities are producing more college graduates at a lower cost than over the past 25 years.

Measure 41 will put the brakes on the contributions our universities make to our economy, hurting us all.

- **If Measure 41 passes, the State General Fund will lose \$792 million** from the 2007-2009 budget. Based on prior budget allocations, higher education and community colleges would lose more than \$77 million.

**Measure 41 will set Oregon back.** Measure 41 will take away the promise of a future where all Oregonians can improve their livelihoods and support their families. Under Measure 41, family-wage jobs will be out of reach for many Oregonians because they couldn't get into a public university and get the education they need.

For Oregon to compete in the global marketplace, we need an educated workforce.

**Please join us in voting NO on Measure 41**

Daniel O. Bernstine\*  
President, Portland State University

Edward J. Ray\*  
President, Oregon State University

Dave Frohnmayer\*  
President, University of Oregon

Martha Anne Dow\*  
President, Oregon Institute of Technology

Dr. Khosrow Fatemi\*  
President, Eastern Oregon University

John Minahan\*  
President, Western Oregon University

Elisabeth Zinser\*  
President, Southern Oregon 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 Lisa Zavala.)*

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## Argument in Opposition

**The League of Women Voters of Oregon urges you to vote "No" on Measure 41.**

This measure may seem reasonable, but in reality **Measure 41 creates a black hole of cuts** to Oregon's education, health care and public safety for the foreseeable future. Continuing to decrease funding for these essential state programs does not improve either Oregonians' quality of life or government accountability.

**Economically, Oregon is just coming out of the devastating effects of the 2001-03 recession.** The current General Fund budget does not restore funding in many cases where cuts were made to public education at all levels, to healthcare for seniors, the disabled, and families, and to essential public safety services. Ninety percent of the General Fund supports these programs, and the immediate cuts resulting from passage of Measure 41 would jolt the fragile economic status of the state.

**Measure 41 is simply poor public policy.** It promotes a future of mediocre or worse support for citizens while empowering special interests. Oregon should be a leader in the encouragement and development of educational opportunities and social programs with positive outcomes, not part of a movement to demonstrate the future effects of reducing vital government services.

**The League of Women Voters of Oregon opposes Measure 41.** 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 that provides its citizens with adequate education, healthcare, and public safety services. Measure 41 puts such programs in jeopardy.

**Please join the Oregon League of Women Voters in voting "No" on Measure 41.**

**Margaret Noel  
President,  
League of Women Voters of Oregon**

*(This information furnished by Margaret Noel, President, League of Women Voters of Oregon.)*

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## Argument in Opposition

**Governor Kulongoski Urges a No Vote on Measure 41: We Can't Afford Another Reduction in State Resources for Schools, Human Services and Public Safety**

We have worked too hard over the last four years to get Oregonians back to work and to begin reinvesting in our schools, health care and public safety to allow Measure 41 to reverse our progress.

Four years ago, we learned how difficult it is to dismantle a state budget, when 90% of that budget goes to schools, public safety, senior services and health care. We had to make painful cuts to those essential services, when our economy tightened and state revenues tumbled. But our economy recovered, and we are moving forward again.

Now Measure 41 is threatening to set us back by imposing an immediate reduction in state revenues for the current budget period and ongoing reductions in the years ahead.

Even as our economy is recovering, Measure 41 will force us to choose between larger classes or shorter school years. Health care for children will compete with state police on our

# Measure 41 Arguments

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 41 is not the answer to the problems with our tax system. It is the wrong solution at the wrong time.

Oregonians deserve services that provide opportunity for our children, security for our families and a healthy business climate for our economy.

Don't let Measure 41 close the door on that better Oregon.

Please join me in voting No on Measure 41.

Ted Kulongoski  
Governor

*(This information furnished by Governor Ted Kulongoski.)*

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## Argument in Opposition

Does this sound like a good recipe for an Oregon ballot measure?

- Fund an initiative petition signature drive with virtually all out-of-state money.
- Front the petition with an Oregon face of a national group dedicated to foisting its ultraconservative fiscal point-of-view on the rest of the country — a group that changes its name periodically in an effort to find the right “spin.”
- Behind the scenes, reach out to a beleaguered veteran Oregon petition writer who is still in court appealing a jury verdict and a judge's finding of racketeering in past election cycles.
- Mix well, throw on the ballot and hope to hoodwink people.

That's the recipe for Ballot Measure 41. Measure 41 is on the ballot because out-of-state interests propped up Russ Walker, the Oregon face of FreedomWorks. FreedomWorks used to be known as Citizens For A Sound Economy, but hey, FreedomWorks sounds much better if you're from Washington, D.C. and trying to horn in on Oregon's politics. But Mr. Walker didn't feel comfortable writing Measure 41, so he asked Bill Sizemore to do it for him. Yes, somehow Mr. Sizemore found time between court dates (see above) to author Measure 41 for Mr. Walker.

Measure 41 has many flaws. The biggest: it's retroactive. Designed to impact the 2007-2009 biennium, Measure 41 is written so it would force the state to cut \$151 million from the current budget — money already budgeted and, in the case of schools, frequently already spent.

Measure 41 would also bring about serious consequences to public safety. We — the American Federation of State, County and Municipal Employees (AFSCME) — urge you to read our statement on Measure 48 regarding public safety. Measure 41 would pull an additional \$123 million from public safety from the General Fund — on top of the money lost through Measure 48 should it pass.

Don't eat the Russ Walker/Bill Sizemore brownies.

**Vote NO! on Ballot Measure 41.**

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

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## Argument in Opposition

**The Oregon Library Association  
Urges a “No” Vote on Ballot Measure 41**

Oregonians love their libraries. With the second highest circulation in the nation, and the eighth in visits to public libraries, our libraries are well used. But Measure 41 puts that all at risk.

**Measure 41 will close library doors.**

Measure 41 is retroactive. It will cut \$151 million in revenue this year and another \$800 million from next year's budget. Community libraries would feel the pinch as local governments grapple with dramatic reductions in state funding as a result of Measure 41. In order to back fill state cuts to vital health care and public safety programs, local governments across the state would reduce library budgets — resulting in closing library branches, reducing hours, and cutting programs that help kids learn to read.

**Low income and senior Oregonians will lose library services.**

Almost half of low income Oregonians will receive no benefit from Measure 41. And almost 6 in 10 seniors will see no tax relief if Measure 41 passed. These are the very people we see come through our library doors every day to access technology, take classes and check out books for their children and grandchildren. Seniors and low income families will get nothing and lose access to their neighborhood library.

**Oregon's children can't afford Ballot Measure 41's false promises.**

Already the number of school librarians in Oregon has been cut nearly in half in the past twenty years. Measure 41 would force deep cuts to public schools which could eliminate the remaining school based libraries, increase class sizes and close school doors early.

**Oregon's libraries, seniors and kids can't afford Ballot Measure 41.**

Please Join the Oregon Library Association in  
Voting “No” on Ballot Measure 41

*(This information furnished by Janet Webster, The Oregon Library Association.)*

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## Argument in Opposition

**Oregon Businesses Urge you to  
Vote NO on Measure 41**

**We can do better in Oregon than Measure 41.** Somewhere in our state is a young person who could build the next Intel or start a family business that will last for generations. He or she could turn new technologies into a global corporation, or launch a company developing products no one has even conceived of yet.

But Oregon's young people cannot thrive in a state that does not provide good schools, necessary infrastructure, safe communities and basic services. Measure 41 will cut these basic services.

**Measure 41 is retroactive.** It will cut \$151 million from current revenue, which could reduce education, health care and public safety budgets that have already been written.

**Measure 41 forces extreme cuts that will hurt our state's educational system** from the kindergarten classroom

# Measure 41 Arguments

through the highest reaches of our universities. Measure 41 imposes \$792 million worth of cuts in the state's 2007-2009 budget. That's money from public schools, which means larger classrooms, fewer teachers, reduced programs and possibly higher tuition at state universities.

**Measure 41 will mean more people will lose insurance coverage. This means health care costs for businesses will increase.** The state will be forced to cut health care funding dramatically, meaning there will be fewer people covered under the Oregon Health Plan. 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. Every time an uninsured person has to go to the emergency room for care, we all end up paying for it.

**Measure 41 will cut public safety programs.** Our communities will become less safe and Oregon's methamphetamine epidemic, which has led to skyrocketing cases of identity theft, will continue to grow.

## Let's not go backwards

### Vote NO on Measure 41

|                                   |                                |
|-----------------------------------|--------------------------------|
| Deschutes Medical Products Bend   | Blackledge Furniture Corvallis |
| Intel Corporation Hillsboro       | Medford Fabrication Medford    |
| Hewlett-Packard Company Corvallis |                                |

*(This information furnished by Jill Eiland, Intel Corporation.)*

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## Argument in Opposition

### Measure 41...

**will send Oregon backwards...  
just as we are starting to move forwards**

- **Retroactive**
- **Will mean immediate cuts to education, health care and public safety**
- **Vital programs will be hurt the most**
- **Got to ballot using fraud and was written by Bill Sizemore**

### Measure 41 is a poorly written and retroactive measure

Measure 41 will immediately cut \$151 million out of budgets that schools and other vital services are already counting on.

**More than 90% of the Oregon General Fund budget goes to education, health care and public safety. These are the things Measure 41 will cut.**

### Oregon is coming out of a recession – now is not the time to move backwards.

Our schools are just now beginning to be breathe easier with the state's economic recovery—more resources are entering our classrooms. But Measure 41 will force us to go back to the days of increasing class sizes, cutting teachers, and shortening the school year.

### Measure 41 got to the ballot using fraud and was written by Bill Sizemore.

Circulators for Measure 41 are under investigation for both violating Oregon's ban on payment per signature and for other election laws. Not only that, Measure 41 was written by Bill Sizemore. In the past, his measures have been so poorly drafted that they have been sent back to the drawing board before getting sent out again to the voters.

### Measure 41 is another false promise that will cost us more in the end

Measure 41 will have a boomerang effect—one way or another, working people will end up paying for cut services. Whether it's for more fees or for higher out-of-pocket costs, we are going to have to pay.

### Oregon's Union Movement urges you to vote NO on Measure 41

Tom Chamberlain  
President  
Oregon AFL-CIO

Barbara Byrd  
Secretary-Treasurer  
Oregon AFL-CIO

*(This information furnished by Tom Chamberlain, President, Oregon AFL-CIO.)*

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## Argument in Opposition

### Measure 41 Threatens Vital Health Care Programs

#### Join the Oregon Nurses Association in Voting "NO" on Measure 41

- **Measure 41 will have a "boomerang effect" on health care costs**

Measure 41 is another false promise. It promises to provide tax relief but will end up costing Oregonians more.

There are already over 600,000 uninsured Oregonians – 113,000 who are children. This measure will force deep cuts in the number of these people who can use the Oregon Health Plan. When people can't pay for health care they visit the emergency room, then hospitals pass those costs on to you as higher prices.

Measure 41 passes the cost on to you.

- **Measure 41 is retroactive and threatens programs Oregonians depend on**

Because Measure 41 is retroactive, funding for health care, children's programs and senior services could lose money they have already budgeted. We cannot jeopardize the health of our most vulnerable citizens.

- **Measure 41 takes us back to the days when seniors were denied life-saving medicines and thousands of Oregonians were cut from the Oregon Health Plan**

Oregon's economy is finally improving and nurses and other health care professionals can get back to the business of taking care of sick and injured Oregonians instead of worrying about budget cuts and how to care for patients who don't have insurance and can't afford their medicines.

**Measure 41 is much more complicated than it seems and has unintended consequences that will impact every Oregon family.**

### Oregon's Nurses Ask You To Reject the Unintended Consequences Vote "NO" on Measure 41

Bruce Humphreys, RN Bend  
President of the Oregon Nurses Association

*(This information furnished by Martin Taylor, Oregon Nurses Association.)*

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# Measure 41 Arguments

## Argument in Opposition

As school board members serving the diverse communities of Oregon, we have seen the painful results of state budget cuts. Whether you go to school in Pendleton or Portland, Oregon's kids can't afford more cuts.

**Measure 41 is retroactive.** It cuts \$151 million this year and almost \$800 million from the 2007-2009 budget.

Oregon's economy is just now recovering and we are seeing increased investments in our classrooms.

**But Measure 41 moves Oregon in the wrong direction.** It would take us back to a time when Oregon schools had some of the shortest school years in the nation and students sat in overcrowded classrooms.

If Measure 41 passed, what would your school look like next year?

- Portland Schools would lose \$29.02 million – equal to 160 teachers
- Bend-La Pine would lose \$8.48 million – equal to 50 teachers
- Corvallis would lose \$4.1 million – equal to 11 days or 27-36 teachers
- Beaverton would lose \$21.22 million – equal to 9 days or 138 teachers
- North Clackamas would lose \$9.82 million – equal to 11 days or 60 teachers
- Medford would lose \$7.67 million – equal to 7 days or 43 teachers
- Pendleton would lose \$1.97 million – equal to 10 days or 15 teachers

**Measure 41 won't solve Oregon's problems.** 90% of the state budget goes to fund education, health care 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 41

Bill Smith, School Board Member  
Bend La-Pine Public Schools

Scott Reynolds, School Board Chair  
Bend La-Pine Public Schools

Karen Cunningham, Member  
Beaverton School Board

Elizabeth Scheeler, School Board Member  
Pendleton Public Schools

Bobbie Regan, School Board Member  
Portland Public Schools

David Wynde, School Board Member  
Portland Public Schools

Craig Smith, School Board Member  
Eugene Public Schools

Beth Gerot, School Board Member  
Eugene Public Schools

Amy Amrhein, School Board Member  
Ashland Public Schools

*(This information furnished by Morgan Allen, Defend Oregon Coalition.)*

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## Argument in Opposition

### Senator Ron Wyden Urges a No Vote on Ballot Measure 41

#### Measure 41 is a false promise to Oregon's Seniors and other citizens

Measure 41 is another false promise from those who would take advantage of Oregon's seniors. Under Measure 41, Oregon could be forced to make deep and immediate cuts to services that seniors count on such as Oregon Project Independence, which keeps seniors living independently in their homes.

**Measure 41 will boomerang against Oregon seniors.** While proponents make promises, the truth is that almost six in ten Oregon seniors would not get any tax cut, but they will end up paying more in fees for basic services.

**Measure 41 is more complicated than it seems.** The true impact of this measure won't be seen until after it goes into effect. With over 90% of the state budget going to fund education and other vital public services, Ballot Measure 41 would harm schools and other important services Oregonians care most about.

**Read the fine print – Measure 41 is retroactive.** According to the fiscal impact statement printed in this Voters' Pamphlet, Measure 41 will cut \$151 million from current revenues. In the next budget, the cuts are even more severe: \$792 million from the state general fund. That's money from schools, health care and public safety.

**Nearly half of low-income Oregonians will get the short end of the stick.** Measure 41 is simply unfair. Nearly half of low-income Oregonians will see no tax benefit if it passes.

Measure 41 is unfair, complicated and has unintended consequences. It hurts seniors and low-income Oregonians.

Please join me in voting NO on Measure 41.

Ron Wyden  
United States Senator

*(This information furnished by Becca Uherbelau, Communications Director, Defend Oregon Coalition.)*

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## Argument in Opposition

### Protect Oregon's Seniors Vote "No" on Measure 41

As dedicated groups working with seniors around the state, we have seen first-hand the importance of state services like Oregon Project Independence, which helps frail seniors remain in their own homes and out of institutions.

#### Ballot Measure 41 hurts seniors

Measure 41 is retroactive and will cut \$151 million immediately this year. Next budget cycle, we'll see an \$800 million cut.

In order to fill the holes in the budget, programs like Oregon Project Independence may be eliminated, which would force seniors into nursing homes.

Measure 41 could also:

- eliminate long-term care for about 1,700 seniors and people with physical disabilities,
- including about 300 people in nursing homes and 700 in in-home care.

# Measure 41 Arguments

## Ballot Measure 41 is more complicated than it seems

Most seniors will receive no benefit from Measure 41. Almost 98% of all low-income seniors will get no relief.

**Measure 41 will end up costing seniors more.** Seniors will lose prescription drug coverage and low-income Oregonians will be pushed off the Oregon Health Plan.

## Ballot Measure 41 is a false promise that will not solve Oregon's problems

Measure 41 does nothing to make government more accountable. If Oregonians are angry with how our government is run, we should not punish low income families, school children and seniors on a fixed income.

### Join Oregon's Leading Senior Groups in Voting "NO" on Ballot Measure 41

Learn more about how Measure 41 effects seniors:  
[www.defendoregon.org](http://www.defendoregon.org)

Oregon Alliance for Retired Americans  
Gray Panthers  
Save Oregon Seniors Coalition (SOS)  
United Seniors of Oregon  
Advocacy Coalition of Seniors and People with Disabilities  
Oregon State Council for Retired Citizens

*(This information furnished by Jim Davis, Oregon State Council For Retired Citizens.)*

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## Argument in Opposition

### Oregon Kids Need Your Support Vote No on Ballot Measure 41

Oregon students around the state deserve access to a quality education. They deserve small class sizes, up-to-date textbooks and full school years.

### Ballot Measure 41 won't give kids what they deserve.

Measure 41 is retroactive and would cut \$151 million from this year's budget. Oregon schools and local governments could lose money they've already budgeted for.

And it just gets worse. Oregon schools, health care and public safety would lose an additional \$800 million in the 2007-2009 budget cycle. This would have a devastating effect on the future of our state.

Oregon's economy is just now recovering and we need more investments in education and other vital services – not less.

**Measure 41 would move Oregon in the wrong direction.** We don't want to go back to a time when seniors were denied access to life-saving medication and school doors were closing early.

**Continuing to cut vital services will not force government to be more accountable.** Measure 41 reduces funding without setting priorities for lawmakers. If Oregonians are angry with how our government is run, we should not punish low income families, students and seniors on a fixed income.

**Measure 41 will have a boomerang effect.** When services are cut, working families will pay more in increased fees and hidden costs. Don't be fooled by Measure 41's empty promises – Oregonians will pay one way or another.

Please join the 11,000 members of the  
American Federation of Teachers-Oregon in  
Voting No on Ballot Measure 41

For More Information visit: [www.defendoregon.org](http://www.defendoregon.org)

Mark Schwebke, President  
American Federation of Teachers - Oregon

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

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## Argument in Opposition

### Measure 41 is Another False Promise That Threatens the Vital Public Services We All Count On

Every election cycle we face a slew of ballot measures that promise to fix all of our problems with a few simple slogans. Measure 41 is another one of those false promises that doesn't solve Oregon's real problems.

### Measure 41 is a Retroactive Shell Game from Bill Sizemore

Measure 41 cuts funding to vital public services and costs taxpayers more in the long run.

We'll say it again—Measure 41 is retroactive. If this measure passes public services like schools and health care programs will lose money they've already budgeted for. To the tune of \$151 million dollars.

### Measure 41 Will Cut Almost \$800 million dollars from the next budget cycle

Public education, health care, senior services, children's programs and public safety are our most vital public services. That's why over 90% of the state's budget goes to pay for them. They are crucial for the health of our communities. But if Measure 41 passes, we may see:

- K-12 Education--\$337,392,000 CUT
- Health, Seniors and Children's Services--\$170,280,000 CUT
- Public Safety--\$123,552,000 CUT
- Higher Education and Community Colleges--\$77,616,000 CUT
- Other Vital Services--\$83,160,000 CUT

### Measure 41 will have a "Boomerang Effect" on Working Families

Working families will feel the pinch in the form of increased fees and other hidden costs.

### We Urge A 'NO' Vote on Measure 41

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 41 and we urge you to oppose this complicated and confusing ballot measure.

Linda Burgin, Secretary-Treasurer  
SEIU Local 503, OPEU

*(This information furnished by Linda Burgin, Secretary-Treasurer, SEIU Local 503, OPEU.)*

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# Measure 41 Arguments

## Argument in Opposition

### Oregon Schools Can't Afford More Cuts Vote "NO" on Ballot Measure 41

Again this year, all across Oregon our kids have come back to school unsure of what the future holds for them. They don't know whether they'll have a full school year. They don't know if they'll have the class sizes they need to get a quality education. They don't know if the educational programs they lost during the recession will ever come back.

There is uncertainty again this year in Oregon's schools because:

- **Measure 41 is RETROACTIVE and**
- **Measure 41 may cut money that school districts around the state are already counting on for this school year.**

**Measure 41 may \$151 million from the current school year.**

### And Then, It Just Gets Worse.

**Measure 41 will cut almost \$800 million in available revenue from the 2007-2009 state budget.** 90% of the state budget goes to fund education, health care, senior services and public safety. Cutting services will not force government to be more accountable. If Measure 41 passes, it will be Oregon's children and seniors who will suffer.

**Measure 41 is more complicated than it seems.** It promises tax relief but will end up costing Oregon families more in increased fees and hidden costs. In schools around the state, families will be forced to pay more school fees to keep their children in academic programs, art classes, music and sports. School districts will again be forced to reduce academic and elective offerings and increase class sizes, all to fill the holes that will be created by Measure 41.

**Kids and working families can't afford Measure 41.** Ballot Measure 41 is another false promise that will harm education and other important services we need.

Join the 20,000 educational employees of the Oregon School Employees Association in keeping Oregon on the road to recovery.

### Vote No on Ballot Measure 41

Merlene Martin, President, Oregon School Employees Association

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

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## Argument in Opposition

### Keep Oregon Safe Vote "No" on Ballot Measure 41

In order to keep our neighborhoods safe, Oregon needs a highly functioning and integrated public safety system – from the police who investigate crimes to the district attorneys who prosecute the offenders.

**Ballot Measure 41 threatens the safety of our communities.**

Measure 41 would result in dangerous cuts to police, community corrections and our courts. Over 90% of the state budget goes to fund education, health care and public safety. If Measure 41 passes we will see a reduction in the number of state troopers on the job and our ability to prosecute criminals

will be significantly threatened.

**Ballot Measure 41 will make it hard to prosecute Identity theft and drug-related crimes.**

Measure 41 is retroactive and cuts \$151 million in revenue this year. Next year, we'll see a cut of almost \$800 million. Budgets for the court system will see profound reductions. This will mean our ability to prosecute meth dealers and criminals who steal your identity will be weakened.

**We don't want to go back to the days when courts were only open 4 days a week.**

We're just starting to see our economy recover. Oregon has only recently been able to reinvest in schools and our public safety system. We need to add more troopers to the job, not fewer. We need increased supervision of sex offenders, not less. We need court doors open and the ability to prosecute more criminals.

### Let's Not Go Back – Support Public Safety Vote "No" on Ballot Measure 41

Tim Colahan  
Harney County District Attorney

Mark Huddleston  
Jackson County District Attorney

Eric J. Nisley  
Wasco County District Attorney

Doug Harclerod  
Lane County District Attorney

*(This information furnished by Becca Uherbelau, Communications Director, Defend Oregon Coalition.)*

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## Argument in Opposition

### Vote NO on Measure 41

### Ecumenical Ministries of Oregon Opposes Ballot Measure 41

Despite the recent economic upturn, Oregon's churches and faith-based charities have yet to recover from the 2002-04 recession. Many struggle to keep their doors open for people in need. We cannot afford another round of shortened school years, thousands of seniors and children losing their health insurance, reduced public safety and steep increases in college tuition.

Before voting, consider that every Oregonian benefits from state roads, public safety, public education, parks, health care and many other services. We believe you will agree that Measure 41 is unwise and will do nothing to help foster the sense of social responsibility our country desperately needs.

### Measure 41 Takes Oregon in the Wrong Direction

- Measure 41 is retroactive. How many people would be instantly affected by immediate cuts in services?
- Measure 41 does not solve Oregon's budget problems. Sacrificing the needy and vulnerable populations is not the way to ensure government accountability.
- Measure 41 has a 'boomerang effect' that will cost Oregon families. What will the social costs be for our future?

Measure 41 will require almost \$800 million dollars in cuts during the next budget cycle. This will place a greater burden on churches and faith-based charities to care for society's most needy. We cannot replace \$800 million worth of services alone without the partnership of the state and others.

# Measure 41 Arguments

Signed by the Executive Committee of EMO

Rev. Alcena Boozer, St. Philip the Deacon Episcopal Church, Portland

Rev. Kent Harrop, First Baptist Church, McMinnville

Rev. Dr. Dan E. H. Bryant, (Disciples of Christ) First Christian Church, Eugene

Rev. Stephen Schafroth, St. Paul's Episcopal Church, The Dalles

Rev. Mark Knutson, Augustana Lutheran Church, Portland

Trudy Bradley, (Disciples of Christ) First Christian Church, Portland

## Join with faith leaders in voting NO on Ballot Measure 41.

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 Reverend Alcena Boozer, Board President, Ecumenical Ministries of Oregon.)*

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## Argument in Opposition

### Measure 41 is the wrong solution for Oregon Business

#### Vote NO on Measure 41

#### Cutting education, health care and public safety services will not make government more accountable

**More than 90% of the Oregon General Fund goes to education, health care and public safety.** These are the services that Oregon's businesses count on the most and will be cut the deepest by Measure 41.

**Measure 41 is retroactive.** It goes into effect immediately, which means that it will cut \$151 million from revenues already counted on for the 2005-2007 budget. It will cut almost \$800 million from the 2007-2009 budget. Our schools cannot withstand cuts of that level.

**Measure 41 will mean higher fees and fewer services... that means fewer businesses and fewer jobs.** In order to maintain quality education in Oregon and invest in the future, we cannot cut our schools any further. We cannot go back to increased class sizes or shortened school years. We cannot attract new industries to Oregon if our schools and transportation systems cannot support them.

**Measure 41 is not what it seems.** It is impossible to implement Measure 41 without forcing deep cuts to the services that Oregonians care about most.

#### Oregon businesses can't afford Measure 41

#### Please join us in voting no on Measure 41

James C. Carter, Nike, Inc.  
Executive Committee  
Oregon Business Association

Lynn Lundquist  
President  
Oregon Business Association

Brian Gard, Gard & Gerber  
Executive Committee  
Oregon Business Association

*(This information furnished by Lynn Lundquist, President, Oregon Business Association.)*

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## Argument in Opposition

### Oregon's Leading Health Care and Human Service Advocates Say Vote NO on Measure 41

#### Measure 41 Takes Oregon In The Wrong Direction

We've made it through some of the toughest economic times in Oregon history. But it wasn't easy and our health care and human service programs are just starting to recover from massive cuts. Measure 41 takes us back to time when thousands of Oregonians were thrown off of the Oregon Health Plan, programs for seniors like Oregon Project Independence were threatened and Oregon's quality of life was on the decline.

#### Measure 41 Will Force cuts to Vital Public Services

90% of Oregon's budget goes to fund education, programs for children and seniors, health care and public safety. But Measure 41 will force almost \$800 million dollars in cuts to the services we all count on:

- Programs for health care, seniors and children face a cut of \$170,000,000

#### Measure 41 Has a 'Boomerang Effect' on Health Care Costs

If Measure 41 passes, more uninsured Oregonians will be forced to seek care in emergency rooms, driving up costs for everyone. Worse, thousands of Oregon families will go without preventative 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 41 Will Hurt Rural Clinics and Hospitals

Increases in the number of uninsured Oregonians put a real strain on our rural clinics and hospitals. We already have a nursing shortage in rural Oregon and Measure 41 will push many of the health care providers to the breaking point.

#### Join these Health Care and Human Service Advocates in Opposing Measure 41

American Cancer Society  
American Heart Association  
American Lung Association of Oregon  
National Association of Social Workers-Oregon  
Oregon Developmental Disabilities Coalition  
Oregon Rehabilitation Association  
Oregonians For Health Security  
Parkinson's Resources of Oregon

*(This information furnished by Morgan Allen, Defend Oregon Coalition.)*

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## Argument in Opposition

### Stand for Children Urges a No Vote on Measure 41

#### 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 and their schools a top priority.

**Measure 41 does not make Oregon's children a priority.**

**Measure 41 limits our ability to educate our young people.**

Every child in Oregon should have an equal opportunity to succeed. In order to achieve that goal, we need to strengthen our



# Measure 41 Arguments

public schools – not cut funding, which will result in larger class sizes, less effective teachers, and fewer instructional days.

## Measure 41 will cause immediate harm to schools.

This confusing and complicated change to the tax code would cut nearly \$800 million from the 2007-09 budget. For school districts around the state, this is equal to:

- **Portland** \$29 million, which could fund 160 teaching positions
- **Salem-Keizer** \$23 million, the cost of 3 days of school
- **Beaverton** \$21 million, the cost of 9 days of school or 138 teachers
- **North Clackamas** \$9.8 million, the cost of 11 days or 60 teachers
- **Springfield** \$6.85 million, the cost of 9 days or 41 teachers
- **Coos Bay** \$2.26 million, which would fund 13 school days
- **Medford** \$7.67 million, the cost of 7 days or 43 teachers

## Measure 41 punishes schools and kids.

By changing how Oregon's income taxes are calculated, Measure 41 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. Oregon's youth will have 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 41**

*(This information furnished by Jonah Edelman, Executive Director, Stand For Children.)*

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## Argument in Opposition

**Oregon's Community Colleges help build better futures**

**for more than 350,000 Oregonians every year.**

**but**

**Measure 41 will mean:**

**Increased Tuition  
Reduced Programs  
Less Opportunity**

Oregon's community colleges are the key to the future for over 350,000 Oregonians every year. But Measure 41 puts that at risk.

**Measure 41 is retroactive.** Oregon's 17 Community Colleges operate on tight budgets that are carefully planned. If Measure 41 passes, we will have to make immediate cuts to current programs, hurting the students who have already started this academic year.

**Measure 41 has unintended consequences.** Measure 41 will force deep and immediate cuts to the programs that are training Oregonians for the future. From retraining programs for outsourced workers to associate of arts degrees, Oregon's community colleges give all students the skills they need to compete in the global economy. These programs are at risk under Measure 41.

**Measure 41 is a boomerang – it will make college more expensive and less accessible.** Under Measure 41, students will be forced to pay higher tuitions, more fees and greater costs. Oregon's community colleges are working hard to ensure that everyone in our state has equal access to a college education and vital work training programs. Under Measure 41

we will have to cut programs that people are counting on or pass on the costs to students and their families.

## Measure 41 is no solution.

**Vote NO on Measure 41.**

Chuck Clemans, Board Member  
Clackamas Community College

David Bridgham, Board Member  
Southwestern Oregon Community College

Dean Wendle, Board Member  
Rogue Community College

Ernie Keller, Board Member, '05-'06 Board Chair  
Columbia Gorge Community College

Rosemary Baker-Monaghan, Board Chair  
Clatsop Community College

*(This information furnished by Chuck Clemans, Board Member, Clackamas Community College.)*

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## Argument in Opposition

**Measure 41**

**would put the brakes on Oregon's transportation system and construction jobs**

**Oregon's Building Trades urge you to Vote NO on Measure 41**

- **Measure 41 will force deep cuts in the Oregon state general fund that we can't afford.** It will cut nearly \$800 million from the 2007-2009 budget.
- **Measure 41 is retroactive and will immediately affect revenues.**
- **Measure 41 could mean increased fees – everything from toll roads to increased licensing fees could be implemented to make up the shortfalls.** Oregon's working families can't afford to pay more for basic services or lose valuable construction jobs.
- **Measure 41 will send Oregon backwards just as we are moving forward.**

**Keep Oregon Moving**

**Vote NO on Measure 41**

Bob Shiprack  
Executive Secretary  
Oregon State Building and Construction Trades Council

*(This information furnished by Bob Shiprack, Executive Secretary, Oregon State Building and Construction Trades Council.)*

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## Argument in Opposition

**No on Measure 41 to keep our communities safe**

**Measure 41 hits the part of the Oregon state budget that funds education, public safety and health care.**

Measure 41 will mean deep and immediate cuts to the state general fund. If Measure 41 passes, public safety programs are going to take a hit.

# Measure 41 Arguments

**Measure 41 is retroactive.** Measure 41 would cut revenue immediately, which may mean sudden cuts to state and local public safety budgets.

**Measure 41 will mean fewer parole, probation and corrections officers.** Parole and probation officers are responsible for supervising released prisoners, including sex offenders. Under Measure 41, budget cuts will increase the caseloads and mean released offenders won't get the supervision necessary to protect the public. And prisons will become more dangerous as the population grows and there are fewer employees to cover them.

**Oregon's prison population is scheduled to grow more than 20% over the next 10 years.** Measure 41 will put an even greater squeeze on the state budget as we scramble to keep up with the growing prison population. It means we'll either have to release prisoners or cut even more education, public safety and health care services.

**Measure 41 will end up costing more in the end.** Parolees who aren't supervised are more likely to end up re-offending. That means they'll end up back in prison, which costs us all more.

## Vote NO on Measure 41

Lisa Settell, President  
Federation of Oregon Parole and Probation Officers

Bryan Goodman, President  
Association of Oregon Corrections Employees

*(This information furnished by Lisa Settell, President, Federation of Oregon Parole and Probation Officers; Bryan Goodman, President, Association of Oregon Corrections Employees.)*

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## Argument in Opposition

### Vote NO on Measure 41

#### The Human Services Coalition of Oregon Opposes Measure 41

The Human Services Coalition of Oregon represents hundreds of social service providers, hospitals, health associations and individuals who work on the frontlines for Oregon's elderly, neediest and medically fragile residents. Many of our members do this work in partnership with the state and the private sector on a shoe string budget. They do it because they are committed to helping people in need.

#### Cutting vital public services at what social cost? Children, Seniors and Vulnerable Citizens Can't Afford this Shell Game.

90% of Oregon's state budget goes to fund education, health care, senior services and public safety. Cutting services to kids and seniors is not the way to make our government more accountable. If we want to change the way our government is run, we should not do it irresponsibly by hurting the most vulnerable.

#### Measure 41 would:

- Cut \$170 million dollars from health care programs, senior programs and childrens' services
- Jeopardize long-term and nursing home care for 1470 seniors and people with disabilities
- Place health care services for 22,000 Oregonians – including over 12,000 children – on the chopping block

#### Measure 41 is retroactive

If measure 41 passes, our schools and other services may lose

\$151 million dollars--money they've already budgeted for in the current budget cycle. It gets even worse in the next budget cycle—almost \$800 million dollars in cuts to our schools, public safety programs, senior services and health care programs.

We all must depend on each other to care for Oregon.

### Join HSCO in opposing Measure 41

### Vote NO on 41

For More Information Log On To:  
[www.DefendOregon.org](http://www.DefendOregon.org)

*(This information furnished by Phillip Kennedy-Wong, Co-Chair, Human Services Coalition of Oregon.)*

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## Argument in Opposition

### Measure 41:

1. Won't solve the real problems in Oregon
2. Benefits the wealthy
3. Is retroactive
4. Will force deep cuts to basic services
5. Was written by Bill Sizemore.

### Add it up:

### Measure 41 is bad idea.

**Measure 41 won't solve Oregon's real problems.** Making draconian and untargeted cuts to schools, senior services, health care and public safety is not the solution. It will do nothing to hold government more accountable. The problem is the hold that special interests and lobbyists hold over the state legislature. Real change will happen when we pass strong ethics laws to loosen the hold of the pharmaceutical, payday loan and tobacco industry.

**Measure 41 benefits those who need it the least.** The richest 40% of Oregon taxpayers will get nearly two-thirds of the benefit of Measure 41. Meanwhile, most elderly Oregonians would see no change in their taxes.

**While Measure 41 benefits the few, the rest of us will end up paying for it.** Measure 41 will boomerang back to the rest of us in increased fees jut to keep basic services intact. Not only that, Measure 41 is retroactive to budgets that have already been passed.

**Measure 41 will cut nearly \$800 million in education, health care, senior, and public safety services.** If we want to change Salem, cutting basic services and making things worse for our citizens is the wrong approach.

**Do these people really have the best interests of Oregon at heart?** After being found by a jury to have committed racketeering, and a slate of failed ballot measures, Bill Sizemore is limping back into Oregon politics. This time he's funded by a billionaire sugar daddy, Loren Parks from Nevada and the campaign is managed by FreedomWorks out of Washington, D.C. Sizemore has been unable to find anything other than token local support for his measure.

### Vote NO on Measure 41

[www.ouregon.org](http://www.ouregon.org)

*(This information furnished by Christy B. Mason, Deputy Director, Our Oregon.)*

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# Measure 41 Arguments

## Argument in Opposition

### **An Urgent Message from Members of the Healthy Kids Learn Better Coalition**

#### **PLEASE VOTE NO ON MEASURE 41**

The Healthy Kids Learn Better Coalition is a partnership of organizations and individuals committed to eliminating physical, social and emotional barriers to learning.

Measure 41 is another one of those measures that sounds good on the surface, but it is much more complicated than it sounds. **And the children of Oregon end up paying the bill!**

- **Measure 41 Doesn't Solve the Real Problems Facing Our Kids**

Instead of solving Oregon's problems it cuts funding for children's programs and schools without increasing accountability. Cutting services to kids isn't the way to force government to become more accountable.

- **Measure 41 is Retroactive**

If this measure passes, schools as well as health and safety programs for children may lose money they've already been budgeted.

- **Measure 41 is a Shell Game that Oregon's Kids Can't Afford**

Don't be tricked by this measure. Oregon families will feel the pinch in increased costs and hidden fees as a result of this measure.

- **Measure 41 Will Have a "Boomerang Effect" on Oregon Families**

This measure may sound good at first, but it's actually part of the same empty promises we always hear. One way or another, we'll still have to pay for the vital public services that our children and families depend on.

- **Measure 41 is a Huge Step Backward for Oregon's Kids**

Oregon's economy is recovering and we are just now starting to turn our state around. Let's not go back to the days when schools had to close early and Oregon families were kicked off the Oregon Health Plan.

### **These members of the Healthy Kids Learn Better Coalition Urge a NO Vote on 41:**

Children First for Oregon  
CareOregon  
Community Health Partnership  
Oregon Alliance for Health, Physical Education,  
Recreation and Dance  
Upstream Public Health

**For More Information Log On To:  
[www.DefendOregon.org](http://www.DefendOregon.org)**

*(This information furnished by Tina Kotek, Children First for Oregon.)*

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## Argument in Opposition

### **Oregon's Colleges and Universities Can't Afford Measure 41**

Since 1990, Oregon has seen a dramatic disinvestment in higher education. Tuition and fees have skyrocketed and a college education has become less and less affordable.

Public higher education is at a critical juncture. Our faculty and staff professionals are working hard to provide a world-class education for Oregon's students. But our college campuses can't weather another round of deep budget cuts.

- **Measure 41 will make college more expensive for Oregon families**

Under this measure, the higher education budget will be cut by over \$77 million. And Oregon's students and families will feel the pinch in increased tuition, higher fees, and fewer programs.

- **Measure 41 moves Oregon backwards**

Oregon's colleges and universities are the economic engine for growth and job creation. Measure 41 takes away opportunities for Oregonians to improve their livelihoods by learning new skills and continuing their education.

- **Measure 41 cuts other vital public services Oregonians count on**

Measure 41 will cut almost \$800 million from the next budget cycle. Health care programs, public safety and K-12 education budgets will face massive cuts, weakening our communities and ensuring more students will fall through the cracks.

We are supporters of public colleges and universities. We are proud to say that we graduated from Portland State University, and that PSU has been critical to our success. Now we want to ensure that the next generation of Oregon teachers, doctors and business people has the same opportunity for a quality, affordable education at an Oregon public university.

### **Members of the Portland State University Alumni Association ask you to vote "No" on Measure 41.**

Gerry Scovil '58  
Chair, PSU Advocates

Jory Miller Abrams '79  
Kori Allen '84  
Roger Capps '60  
Marshal Jevning '96  
Joan C. Johnson '78  
Tony Leineweber '68

Dr. Dolores Leon '70  
Robert McEniry '76  
Dennis L. West '63  
Sue A. West '69, '70  
Angela Wykoff '72, '75, '80  
President, PSU Alumni Association  
John L. Wykoff '65

*(This information furnished by Gerald G. Scovil, PSU Alumni Association.)*

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## Argument in Opposition

### **The Defend Oregon Coalition OPPOSES Measure 41!**

Here are just some of the groups who OPPOSE Measure 41:

AARP Oregon  
Advocacy Coalition Of Seniors and People with Disabilities  
American Association of University Professors – PSU Chapter  
American Lung Association of Oregon  
American Cancer Society  
American Federation of Teachers – Oregon  
American Heart Association  
Association of Oregon Corrections Employees  
Association of Oregon Faculties  
CareOregon  
Children First For Oregon  
Clackamas Community College Board  
Clatsop Community College Board  
Community Action Directors of Oregon  
Confederation of Oregon School Administrators  
Democratic Party of Oregon  
Federation of Oregon Parole and Probation Officers

# Measure 41 Arguments

Gray Panthers  
League of Women Voters of Oregon  
National Association Of Social Workers - Oregon  
Oregon AFL-CIO  
Oregon Alliance For Retired Americans  
Oregon Business Association  
Oregon Center for Public Policy  
Oregon Developmental Disabilities Coalition  
Oregon Education Association  
Oregon Head Start Association  
Oregon PTA  
Oregon Rehabilitation Association  
Oregon School Employees Association  
Oregon State Building Trades Council  
Oregon State Council For Retired Citizens  
Oregon State Fire Fighters Council  
Oregon State Police Officers' Association  
Oregonians For Health Security  
Our Oregon  
Parkinson's Resources of Oregon  
Rural Organizing Project  
Save Oregon Seniors Coalition (SOS)  
SEIU Local 49  
SEIU Local 503, OPEU  
SEIU Oregon State Council  
Stand For Children  
United Food and Commercial Workers, Local 555  
United Seniors of Oregon

For more information:  
[www.DefendOregon.org](http://www.DefendOregon.org)

A real solution must demonstrate that it will adequately provide for public services, spur investment and create jobs. Measure 41 fails to address these fundamental concerns.

**Please join Oregon business leaders in voting "NO" on Measure 41.**

[www.orbusinesscouncil.org](http://www.orbusinesscouncil.org)

*(This information furnished by Duncan Wyse, President, Oregon Business Council.)*

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## Argument in Opposition

As Community Nonprofits who provide homes and job supports for people with disabilities across Oregon:

**We strongly oppose Measure 41 and Urge a NO Vote.**

The people we support often need lifetime twenty-four hour care due to disabilities like Mental Retardation, Cerebral Palsy and Autism. This care is provided by dedicated employees of community organizations like those represented below.

Almost all of the services provided through the Oregon Department of Human Services are delivered in our communities by similar nonprofit organizations. We are members of the Oregon Rehabilitation Association, a nonprofit that has represented such community members for forty years.

Measure 41 would kill any chance these poorly paid workers have for receiving even a small cost-of-living increase in the future or a modest salary increase. Even now nearly 6 of 10 leave these jobs in the first year. Measure 41 would make this high job turnover even worse, ultimately threatening the health and safety of the most vulnerable of our citizens.

Thank you for joining us in opposing this Measure.

Tim Kral, Oregon Rehabilitation Association  
Adult Learning Systems of Oregon, Inc.  
Albertina Kerr Centers  
Alternative Services Oregon, Inc  
Community Access Services  
CORIL  
Edwards Center, Inc.  
Horizon Project, Inc.  
Living Opportunities, Inc.  
New Day Enterprises, Inc., PO Box 3296, La Grande, OR  
97850, Zee Koza, Executive Director  
Oregon Supported Living Program  
RISE, Inc.  
Riverside Training Centers, Inc.  
Helen Honey, Financial Director, Shangri-La Corporation

*(This information furnished by Tim Kral, Oregon Rehabilitation Association.)*

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## Argument in Opposition

### Oregon Business Leaders Oppose Measure 41

The Oregon Business Council is comprised of executives from some of Oregon's leading companies who work together in support of Oregon's economy and quality of life. The Council rarely takes positions on ballot measures. However, the Council opposes Measure 41 because it would be damaging to Oregon's economy and quality of life. Oregonians should join us in rejecting this measure.

Measure 41 will prevent key investments needed to help Oregon recover from the recession without solving the fundamental problems of our volatile tax system.

### Measure 41 jeopardizes key investments designed to improve education and spur job growth.

These investments include:

- Increased financial aid to allow more students to attend college,
- Strategic investments in pre-kindergarten and early childhood education,
- Funding to jump start Oregon's most promising new industries through the Oregon Innovation Council, and
- A rainy-day fund to help Oregon weather economic storms.

Oregon's public services, like schools and health care for seniors, took a beating during the recession. We finally have the opportunity to get these services back on track. Measure 41 will destroy this opportunity.

### Oregon needs comprehensive tax reform, not piecemeal changes.

Oregon needs tax overhaul, but Measure 41 is not the answer.

# Measure 42

Proposed by initiative petition to be voted on at the General Election, November 7, 2006. The information in the shaded area below will appear on your ballot.

## Ballot Title

# 42

### PROHIBITS INSURANCE COMPANIES FROM USING CREDIT SCORE OR "CREDIT WORTHINESS" IN CALCULATING RATES OR PREMIUMS

**RESULT OF "YES" VOTE:** "Yes" vote prohibits insurance companies and their agents from using the credit score or "credit worthiness" of insured or applicant in calculating rates or premiums.

**RESULT OF "NO" VOTE:** "No" vote retains existing law, which restricts, but does not prohibit, the use of credit scores or "credit worthiness" in calculating insurance rates or premiums.

**SUMMARY:** Current state law requires certain disclosures before a consumer's credit history may be obtained by an insurance company or agent and provides certain restrictions on the use of a consumer's credit history in determining insurance rates. This measure prohibits insurance companies and agents that sell or market medical, health, accident, automobile, fire, or liability insurance, or any combination of policies providing such coverage to consumers from quoting, offering, or charging, directly or indirectly, rates or premiums based solely or in part upon the credit score or "credit worthiness" of an insured or an applicant for insurance. This measure does not apply to policies already in effect, but it shall apply to all policies commenced, changed, amended, or renewed after the measure's effective date. Other provisions.

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

## Text of Measure

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

The Oregon Revised Statutes are amended by adding the following section, which section shall read:

Section 1. No insurance company, or agent acting on the part of an insurance company, which sells or markets medical, health, accident, automobile, fire, or liability insurance, or any combination of policies providing such coverage to consumers, shall quote, offer, or charge, either directly or indirectly, a rate or premium which is based solely or in part upon the credit score or credit worthiness of the insured or applicant for insurance.

This 2006 Act shall not affect policies in force at the time it is enacted, but shall affect policies which are commenced, changed, amended, or renewed after the effective date hereof.

## Explanatory Statement

Ballot Measure 42 prohibits insurance companies selling or marketing medical, health, accident, automobile, fire, or liability insurance, or any combination of policies providing such coverage, from calculating insurance rates or premiums based on the credit history of an insured person or someone applying for insurance.

Current law prohibits insurance companies from canceling, re-rating or failing to renew presently issued insurance policies based on credit history or credit-based insurance scores. When a consumer seeks new personal insurance coverage, insurance companies may only use a consumer's credit history to decline that coverage when it is considered in combination with other substantive underwriting factors. An insurance company accepting a consumer's application for new insurance may offer higher rates or premiums because of an underwriting decision based on the consumer's less favorable credit history. An insurance company is required to notify the consumer in writing of the specific reasons for this decision. Insurance companies must also explain the consumer's right to request annually that the insurance company re-rate the consumer and explain any potential negative consequences of re-rating. Additionally, insurance companies may use credit-based scoring in setting rates and premiums only if the companies have filed their credit-based scoring models with the Oregon Insurance Commissioner.

Ballot Measure 42 repeals restrictions in current law on the use of credit information in setting insurance rates and premiums, and bans the use of credit information on establishing insurance rates or premiums.

The ballot measure does not affect insurance policies in force at the time it is enacted, but affects policies that are commenced, changed, amended or renewed after the measure takes effect.

### Committee Members:

Bill Sizemore  
Tim Trickey  
Paul Cosgrove  
Shawn Miller  
Sid Brockley

### Appointed by:

Chief Petitioners  
Chief Petitioners  
Secretary of State  
Secretary of State  
Members of the Committee

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

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# Measure 42 Arguments

## Argument in Favor

### Insurance Agents Support Ban on Credit Scoring

How bad is insurance credit scoring? The practice is so indefensible that even the agents representing the insurance industry support banning the use of credit scoring.

Following are some of the national agent associations supporting Measure 42's ban on credit scoring:

**National Association of State Farm Agents  
United Farmers Agents Association  
National Association of Professional Allstate Agents, Inc.**

These agents represent some of the largest insurance companies in the world.

In their letters opposing the use of credit scoring, insurance agent associations made it clear that negative credit scores often stay with people long after they have revitalized their credit, artificially increasing their insurance costs. Often people with excellent credit do not qualify for preferred insurance rates, for such reasons as having "too many credit cards", even though the client carries low balances on their accounts and have never been late.

How does having what an insurance company considers too many credit cards make you a greater insurance risk? The notion is so absurd that most companies keep their credit scoring models secret, calling them "trade secrets".

Agent associations also comment that credit scoring discriminates against minorities and lower income groups, who typically have lower than average credit scores, often through no fault of their own. Credit scoring allows companies to "red-line" entire neighborhoods and ethnic groups, a reprehensibly discriminatory practice that would be illegal if companies did it openly.

Who suffers most from credit scoring? Widows, single moms, women who just went through a divorce, college students, people who pay cash or don't use much credit, and young couple seeking a low mortgage rate, and unavoidably have their credit checked too many times.

Finally, credit scoring is totally unnecessary. Insurance companies easily could return to the historical methods of determining rates, such as using driving records and other factors truly related to risk.

Please vote "Yes" on Measure 42 to abolish unfair insurance credit scoring.

*(This information furnished by Bill Sizemore.)*

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## Argument in Favor

Dear Oregon Voters:

Let me say right up front: I'm not poor. I don't have a low credit score. I have nothing to gain by supporting this measure, yet I donated most of the money to help place it on the ballot. Here's why:

I enjoy supporting measures that help the little guy. I helped fund a measure to put violent criminals in jail and make the streets safer for everyone else. I got tired of watching overly lenient judges give light sentences to repeat offenders, who would go right back out and rape, molest, assault, or even murder again. Crime rates dropped significantly as a result of that measure.

I have donated money for measures to lower taxes for everyday working people. I think families are better off when they get to keep more of the money they earn and take care of themselves. When people are self-sufficient and get less help from government, it helps restore their dignity as human beings.

Measure 42 is a measure that helps people who are generally less capable of defending themselves than most. Insurance companies have found it easier to charge higher rates for people with bad credit scores than to base rates on realistic factors such as driving records, number of wrecks, frequency of claims, etc. That's wrong.

It makes no sense to claim that people are more likely to get in an accident because they have bad credit. I think most people know that instinctively. Insurance companies do it because it is easier. All they care about is maximizing premiums. They don't care where the money actually comes from or whether their rating system is fair or logical.

I'm not against the insurance industry. However, when they lobbied for laws requiring that everyone buy their product, they assumed the responsibility to charge fairly. I sponsored Measure 42, because it makes them do that.

Please vote for this important measure.

Sincerely,  
Loren Parks

*(This information furnished by Loren E. Parks.)*

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## Argument in Favor

### Credit Scoring Is Anti-Free Market

My name is Bill Sizemore, and I wrote Measure 42. I am a normally a "free market" kind of guy. I do not believe in regulating business unnecessarily, because competition and free market principles tend to eliminate injustices and overpricing over time.

However, a hand full of very large companies have started a trend in the insurance industry that is anti-competition and anti free market. I will use this space to explain to my fellow free market conservatives why credit scoring is truly anti-competition.

First of all, when government requires that we buy a product, as is the case with insurance, it is no longer a free market product or voluntary transaction. When people are forced to buy a product or service, the market is automatically tilted in favor of the seller and reasonable controls must be installed to insure that consumers are not gouged.

Also, credit scoring discourages price comparisons and shopping for lower rates. Under current law, insurance companies cannot use credit scoring to raise the rates of current customers for their existing policies. However, if a customer adds a new policy or switches companies, credit scoring can be used to impose higher rates. The result of this practice is to build a moat around the companies and keep existing customers from shopping for lower rates. This is clearly anti-competition.

Shopping for lower rates is the best way to insure competition, but credit scoring punishes customers for shopping around or switching companies.

If credit scoring was banned, as Measure 42 would do, not one insurance company would go out of business. The industry would simply be forced to use honest, meaningful grounds for establishing premiums, such as driving records and loss histories.

# Measure 42 Arguments

Insurance companies should be required to base rates on actions or events that genuinely are related to the risk the companies assume when insuring a customer. Credit scoring is simply not such a factor.

*(This information furnished by Bill Sizemore.)*

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## Argument in Favor

### Insurance Company Claims about Credit Scores are Bogus

Insurance companies routinely charge customers higher insurance rates based on their personal credit scores. This widespread practice unfairly disadvantages the poor and minorities and is not based on sound actuarial principles.

Insurance companies claim there is a correlation between credit scores and frequency of claims, but the truth is: More than 90 percent of people with low credit scores have perfectly normal claim frequencies.

Credit scoring does not just affect poor people. Even people with great credit scores sometimes pay higher insurance rates, because they have "too many credit cards", even though they have never been late and carry low balances.

Lots of good, responsible people temporarily have bad credit due to no fault of their own. Common sense tells us that this does not make them a greater risk to an insurance company. Good people lose their job after being with a company for decades, as with the dot.com collapse. Medical emergencies wipe out a family's personal finances. A divorce suddenly leaves a single mom with kids to take care of and her credit score takes a hit.

How does any of this mean these folks are more likely to have an auto accident? It doesn't. Insurance companies that use credit scores are gouging poor people, plain and simple.

Many agents have contacted me and told me that they would gladly speak out about the injustice of credit scoring, but can't because they believe they would be fired, if they did.

Finally, credit scoring allows a person with a higher credit score and an "at fault" accident to pay a lower premium than a person with a lower credit score and a perfect driving record. This is an obvious absurdity.

Please vote Yes on Measure 42.

*(This information furnished by Bill Sizemore.)*

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## Argument in Favor

### Your Credit Score is Not Your Insurance Credit Score

Pretty much everyone knows they have a credit score. What most folks don't know is that the insurance industry uses credit scoring in a way that is all smoke and mirrors.

Here's how it works: Insurance companies pick and choose from a developed list of approximately 120 different criteria from which they shape into their own unique "credit scoring model". A company's unique credit scoring model is considered a trade secret. Companies are not required to disclose to the public how they score people. If you doubt my word, call the state insurance commissioner and ask to see a company's secret scoring model, which is required to be on file with the

commission. Be advised, don't hold your breath.

What all this means to you is that you have no way of discovering why you don't qualify for a company's preferred rates, because those rates are based on the company's "secret" scoring model. Because each company creates its own model, your insurance credit score may be lower with one company than another, but you'll never know why.

What's really going on here? You see, it's illegal under federal law for insurance companies to "redline" or discriminate against people by charging higher rates based on factors such as race or ethnicity. Redlining neighborhoods is also illegal.

Credit scoring is a way for insurance companies to redline and get away with it. Because a company's scoring model is unique and secret, no one knows for sure why they are scored the way they are. All they know is that they have good credit, good driving habits, and no tickets or drunk driving violations, but still don't qualify for preferred rates. Meanwhile the rich guy down the road, who totaled his Mercedes last year, pays lower premiums. How is this right?

Until insurance companies fully disclose their scoring models, this unfair, discriminatory practice should be banned. Plain and simple.

*(This information furnished by Bill Sizemore.)*

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# Measure 42 Arguments

## Argument in Opposition

### MEASURE 42 IS POORLY DRAFTED AND CONFUSING

Despite the claims of its proponents, and even the official explanatory statement found in this Voters' Pamphlet, the language of Measure 42 simply prevents an insurer from using a "credit score" or a determination of "credit worthiness", as it establishes an insurance rate or premium. No language in this measure suggests it repeals existing Oregon laws that already limit insurers use of credit history information in combination with other data, as they develop risk predictive insurance scores for the underwriting and rating of personal insurance products.

In 2003, after numerous hearings, Oregon's legislature carefully used specific terms as it crafted legislation to limit the use of credit history information by insurers. Legislators purposefully avoided using the term "credit score" (a numerical sum produced by credit bureaus after consideration of many elements of credit history information). Credit scores (and determinations of credit worthiness) are considered by businesses when making credit or lending decisions. It was understood an insurer's selective use of certain aspects of credit history information, in conjunction with other factors to develop an "insurance score", was different than using a "credit score".

Inaccurate drafting and misunderstandings of Measure 42 will have the following results:

- Oregon's courts, not voters, will determine the effect and limitations of Measure 42.
- While the measure may arguably only apply to personal insurance products (meaning individuals with good insurance scores will subsidize persons with poor insurance scores), it could also be interpreted to apply to other insurance lines, negatively impacting businesses, churches, civic organizations, and other groups that are required to purchase insurance.
- Insurers could be legally required to increase rates when renewing policies of customers with rates that were initially influenced by good insurance scores.

Oregonians can easily avoid these uncertain results by voting **NO ON MEASURE 42**.

John Powell

*(This information furnished by John Powell.)*

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## Argument in Opposition

### You may be Forced to Pay Significantly more for Auto and Homeowners Insurance

I've spent my entire career advising Oregonians how to acquire the best possible insurance at the lowest possible price. Over the years, I've seen many changes in the law, some good and some bad. Measure 42 is one of the worst. Instead of controlling or reducing insurance costs for consumers, Measure 42 would result in most Oregonians paying more for their insurance. Worse yet, it would require most consumers to pay more for the same amount of coverage they currently have.

Here's why:

- Oregonians with a good credit history would subsidize those individuals with bad credit if Measure 42 passes. That means that 60 to 70 percent of Oregonians, who currently enjoy a lower rate due to their good credit history, would be forced to pay significantly more for their auto and homeowner insurance.

- Independent studies show that people with poor credit histories are up to three times more likely to file an insurance claim than people with good credit.
- Oregon law already prohibits insurance companies from using credit history to raise rates or drop existing customers. Oregon's laws are among the most restrictive in the country. They allow use of an individual's credit history and only when people originally apply for insurance.
- When using credit history, insurance companies do not use factors such as income, address, race, age, or gender. In fact, the use of credit history is specifically designed to prevent discrimination against any group.

There are always winners and losers when our insurance laws change. In this instance, there will be far more losers. This law effectively punishes people for their hard work and responsible financial stewardship by forcing them to pay more for their insurance, without getting anything in return.

I'm advising all of my customers to Vote No on Measure 42. It's a bad deal for you and a bad deal for Oregon.

*(This information furnished by Richard H. Kingsley.)*

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## Argument in Opposition

### Don't Pay More for Auto and Homeowners Insurance

As an agent for Farmers Insurance, I'm proud to assist Oregonians with their auto and homeowners insurance. It is important to me that my clients have access to the best coverage at an affordable price. That's why I want to urge all Oregonians to vote **NO on Measure 42**.

Instead of controlling or reducing insurance costs for consumers, Measure 42 would result in most Oregonians paying more for their insurance. Worse yet, it would require most consumers to pay more for the same amount of coverage they currently have.

Sixty to seventy percent of Oregonians currently enjoy a lower rate due to their good credit. They will end up paying significantly more for their auto and homeowners insurance policies if Measure 42 passes. Independent studies show a clear correlation between poor credit histories and an increased likelihood of filing a claim.

Measure 42 is also unnecessary. Oregon's laws are among the most restrictive in the country. They allow use of an individual's credit history only when people originally apply for insurance. Insurance companies are prohibited from using credit history to raise rates or drop existing customers.

Measure 42 is a bad deal for my clients and most Oregonians. Measure 42 penalizes people for their hard work and responsible financial management by forcing them to pay more for their insurance. Worse yet, it gives them nothing in return.

I'm advising my clients to Vote No on Measure 42. Whether you are a Farmers Insurance customer or not, I encourage you to contact your insurance agent if you have questions about how Measure 42 will impact you.

*(This information furnished by Ed Chun, Farmers Insurance Agent, Medford Oregon.)*

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# Measure 42 Arguments

## Argument in Opposition

### INSURANCE AGENTS URGE A NO VOTE ON MEASURE 42

Over the years, my colleagues and I have worked with hundreds of Oregon businesses to ensure they have the commercial insurance products they need to protect their businesses, employees and customers. I urge you to vote NO on Measure 42 because it will increase insurance costs for businesses, their employees and their customers.

Virtually every commercial insurance product I sell, including all lines of commercial property, premises liability, products liability, professional liability, automobile, workers compensation, inland marine, ocean marine and umbrella insurance will be more expensive for most customers.

Here's why.

Measure 42 would prohibit the use of a business' credit history in calculating insurance premiums. A business' credit worthiness is a proven, accurate predictor of risk. More than an insured's ability to pay insurance bills, it predicts the likelihood that the insured will file an insurance claim.

Removing this tool will work against the availability and affordability of all lines of commercial insurance because it will significantly increase the risk assumed by insurers. Financial ratings help demonstrate management quality and are key components of commercial insurance underwriting. For most Oregon businesses, this means an increase in the cost of their commercial insurance because a company's credit information is a significant factor in setting business insurance rates.

That means Measure 42 would result in well-run companies subsidizing the insurance costs of their competitors that are not well managed. As a result, well-run businesses will be placed at a competitive disadvantage while poorly managed businesses will be given a competitive boost.

Oregon's insurers work hard to offer insurance coverage at an affordable price. In recent years that has become increasingly difficult. In this market, my clients cannot afford a law change that would detrimentally impact the availability and affordability of insurance in Oregon.

Please join me in voting no on Measure 42.

*(This information furnished by Ronn Passmore, Rhodes-Warden Insurance, Inc., Lebanon, OR)*

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## Argument in Opposition

### Measure 42 Adversely Impacts All Lines of Commercial Insurance

Commercial insurers have used credit information for decades because it is a valid, accurate predictor of risk. Indeed, credit information is commonly used factor for many business decisions. For example, it is used broadly for employment screening, fraud detection, marketing and lending decisions.

Multiple studies have proven the correlation between bad credit and more frequent insurance claims. For example, one study showed a direct relationship between the financial health of a motor carrier and how safely its trucks and drivers perform on the highway.

If Measure 42 passes, all lines of commercial insurance will be adversely impacted, increasing the cost of doing business in Oregon. These increased costs are likely to be passed on to consumers.

Measure 42 also would result in a major cost-shift because one of the best tools for measuring risks, underwriting and pricing insurance accurately would be eliminated, thereby creating artificial market subsidization. Under Measure 42, well-run businesses would subsidize the insurance costs of their competitors that are not well-managed.

Measure 42 could adversely affect policyholders who purchase the following types of commercial property coverage: commercial property, premises liability, products liability, professional liability, automobile, workers compensation, inland marine, ocean marine and umbrella insurance. Taken in the aggregate, Measure 42 will trigger significant cost increases for most businesses.

What's worse, the additional costs come with no additional benefit for most businesses. Instead, people like ballot measure activist Bill Sizemore, Measure 42's chief sponsor, will benefit. Sizemore has been sued multiple times, owes millions of dollars in legal judgments and has been sectioned by the courts over his abuse of Oregon's initiative process. Measure 42 would mean people like Sizemore, with credit problems, would pay less for insurance, while 60 to 70 percent of Oregon families and businesses with good credit would pay more.

*(This information furnished by Kelsey Wood, Gordon Wood Insurance.)*

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## Argument in Opposition

### "Your Insurance Agents Say No on 42!"

Measure 42 would prohibit insurance companies from considering credit information in determining rates and premiums for insurance. If this flawed measure were passed, personal insurance rates may go up for the 60 to 70 percent of Oregonians who now pay lower insurance rates because companies consider credit histories as a factor in setting rates.

But the poorly drafted measure also would apply to commercial insurance. Oregon would be the only state prohibiting insurance companies from evaluating the financial management practices of a business when determining their rates for commercial property, premises liability, products liability, professional liability, automobile, workers compensation, inland marine, ocean marine and umbrella insurance.

For businesses, Measure 42 would trigger major cost-shifting because most businesses benefit from the consideration insurance companies give to a company's credit information in setting insurance rates. Measure 42 would force responsible businesses and their owners to subsidize less responsible, marginal businesses.

Measure 42 affects personal insurance the same way. Oregonians with good credit histories would subsidize those with poor credit, if this measure passed.

Insurance companies want to charge a fair rate to each customer based on the customer's actual risk of future loss. For businesses and individuals, credit information has proven to be one of the most reliable methods of forecasting future losses. Eliminating the use of credit information would be unfair to the great majority of insurance customers who carefully manage their business and personal finances. Responsibility with credit has nothing to do with income levels.

Ballot measure activist Bill Sizemore sponsored Measure 42. Now small business groups, insurance companies, community groups and consumers are organizing to oppose Measure 42.

Please join insurance agents in opposing Measure 42. Vote no on your ballot.

# Measure 42 Arguments

(This information furnished by Clark Sitzes, Professional Insurance Agents of Oregon/Idaho.)

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## Argument in Opposition

### Serial Signature Gatherer Bill Sizemore Wants to Raise Insurance Rates.

Here's what you should know about the man behind Measure 42...

"This week's winners and losers from Oregon  
LOSER: Bill Sizemore is back in politics. He's a delightful guy to chat with, **but you don't want him messing around with ballot measures.** Despite his ethical and legal baggage, he has managed to qualify an insurance proposal for the November ballot."

*Statesman Journal* (Salem) – Friday, July 21, 2006

"Sizemore re-emerges: **Conservative-initiative activist Bill Sizemore resurfaced with an insurance initiative despite a court injunction barring him from spending money from political committees until he pays a \$3.5 million penalty for racketeering in past initiative drives.** Sizemore navigated around the injunction by routing all the money for his initiative via a signature-gathering company controlled by a close associate, Tim Trickey. The two already have jointly submitted 10 initiative petitions for the 2008 cycle."

*Statesman Journal* (Salem) – Monday, July 31, 2006

"A report filed by conservative Bill Sizemore showed that only a tiny bit of the money for his insurance initiative passed through his hands. Instead, he reported that the money was funneled through Democracy Direct Inc., a company that works closely with him. **Sizemore lost a racketeering lawsuit stemming from his past initiative campaigns and is barred by a court injunction from dispensing money from political committees** until he pays a \$3.5 million judgment, including attorney fees."

*Statesman Journal* (Salem) – Tuesday, July 25, 2006

"Four years ago, **Sizemore was hit with a \$2.5 million judgment after a jury found his organizations had engaged in racketeering that resulted in forged signatures and false financial statements** that allowed two anti-union initiatives to be placed on the November 2000 ballot. A 2003 court injunction stemming from the racketeering lawsuit prohibited him from raising or spending money for political purposes."

Associated Press – Monday, July 17, 2006

**Join Oregonians Against Insurance Rate Increases**

**VOTE NO on Measure 42.**

[www.Stop42.com](http://www.Stop42.com)

(This information furnished by Pat McCormick, Oregonians Against Insurance Rate Increases.)

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## Argument in Opposition

### NATIONAL FEDERATION OF INDEPENDENT BUSINESS The Voice of Small Business

#### Measure 42 is Bad for Small Businesses, Their Employees and Oregon's Economy

The National Federation of Independent Business, NFIB/Oregon, is the state's premier small business organization. NFIB opposes Measure 42 because it would force well-run businesses in Oregon to subsidize the insurance costs of their competitors that are not well managed.

#### Measure 42 Would Force Most Business to Pay More for Insurance

Sixty to seventy percent of Oregonians and most Oregon businesses currently pay lower rates as a result of insurance companies using credit history to calculate rates. If measure 42 passes, and insurance companies can no longer consider credit history, all lines of commercial insurance will be adversely impacted including commercial property, premises liability, products liability, professional liability, automobile, workers compensation, inland marine, ocean marine and umbrella insurance.

For the small, family-owned businesses NFIB-Oregon represents, the insurance cost increases can be staggering. Small businesses work on tight margins and cannot tolerate across the board rate hikes. In the end, most businesses will be forced to pass these increased costs on to consumers or cut their incomes.

On top of that, small business owners and their employees may also be forced to pay more for their personal insurance to protect their automobiles and homes.

#### Current Law Protects Consumers

NFIB is active in state politics and monitored the work during the 2003 legislative session when the state legislature crafted one of the nation's toughest laws concerning the use of credit information. The carefully constructed law protects consumers. It prohibits insurance companies from raising rates or dropping current customers based on credit. It only permits insurance companies to consider credit information when a person first applies for insurance, and not again unless requested by the consumer.

Please join NFIB-Oregon in opposing Measure 42.

(This information furnished by J.L. Wilson, National Federation of Independent Business/Oregon.)

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## Argument in Opposition

### Oregon's Family Farmers and Foresters Urge a NO Vote on Measure 42

Family farmers and foresters represented by Oregonians for Food and Shelter have serious concerns about Measure 42. It may sound appealing at first, but upon further review you'll see that it will cost Oregon families and businesses more money for insurance.

Ballot Measure 42 is a blanket ban on the use of credit information in setting insurance rates. It poses as a fix for a problem that doesn't even exist in Oregon. Oregon consumer protection laws already are among the most restrictive in the nation on the use of credit information in setting personal insurance rates.

# Measure 42 Arguments

Today, 60-70 percent of Oregonians pay lower rates because their insurance company considers their good credit in calculating rates. But if Measure 42 passes, people with good credit would be forced to subsidize individuals with bad credit. Oregon farmers and foresters should not have to pay more for their family's auto and homeowners insurance so people with bad credit can pay less.

And if making personal insurance more costly wasn't bad enough, Measure 42 is so poorly drafted that it also would raise commercial insurance rates on Oregon farms. In fact, it would increase insurance costs for most Oregon businesses, and those costs would have to be passed on to their customers in higher prices.

Measure 42 will end up costing most Oregonians – including Oregon's family farmers and foresters – more for insurance. The only ones who might benefit are the people and businesses most likely to be filing insurance claims. That's not fair to those who have worked hard to establish good credit and stable, well-run businesses.

## **The farmers and foresters of Oregonians for Food and Shelter urge you to vote NO on Measure 42.**

**Don't let it raise your insurance rates – or ours.**

*(This information furnished by Terry Witt, Oregonians for Food and Shelter.)*

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## **Argument in Opposition**

### **Small Business Owners Oppose Measure 42**

The Oregon Small Business Coalition urges you to vote no on Measure 42. Oregon's small business owners have first hand knowledge of how hard it is to run a business in Oregon, provide a good salary and benefits to employees and provide for their families.

The problem with Measure 42 is that it is going to significantly increase insurance costs for most Oregon businesses. Not only will small business owners be forced to pay more for commercial lines of insurance, but they will also be on the hook for an increase in their personal auto insurance and homeowners insurance.

And why? Because these hard working business owners meet their financial obligations? Because they pay their bills on time?

That's not fair!

But that is exactly what is going to happen if Measure 42 passes. Sixty to 70 percent of hard working, responsible Oregonians will be forced to subsidize individuals who have a track record of poor management and financial irresponsibility.

Right now most businesses enjoy lower rates because insurance companies know they are responsible by virtue of their good credit. If measure 42 passes this is what will happen:

Businesses owners will pay more for my homeowners insurance

Businesses owners will pay more for their auto insurance, both at home and at my business

Businesses owners will pay more for my commercial property insurance, more for my premises liability and products liability insurance

Businesses owners will pay more for workers' compensation, more for professional liability insurance

Employees will have to pay more for the home and auto insurance and their paychecks won't stretch as far...

What does this all add up to? A No Vote on Measure 42.

**Please join the Oregon Small Business Coalition in Voting No on measure 42.**

**It doesn't add up.**

*(This information furnished by J.L. Wilson, Oregon Small Business Coalition.)*

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## **Argument in Opposition**

### **Associated General Contractors (AGC) Opposes Measure 42**

A significant cost of doing business in Oregon is paying for insurance. This is particularly true in the construction industry, which has endured skyrocketing construction liability rates in recent years. Oregon's construction industry, and Oregon consumers, can ill afford a new law that would increase their insurance premiums. That's why all Oregonians should vote no on measure 42.

By banning the use of credit history in calculating insurance rates, Measure 42 will increase the cost of insurance for most Oregon businesses that currently benefit from the practice. Oregon contractors work on tight margins and cannot endure a construction liability increase or a workers' compensation increase, let alone an adverse impact on all other lines of commercial insurance such as commercial property insurance, premises liability, products liability insurance and professional liability insurance.

Ultimately, these costs will be passed on to consumers and taxpayers who pay for the highways, roads, bridges and buildings AGC members construct.

Not only will Measure 42 increase rates for most businesses, but banning the use of credit information also will force well-run businesses to subsidize the insurance costs of poorly managed competitors. The result would put well-run businesses at a competitive disadvantage.

The good contractors at AGC simply cannot endure a new law that would hurt the availability and affordability of insurance in Oregon. Neither can Oregonians.

Please vote no on Measure 42.

*(This information furnished by Craig Honeyman, Associated General Contractors Oregon-Columbia Chapter.)*

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## **Argument in Opposition**

### **Oregon Restaurants Ask You To Vote NO on Measure 42**

Oregon's restaurants work on tight margins so they can pay their employees a living wage and keep their prices affordable for customers.

That's why Measure 42 makes absolutely no sense for Oregon businesses and consumers.

If Measure 42 passes, it will increase insurance costs for most businesses in Oregon and these costs will be passed on to their customers. Measure 42 will adversely impact all lines of commercial insurance from workers' compensation rates to liability insurance. For many businesses these increase costs will add up to a very large price tag.

# Measure 42 Arguments

By prohibiting insurance companies from considering credit information in determining rates, Measure 42 would force well-run businesses to subsidize the insurance costs of their poorly-managed competitors. Well-managed operations should not be placed in a position of propping up their competitors that cut corners or are irresponsible with their credit.

Businesses that consistently make late payments are much more likely to place Oregonians at risk and, as a result, are much more likely to file an insurance claim. It is these irresponsible companies that should have to pay more, not well-managed businesses led by hard-working Oregonians.

Measure 42 is bad for business, bad for consumers and bad for Oregon.

**Please join the Oregon Restaurant Association in Voting No on Measure 42.**

*(This information furnished by Bill Perry, Oregon Restaurant Association.)*

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## Argument in Opposition

### Associated Oregon Loggers (AOL)

#### Associated Oregon Loggers (AOL) opposes Measure 42.

##### Measure 42 Raises Loggers Insurance Rates

Measure 42 would increase insurance costs for most Oregon loggers and increased costs are the last thing we need. The measure will force well-run Oregon businesses, of all kinds, to subsidize the insurance costs of their competitors that are not well managed. Measure 42 adversely impacts all lines of commercial insurance and will increase the relative cost of doing business in Oregon.

For the small, family-owned logging businesses AOL represents, insurance costs can be quite substantial. For labor-intensive, high-risk logging operations, workers' compensation costs can be among the highest in the state. Small logging businesses work on tight margins and cannot afford to endure a workers' compensation increase, let alone an increase in all other lines of commercial insurance such as commercial property insurance, premises liability, products liability insurance and professional liability insurance.

##### Measure 42 will negatively impact rural Oregon

AOL members provide well-paying jobs in rural regions of the state where there are often few family wage jobs. These communities simply cannot afford the loss of additional employment opportunities that could result from passage of Measure 42.

##### Measure 42 is Unnecessary

Numerous studies show clearly that companies that are not financially well-managed file more insurance claims. Without being able to consider a company's credit worthiness, insurance companies will be forced to lump all customers together, lowering costs for those with poor credit and increasing costs for most customers who have earned a positive credit history.

Please join Associated Oregon Loggers in voting No on Measure 42.

*(This information furnished by Jim Geisinger, Executive Vice President, Associated Oregon Loggers, Inc.)*

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## Argument in Opposition

### Oregon Metals Industry Council—Oregon Businesses Don't Like Measure 42.

The Oregon Metals Industry Council (OMIC) opposes Measure 42, the ballot measure that would increase the cost of insurance for businesses and their employees.

If Measure 42 passes, insurance costs for most businesses in Oregon will increase. This is particularly true for the manufacturing industry, a labor-intensive, technology-based, high-risk industry. Measure 42 adversely impacts all lines of commercial insurance and will increase the relative cost of doing business in Oregon. The measure would force well-run businesses to subsidize the insurance costs of their competitors that are not well managed. This effectively places well-managed companies at a competitive disadvantage and runs contrary to building a healthy economy.

In addition to raising insurance rates for Oregon businesses, Measure 42 also would adversely impact Oregonians in their personal lives. **Sixty to seventy percent of Oregonians will pay higher rates for homeowners and auto insurance if this costly measure passes.** Because Measure 42 would ban credit, it will result in most Oregonians paying more for insurance.

OMIC member companies employ thousands of hard-working Oregonians for a variety of family-wage jobs in the manufacturing and metals industry. OMIC wants to ensure their employees paychecks are not wasted by having to pay significantly more for their auto and homeowners insurance.

What's even worse is that Measure 42 would increase rates for most Oregonians without providing any benefit in return. That's because Measure 42 is unnecessary. Oregon consumer protection laws are already among the strictest in the country on the use of credit information in setting rates. Oregon laws already prohibit insurance companies from using credit history to raise rates or drop existing customers. In addition, they only allow insurers to use credit information when people first apply for insurance and not again, unless requested by the consumer.

Please join the Oregon Metals Industry Council in voting no on Measure 42, the ill-conceived measure that raises insurance rates.

*(This information furnished by Mark Nelson, Executive Director, Oregon Metals Industry Council.)*

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## Argument in Opposition

### Taxpayers Beware: Vote NO on Measure 42

There's a measure on this year's ballot that at first looks good, but once you read between the lines, I think you'll agree that Measure 42 is a costly measure that doesn't benefit Oregon taxpayers.

Measure 42 would prohibit insurance companies from considering credit information in determining rates and premiums for insurance. If Measure 42 passes, personal insurance rates will go up for the 60 to 70 percent of responsible Oregonians with good credit.

But the bad news for taxpayers doesn't stop there. The ambiguously drafted measure also would apply to commercial insurance. This would make Oregon the only state in the nation that prevents insurance companies from reviewing a business' financial responsibility when setting rates for virtually all lines of commercial insurance.

# Measure 42 Arguments

For businesses, Measure 42 would create a cost-shift. Today, most businesses benefit from the consideration of a company's credit information in setting insurance rates. But Measure 42 would force responsible businesses and their owners to subsidize less responsible, businesses that cut corners. These increase costs will be passed along to consumers in the form of higher prices.

Measure 42 affects personal insurance the same way. Oregonians with good credit histories would subsidize those with poor credit.

That's not fair to Oregon taxpayers.

**Please join Oregon FreedomWorks in Voting NO on Measure 42.**

*(This information furnished by Russ Walker, Oregon FreedomWorks.)*

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## Argument in Opposition

### Associated Oregon Industries

The Associated Oregon Industries is Oregon's largest business organization representing more than 20,000 businesses, large and small, throughout the state. As representatives of Oregon businesses and their employees, we urge you to vote no on Measure 42.

### Measure 42 Raises Insurance Rates for Oregon Businesses

Measure 42 would raise insurance rates from most Oregon business.

Not only would it raise auto insurance rates, but also other lines of insurance purchased by Oregon businesses including commercial property insurance, premises liability and products liability insurance workers' compensation and professional liability insurance.

Individually this can be a major cost increase. When added together, this is a major hit on many businesses bottom line. Businesses will be forced to pass this added expense on to consumers, making the price of goods and services you buy more expensive.

Once more, the auto and homeowners insurance of small business owners and their employees will also see a rate hike in most instances. That means less money to go around for their families on top of all the increased business costs.

### Measure 42 is bad for Oregon's Business Environment

Oregon competes for family wage jobs, not only with other states, but with the entire world. It is critical for Oregon's economy that our laws protect workers and provide for a positive business environment. Already, Oregon businesses are facing significant insurance cost increases. Businesses cannot sustain these costs over time, and either pass the cost on to consumers or move to a state or nation with more favorable laws. Businesses looking to relocate or expand also will be put off by higher than average insurance costs.

### Measure 42's Impact on Personal Insurance also is Bad for Business

Many of Oregon's small businesses are impacted more by personal insurance than commercial insurance. For 60 to 70 percent of Oregonians, Measure 42 will mean an increase in insurance rates.

**Please join Oregon businesses and employees in voting no on Measure 42**

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

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## Argument in Opposition

### Measure 42 is Unnecessary and Will Cost Most Oregonians More for Insurance

When credit was introduced as a factor in qualifying and rating insurance consumers, some agents were skeptical. However, Oregon adopted a consumer protection statute in 2003 which addresses the use of credit by insurers. It is among the most restrictive in the country. Measure 42 would wipe out all these protections and instead ban any consideration of credit information all together. This is too extreme and would result in most consumers paying more for their insurance. The existing law has been a responding success. Before it was enacted, there were more than 100 complaints per year. This year, there have only been three.

Agents have been able to see how the use of credit can benefit new customers seeking auto or homeowners insurance. It allows insurance companies to evaluate risk. Independent studies have concluded that an individual's credit history is a strong predictor of how likely it is they will file an auto or homeowner's claim. A majority of Oregonians who currently enjoy lower rates because of their good credit will end up paying more to subsidize those who have been less responsible with their finances

The existing law prohibits insurance companies from using credit history to raise rates or drop existing customers. Insurers are only allowed to use credit information once – when people first apply for insurance – and not again unless requested by the consumer. The law also prohibits the use of credit to increase premiums for existing policyholders and prohibits insurers from using credit records to cancel or not renew existing policyholders. It also stipulates that insurers must rely on other relevant factors such as your driving record and claims history. Insurers may not consider the fact that an individual does not have a credit history. Nor can they consider an individual's total line of credit.

Please join me in voting no on Measure 42.

*(This information furnished by John Munro, Independent Insurance Agents & Brokers of Oregon.)*

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# Measure 43

Proposed by initiative petition to be voted on at the General Election, November 7, 2006. The information in the shaded area below will appear on your ballot.

## Ballot Title

# 43

### **REQUIRES 48-HOUR NOTICE TO UNEMANCIPATED MINOR'S PARENT BEFORE PROVIDING ABORTION; AUTHORIZES LAWSUITS, PHYSICIAN DISCIPLINE**

**RESULT OF "YES" VOTE:** "Yes" vote requires abortion provider to give 48-hour written notice to unemancipated minor's parent, with certain exceptions. Authorizes administrative discipline for physicians, parental lawsuits.

**RESULT OF "NO" VOTE:** "No" vote retains current law allowing medical provider to provide minor 15 or older medical treatment, abortion, without parental notification; younger minors require parental consent.

**SUMMARY:** Current law provides that minor 15 years or older may consent to and obtain medical treatment, including abortion, without parent notification; physician may notify parent without minor's consent. Minors 14 years or younger must obtain parental consent before treatment. Measure requires that provider notify unemancipated minor's parent 48 hours before performing abortion. Notification means written notice to parent by certified mail at parent's residence. Exceptions to notice requirement for documented medical emergencies, which do not include rape or incest. Unemancipated minor may apply for administrative hearing requesting abortion without notice to parent. Hearing shall be confidential, open only to minor, counsel, witnesses, judge. Failure to notify parent may subject provider to civil liability to parent; physicians face administrative sanctions, license suspension, or revocation. Other provisions.

**ESTIMATE OF FINANCIAL IMPACT:** This measure will require annual state budget expenditures of \$112,238.

This measure has no financial effect on state government revenues.

This measure has no direct financial effect on local government revenue or expenditures.

## Text of Measure

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

SECTION 1. Sections 2 to 10 of this Act are added to ORS Chapter 677 and may be cited as the Parental Involvement and Support Act.

SECTION 2. { + As used in sections 1 to 8 of this 2005 Act:

(1) 'Abortion' means the use of a drug or device to intentionally terminate a pregnancy other than to produce a live birth or remove a dead unborn child.

(2) 'Medical emergency' means a medical condition that places the health of a pregnant woman in such serious jeopardy that failure to terminate the pregnancy or a delay in terminating the pregnancy would result in the death of the woman, serious impairment to bodily function or serious and permanent lack of function of any bodily organ or part.

(3) 'Minor' has the meaning given that term in ORS 125.005.

(4) 'Parent' means:

(a) A biological parent;

(b) If a minor has been adopted, an adoptive parent; or

(c) If a court has appointed a guardian for a minor, the guardian.

(5) 'Ward' means a minor for whom a court has appointed a guardian under ORS chapter 125. + }

SECTION 3. { + (1) A person may not perform an abortion on an unemancipated minor or a ward until 48 hours after the parent receives written notice from the person of the proposed abortion by certified mail, return receipt requested, at the residence of the parent, with delivery restricted to the parent.

(2) Receipt of notice under subsection (1) of this section is deemed to occur not later than 12 noon on the second mail delivery day after the mailing of the notice. + }

SECTION 4. { + (1) A person may perform an abortion on an unemancipated minor or a ward without the notice required by section 3 of this 2005 Act if:

(a) Due to a medical emergency, notification is not possible and the person performing the abortion documents the medical emergency in the minor's or ward's medical record;

(b) The Department of Human Services under section 6 of this 2005 Act or a court on review of an order by the department under section 7 of this 2005 Act authorizes the abortion; or

(c) The person who is to perform the abortion provides actual notice to the parent in person.

(2) A parent receiving notice under subsection (1)(c) of this section must provide the person providing notice with:

(a) Current photographic identification issued by this state; or

(b) A document on List A of United States Department of Justice Form I9.

(3) The person who performs the abortion for which the person provided notice under subsection (1)(c) of this section shall retain a copy of the proof of identification furnished by the parent in the medical record of the minor or ward for at least three years. + }

SECTION 5. { + (1)(a) Within three days after receiving an application of a pregnant minor or ward for an abortion without notice to a parent, the Department of Human Services shall request assignment of an administrative law judge from the Office of Administrative Hearings to consider the application.

(b) On behalf of the department, the administrative law judge shall issue a final order authorizing the abortion if the administrative law judge determines that:

(A) The applicant is mature and capable of giving informed consent to the abortion; or

(B) Obtaining an abortion without the notice required by section 3 of this 2005 Act is in the best interest of the applicant.

(2) The administrative law judge shall issue an order denying or granting the application under this section within seven calendar days after the office receives the application from the department.

(3) The department may not modify the form of order issued under this section or a finding of historical fact by the administrative law judge.

(4) ORS 183.630 does not apply to a hearing under this section.

(5) The chief administrative law judge of the Office of Administrative Hearings shall adopt rules for the conduct of hearings under this section. + }

SECTION 6. { + (1) A hearing under section 5 of this 2005 Act shall be held in private, and the administrative law judge shall exclude all persons other than the minor or ward, the counsel of the minor or ward, witnesses and representatives of the

# Measure 43

administrative law judge.

(2) Communications in a hearing held under section 5 of this 2005 Act are confidential. An individual participating in a hearing held under section 5 of this 2005 Act may not be examined about the communications in any civil or criminal action. Exceptions to testimonial privilege otherwise applicable under ORS 40.225 to 40.295 do not apply to communications made confidential under this subsection.

(3) Records of a hearing under section 5 of this 2005 Act are not open to public inspection and exempt from disclosure under ORS Chapter 192. The administrative law judge may disclose the records only to:

- (a) The minor or ward;
- (b) Counsel for the minor or ward; and
- (c) Representatives of the administrative law judge. + }

SECTION 7. { + (1) If an administrative law judge issues an order denying an application under section 5 of this 2005 Act, the applicant may petition for judicial review of the order under ORS 183.484.

(2) On review of an order issued under section 5 of this 2005 Act, the court shall preserve the anonymity of the applicant, and the applicant is entitled to proceed under a pseudonym.

(3)(a) The court shall give precedence to proceedings under this section over all other matters on the court's docket.

(b)(A) The court shall issue the decision on review not later than 5 p.m. on the second business day after the filing of the petition for judicial review.

(B) Upon the request of the applicant, the court may extend the time for decision. If the court extends the time for decision, the court shall issue the decision not later than 5 p.m. on the second business day after the applicant informs the court that the applicant is prepared to proceed.

(4) If the court fails to issue the decision on review within the time specified in subsection (3) of this section:

- (a) The application is deemed granted; and
- (b) The clerk of the court shall issue a written statement to the applicant stating that the application is granted.

(5) In a decision under this section, the court shall make special findings of fact based upon the evidence in the record and conclusions of law. + }

SECTION 8. { + (1) The failure of a person performing an abortion on an unemancipated minor or a ward to comply with section 3 of this 2005 Act:

(a) Gives rise to civil liability for all damages in favor of a parent of the minor or ward; and

(b) Provides the Board of Medical Examiners a basis for refusing to grant, or suspend, or revoke a license to practice under ORS 677.190.

(2) Subsection (1) of this section does not apply if the person performing the abortion on the unemancipated minor or ward establishes that the person reasonably relied upon the representations of the minor or ward regarding information necessary to comply with section 3 of this 2005 Act.

(3) The Department of Human Services, the Office of Administrative Hearings and the administrative law judge are immune from civil liability for actions taken in the course of a hearing under section 5 of this 2005 Act. + }

SECTION 9. { + On January 15 of each year, the chief administrative law judge shall make available to the public a report of the number of applications made and granted under section 5 of this 2005 Act. + }

SECTION 10. { + 11 (1) If any portion or portions of this act are declared invalid by a court of competent jurisdiction, the remaining portions of this act shall remain in full force and effect.

(2) This act shall be construed to be consistent with the Constitution of the United States to the greatest extent possible. If any application of this section is found to be unconstitutional, remaining applications shall remain in force and effect+ }

## Explanatory Statement

Ballot Measure 43 requires that when an unemancipated minor 15 years and older seeks an abortion, the medical provider must first give written notice to a parent of the minor, by certified mail, at least 48 hours prior to providing the abortion.

Current law allows a minor 15 years and older to consent to and receive medical treatment, including abortion, without parental notification. For minors 14 years and younger, parental consent is already required. Current law also allows a medical provider to inform the parent of medical treatment provided to a minor, 15 years and older, without the minor's consent.

Ballot Measure 43 allows for an exception to the notice requirement 1) if the parent or guardian is given notice in person, or 2) in the event of a medical emergency which is documented in the minor's medical file, or 3) if the minor obtains authorization from the Department of Human Services or a court.

A hearing on a request by the unemancipated minor 15 years and older is confidential and may be attended only by the minor, counsel for the minor, witnesses and the administrative law judge. The measure also provides for expedited judicial review by a trial court of an order denying the application considered at the hearing.

Consequence for failure to notify a parent as required by the measure may subject the medical provider performing an abortion on an unemancipated minor 15 years and older to 1) civil liability to the parent of the minor and 2) may subject a medical provider to suspension, revocation or denial of license by the Board of Medical Examiners for the State of Oregon.

### Committee Members:

Gayle Atteberry  
Representative Andy Olson  
Maura Roche  
Mark Wiener  
Justice Edwin Peterson

### 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 43 Arguments

## Argument in Favor

### "I WAS LEFT ALL ALONE"

My name is Felicia and I want to share my story with you, in support of Measure 43.

I found myself pregnant at 15 years old. I ran to my boyfriend for support; I thought this was the man I was going to marry. However, he pressured me into having an abortion and said that neither of our parents ever had to know. At the clinic, I was never told what was going to happen or what to expect afterwards, and in the end I WAS ALL ALONE.

I went to the abortion clinic with my boyfriend for a consultation and walked out with an abortion. This was the first time I had been in a medical setting without my mother by my side so I was intimidated, nervous and confused. A woman took us back to a room and gave me two tablets of Valium to calm me. After she left, I followed to get water, but when I turned the knob, it was locked. Because of the drugs, she had to guide my hand as I signed the medical release papers. Then she and my boyfriend helped me walk down the hallway to the operating room.

**I know now at 20 years old, I should have involved my parents, but I was 15 and scared. I didn't fear abuse; I was scared of their disappointment. I wish that I would have told my parents I was pregnant, rather than running to my boyfriend and some strangers at an abortion clinic.**

Even after finding out about my secret abortion, my parents were still there with open arms helping me through the depression and suicidal thoughts that occurred after. **MY BOYFRIEND LEFT ME, BUT MY PARENTS STAYED.** Please don't let intimidation and fear of disappointment force girls into isolation. Vote Yes on Measure 43.

Felicia Bautista  
Had Abortion at 15 years old  
Chief Petitioner of Ballot Measure 43

*(This information furnished by Felicia Bautista.)*

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

### "The clinic told her, if she waited a few weeks to have the abortion she wouldn't have to tell me."

I have received phone calls through the years from anguished mothers who have discovered their teen daughter's secret abortion. The parents were now dealing with the aftermath of an abortion they had known nothing about. **"What can be done?" is always the desperate question, followed by the same answer: nothing – no law says a parent has to know.** The mothers, each familiar with signing forms so their daughters could go on field trips or have their ears pierced, etc., are outraged.

Women have testified at state legislative hearings supporting parental notification bills. "Just before my daughter turned fifteen she [went] to the school health clinic where they told her she was pregnant," testified LaVelda. "... the school had called me to ask for permission to give my daughter antibiotics for a bronchial infection. During that same visit, they told her she was pregnant, but they said nothing to me about her pregnancy. [The abortion clinic] told her that if she waited until her fifteenth birthday, she could have an abortion and her parents would not have to be told. So she waited a few weeks and she and her boyfriend went to the center where she had an abortion."

Becky testified why she had her secret abortion: "I didn't want to disappoint them. I didn't want to bring shame on my family." Her boyfriend told her to "get rid of the kid," and then **"... from that day on, my life was anything but normal... I became a young girl who drank, smoked, did drugs and was sexually promiscuous."**

Pressured by boyfriends, and aided by adults who do not know them, GOOD KIDS of GOOD PARENTS are experiencing these scenarios throughout Oregon. Please protect our teen daughters... vote YES on Measure 43.

Gayle Atteberry  
Director of Oregon Right to Life

*(This information furnished by Gayle Atteberry, Oregon Right to Life.)*

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## Argument in Favor

### MY DAUGHTER was taken advantage of....

Dear Oregonians,

My name is Brenda Cochran. My daughter Felicia had an abortion when she was only 15 years old by an abortion provider in downtown Portland.

#### We are Chief Petitioners

I am writing today in support of my daughter. This campaign is something that she wanted to participate in. I love my daughter and will always be here for her through all her decisions. Just as I support her today, given the opportunity, I would have been able to be there to care for her when she discovered she was pregnant. But an unregulated process stole that opportunity from me.

#### Pressured by her Boyfriend

I was shocked and devastated when I found out that my daughter had gone through the experience of an abortion all by herself - **and she was so young!** But, her boyfriend had pressured her to keep it a secret from the people who loved her the most.

#### Whisked out of School

I couldn't believe that she could be whisked out of school to have an abortion, without me ever knowing she was not where she was supposed to be. When just months later, I was signing numerous health forms just to run a simple test on my daughter, I was even more shocked that my health insurance had been billed for the procedure, without any notice to a parent! **She could have died and I would never have known why!!!**

Please help protect Oregon's girls. **Please, please, don't let another scared and lonely 15 year old go through what my daughter went through.** Give other Oregon parents a chance to support her through the emotional consequences that often occur after an abortion. Parents have the right to give their daughters the unconditional support that only a parent can give. Vote Yes on Measure 43.

Brenda Cochran  
Mother of Teen Daughter who had Secret Abortion  
Chief Petitioner of Ballot Measure 43

*(This information furnished by Brenda Cochran.)*

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# Measure 43 Arguments

## Argument in Favor

### Vote Yes on Measure 43 to Protect Our Teen Daughters

#### 44 OTHER STATES HAVE PARENTAL NOTIFICATION LAWS

The Committee to Protect Our Teen Daughters realizes that current law in Oregon allows many teen girls to remain trapped in abusive situations and deprives many of them of the love and support of their parents during a difficult time. Other states know that Parental Notification laws protect young girls! Oregon is one of only six states that do NOT have any Parental Notification laws on the books.

#### STATUTORY RAPE

Parental Notification combined with the notification bypass, for those not in an ideal family situation, is a way of truly helping ALL victimized girls. According to the 2004 *Oregon Vital Statistics*, in 29% of underage pregnancies the father was 20 years old or older. With a Parental Notification law these cases of statutory rape can be brought to the attention of parents so victims can get the help they need.

#### A SIMPLE BYPASS

The law includes a simple and easy-to-navigate bypass that has worked in all the other states to protect those girls who are concerned about parental abuse and bring both sexual predators and physical abusers to justice. Therefore, in cases of incest and rape, the bypass clause allows abusers who are secretly victimizing girls to be exposed. Nothing can be more cruel than to hide the crime by providing a victim with a secret abortion and then sending her back into the same situation to be victimized again.

#### HELP VICTIMIZED GIRLS

Oregon law already recognizes the fact that up until age 18, parental involvement is expected and necessary to protect our youth. Why should abortion be the only exception to the rule? **Let's not abandon teenage girls in their time of need.** We urge you to Vote Yes on Measure 43.

The Committee to Protect Our Teen Daughters

*(This information furnished by Sarah Nashif, Protect Our Teen Daughters.)*

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## Argument in Favor

**"We don't tell our parents because we are terrified to admit we messed up."**

Dear Parents,

As a teenage girl, I understand that girls are afraid to tell their parents of their pregnancies, and too many girls have abortions because they feel they don't have any other choice. Please understand, we don't want to tell parents when we wreck the car or get lousy grades, let alone when we find ourselves pregnant. Not because we are afraid of abuse, but because we're terrified to admit we messed up.

It seems easy to consider abortion--- a way to cover mistakes, hide from shame, and hope that no one will ever find out. But the emotional and physical consequences can be great.

Picture your daughter, granddaughter, or your niece, sitting in solitude in a corner of an abortion facility, **afraid to ask for help.** How many of you are willing to take away responsibility from the parents by allowing these practices to continue in secret?

Furthermore, voting no on Measure 43 would NOT protect girls who are victims of abuse by their fathers, uncles, brothers,

or boyfriends. It protects the one who raped her by letting the abortion be done in secret. She will go in alone for the procedure, or be taken by her abuser. She will be abused again, because she is afraid to speak out. **And when she has the abortion, it comes from fear, not choice.** A simple to navigate bypass in Measure 43 will allow these victims to get the help they need.

The current system breaks down families, **by perpetuating the lie that someone else will care better for your daughter than you can. Parental notification gives girls options. It opens communication lines between parents and girls who desperately want to talk to someone, but are shamed, and don't know what to say.**

Jessica Rodgers  
Oregon Teenager

*(This information furnished by Jessica Rodgers.)*

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## Argument in Favor

### THE BIBLE SAYS

God created Adam "and breathed into his nostrils the **breath of life**, and man became a **living soul**" (Genesis 2:7).

God says, "I will cause **breath** to enter into you, and ye shall **live**" (Ezekiel 37:5).

"The **breath** of the Almighty hath given me **life**" (Job 33:4).

### LIFE IS SACRED!

Throughout the Bible, the presence of **soul** in the body coincides with **breath** (Isaiah 42:5; Ezekiel 37:5; Job 12:10; Job 27:3). "He giveth to all **life**, and **breath**" (Acts 17:25).

### THE SOUL ENTERS THE BODY AT BIRTH WITH BABY'S FIRST BREATH.

And when "thou takest away their **breath**, they **die**" (Psalms 104:29). At death, God will "gather unto himself [mankind's] **spirit** and his **breath**" (Job 34:14).

Everywhere the Bible is clear that **the soul enters the body at birth**, coinciding with **breath**.

### And nowhere does the Bible condemn abortion!

**Life is sacred.** But obviously a baby is not a distinct entity separate from its mother until it is born--when God gives it the **breath of life** and it becomes a **living soul**.

**Abortion does not "kill" a soul**--religious guilt-tripping notwithstanding. And even if the soul did enter the body before birth and breath, what kind of God would let "pre-born" souls be "killed" and not give them another chance at life? The "pro-lifers" have a really sick theology!

But the soulless fetus resembles a human! **Well, so does a corpse.** Actually, in its early developmental stages, the fetus resembles a **fish** and then a **mammal**. There's a car tunnel with exhaust markings that resemble the **Virgin Mary**. Do **resemblances** have souls? Shall we worship images? **Idols** of ourselves!

This argument began **in favor**, but having examined the biblical evidence, now we're forced to come to this conclusion:

### RESPECT THE BIBLE!

**And protect our teen daughters from fundamentalist stupidity!**

### VOTE NO ON 43!

# Measure 43 Arguments

(This information furnished by M. Dennis Moore, Special Righteousness Committee.)

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## Argument in Favor

### LIFE IS SACRED!

At the moment of fertilization, cells begin to divide and multiply. Every cell contains our DNA-- three billion pieces of genetic information. Every cell is sacred!

The 80 trillion cells in our body are dividing and multiplying all the time. And tragically, some cells die and are replaced. Why, God kills off several hundred billion of your red blood cells every day! But "Thou shalt not kill." Only God may kill your cells.

Every cell is sacred--sperm, egg, embryo, fetus, heart, hair, fingernail. Jesus said, "Even the hairs of your head are all numbered" (Matthew 10:30). Every cell is God's holy creation.

Although the Bible clearly indicates that **the cells of the fetus have no soul** separate from its mother (see previous argument), abortion nonetheless murders precious living cells.

According to Leviticus, a **menstruating** woman is **unclean**. She has wasted an unborn egg that could become a human life. The law should required **parental notification of impending unborn uncleanness**.

Every act of masturbation kills up to 500 million unborn lives. **Every sperm is sacred!** Just like abortion, masturbation murders soulless cells. **There should be parental notification prior to masturbation.**

According to the Bible, **beard shaving** (Leviticus 19:27) is every bit as immoral as **homosexuality!** Just like abortion scrapes away life in the uterus, shaving violently scrapes away and **murders** millions of living skin cells. Barbershops should be required to give **parental notification before committing shaving sin.**

Did you know that slaughtering a **sacred appendix** causes it to feel **pain?**

The Bible says that children who fail to honor their parents should be **stoned to death** (Exodus 21:17). Implementing biblical law as Oregon public policy could effectively eliminate teenage abortion, appendectomy, shaving, and **sperm-murder.**

Every cell is sacred. Every cell--from soulless fetus to fingernail--is a precious life that must not be killed.

### VOTE YES TO STOP THE SLAUGHTER OF THE HOLY HANGNAILS!

(This information furnished by M. Dennis Moore, Traditional Prejudices Coalition.)

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## Argument in Favor

### MORALITY SHOULD BE PUBLIC POLICY

My friends, common sense dictates that morality should be **enforced** by legislation. But not just anybody's "morality." **Our religion is right, and our morality is the only morality.** Therefore, **our beliefs** should be **law**--anti-gay, anti-abortion, anti-freedom. It is our sacred duty to **interfere** in other people's

lives. Jesus' commandment to not judge others isn't for us!

### AGREE WITH US OR BURN IN HELL!

This measure forces teenagers to bear the children of **rapists and molesters**, and a proposed 2008 initiative would ban all abortions with **no exception** to save the life of the mother! There can be no honest disagreement; **you are simply wrong!**

We've already **prohibited** religious freedom for gays to marry. And if you believe that the soul doesn't enter the body until birth (see my first argument), **we will prohibit you from practicing your religious values.**

### RELIGIOUS FREEDOM IS LIBERTY FOR IMMORALITY!

Measure 43 further develops **democratic dogma** for, essentially, the **official state religion**, another Oregon innovation:

### State beaches, the bottle bill, land-use planning, and now THE OREGON DOGMA!

Behold! **Electoral theology** prepares the way for a state god! We've got the **beaver** for a state animal. Wouldn't it be cool to elect our very own **Oregon state god?**

### VOTE YES FOR THE OREGON RELIGION!

[www.oregondogma.org](http://www.oregondogma.org)

**Postscript:** They'll scream that these arguments are "deceptive." Rather than address the issues, they'll attack the satiric "in favor" placement, proving that they have no defense against the truth of their demagoguery. **God doesn't care** what page the truth is spoken on.

**Jesus didn't mince any words** ridiculing the hypocrisy of the religious-right scribes and Pharisees of his day. And when faced with the obnoxious modern-day Pharisees, I think the **example of Jesus** is a good one to follow!

Certainly they're right to want healthy families--but this measure is sadly misguided. **Healthy families are founded on love, not legislation.**

(This information furnished by M. Dennis Moore, Traditional Prejudices Coalition.)

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## Argument in Favor

### It's time for all of us as parents to step in and correct the law.

My Fellow Parents,

My name is Grace Powers and three years ago, my daughter had an abortion just after her 17th birthday, without me knowing about it.

When our daughter suspected she might be pregnant, she visited the school nurse. She was counseled to have a pregnancy test at Planned Parenthood, where counselors advised her to have a quick abortion. They assured her that it was legal to keep it a secret from her mom and dad. **She was not a perfect child; but up until that moment, she had been honest with us about the choices she was making in high school.**

After the abortion, she began to show self-destructive behavior and she was sinking into depression, alcohol and drug abuse. The girl who was once happy, productive and energetic began slipping into a frightening place. **We didn't understand what was wrong and, therefore, didn't know how to help her.**

If we had known, she could have had proper medical care and proper follow up during her recovery period (as one would need after any surgery). **But instead, she was left to treat**

# Measure 43 Arguments

**herself.** By her own admission, the hasty decision she made alone to abort, without anyone knowing, damaged her life in more ways than one.

At 17 years old, my daughter needed my permission to have her ears pierced or to go on a school field trip, but a procedure as invasive as abortion, was kept a secret from me.

For a teenage girl to have an abortion without the wisdom of a loving parent simply does not make sense! Unfortunately, our story has been repeated far too often in the state of Oregon. Please vote yes on 43 so other parents and girls will not have to experience the heartache that we did.

Grace Powers  
Uninformed Parent of Teen Abortion

*(This information furnished by Grace Powers.)*

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## Argument in Favor

**As a physician specializing in women's health and as a parent of a 12-year-old daughter, I urge you to Vote Yes on Measure 43!**

**This is a common sense way to protect our girls' health.**

The CDC reports that 801 Oregon teenagers who were 15-17 years old had abortions in 2002. Planned Parenthood's own studies estimate that 376 of these girls never told their parents. Indeed, their studies suggest that the only "responsible adult" these teens told may have been the very sexual predator who got them pregnant!

We are all too aware of horror stories of older men preying on our children. It is our responsibility to stop these deviants who pressure young girls into serious medical procedures in order to cover up statutory rape.

Measure 43 provides a judicial bypass option for any girl whose parent may be an abuser. Parental knowledge or juvenile court intervention not only deters sexual exploitation of young girls, but in real, individual cases, it saves young girls from repeat pregnancies and the medical dangers and damage of a series of repeat abortions.

School-age girls cannot go on a field trip, but they can have abortions without their parents knowing. A deceived parent cannot help a suffering girl get prompt treatment. Ballot Measure 43 will prevent dangerous and even fatal short and long-term complications of abortions on young girls.

Girls deserve better. Secret abortions are NOT the solution! Measure 43 puts sexual predators on notice. Parents will be involved in her critical health care decisions.

**Whether pro-choice or pro-life, all of us can agree that when it comes to medical decisions, our daughters deserve our protection, care and respect.** The best way you can demonstrate your support for girls and send a clear message to sexual predators is to join all Oregonians on November 7th and vote YES to PROTECT OUR TEEN DAUGHTERS.

Pat Marmion, MD, MPH  
Diplomate, the American Boards of Obstetrics/Gynecology and Preventive Medicine

*(This information furnished by Dr. Pat Marmion.)*

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## Argument in Favor

**"I wish somebody would have helped me tell my parents."**

**One week after my 17th birthday, I had a secret abortion.** My boyfriend became violent and was getting in trouble with the law. It was during this time that I learned I was pregnant. My boyfriend urged me to get an abortion so that he would not get in trouble with his probation officer. My immature thought process was not developed enough to see that I did not have sufficient emotional capabilities to deal with a situation of this magnitude. I did not consider telling my parents because they were already disappointed in my choice to date this boy and I feared their rejection and disapproval.

**My life drastically changed after this.** I became very angry and bitter and I isolated myself from friends and family. After the abortion, I had many problems with all my relationships and had several bouts of severe depression. Years later, during my time of healing, I was able to talk to my mother about what had happened. She expressed sadness and disappointment; not at what I had done but that I had not come to her for help. She confirmed my suspicions that she loved me no matter what I did. I took away the opportunity for my parents to demonstrate how a loving family overcomes trials and hardships.

**I believe that the emotions of dealing with this type of major life trauma are too overwhelming for a young girl to cope with.** I was too young and too distraught to make any decision. My experience has taught me that NO GIRL should go through the experience of an abortion ALONE. "I wish somebody would have helped me tell my parents." Please protect the next generation of girls who are being taken advantage of **by voting YES on 43.**

Lori Curran  
Portland, Oregon  
Had an secret abortion at 17 years old

*(This information furnished by Lori Curran.)*

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## Argument in Favor

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Let's see. A 15 year old daughter needs her Mom or Dad to go with her to sign a permission slip so she can get her ears pierced.

But she can saunter to the local abortion provider and have a major medical procure done without her mom or dad even knowing about it??

Our laws say that a 15 year old girl is not mature enough to vote, drive, enter the military or get married. But she is old enough to get an abortion without so much as letting her parents know she's doing it?

People aren't a bunch of bee-bees rolling around, completely separate from each other. We are more like leaves on a tree, distinct and yet connected. Rip a leaf away from its organic connection to the tree and to the other leaves, and it dies. In a world becoming more and more radically individualistic, we think leaves should be re-tethered. Measure 43 does that in a small

# Measure 43 Arguments

yet significant way, at a very important time in a young girl's life.

There are, of course, safeguards built into this Measure. Exceptions are provided when the girl's life or health is in danger, and when parental abuse is present.

Should we vote Yes on Measure 43? **Duh!**

Are parents generally something to get around, avoid, thwart and ignore? Of course not! **Parents are a gift from God to provide wisdom on the tough decisions of life.** This Measure simply assures that these gifts of wisdom and love from God will be part of the process of these momentous decisions in a young woman's life.

Dennis Tuuri  
Executive Director  
Parents Education Association

*(This information furnished by Dennis Tuuri, Parent's Education Association PAC.)*

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## Argument in Favor

### **Parental Notification is carefully considered policy and it will work.**

As a member of the Oregon House of Representatives, I was honored to be the chief sponsor of the PARENTAL NOTIFICATION BILL. After thorough review by legislative legal experts and close scrutiny through public testimony and legislative debate, the bill was passed by the Oregon House. Its opponents then killed it for political reasons. We citizens now have the power to do what the politicians refused to do. Measure 43 is good policy and it will work. Those that tell you otherwise are just playing politics.

Oregon law enables a young girl to have an abortion without her parent's knowledge. When sexual abuse has occurred, under current law the abuser can drive his pregnant teenage victim to a clinic, pay the abortion fee, and drive her home with no one the wiser. Ballot Measure 43 will stop such sexual abuse from reoccurring, and bring the culprit to justice.

But what about the girl who, for whatever reason, cannot talk to her parents? Ballot Measure 43 provides a young and inexperienced girl immediate and private access to an independent government representative. After determining the girl understands the nature and consequences of her decision, this concerned adult has authority to give permission in place of her parents. Once again, by talking to a concerned adult, if the pregnancy was caused by sexual abuse, the girl's abuser can be brought to justice.

**My wife and I have raised eight daughters and we now have the privilege of watching our granddaughters grow up. Our hearts reach out to those parents who are left to pick up the emotional pieces of their daughter's broken hearts, without knowing the cause of her deep-rooted depression, self-doubt, and sometimes suicide.**

We need to protect young pregnant girls from continuing sexual abuse while respecting relationships between parents and their daughters.

Vote YES on Ballot Measure 43.

Dennis Richardson  
State Representative  
Father of 8 Daughters

*(This information furnished by Dennis Richardson, State Representative.)*

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## Argument in Favor

### **Ron Saxton – Parental Notification Makes Sense**

**I am supporting Measure 43 because it is common sense legislation and it is the best public policy for our children, our families and our community.**

Despite what they may tell us, teenage girls are not adults. They are children who benefit from and require the guidance of their parents – especially during difficult times and when they face difficult decisions. As parents we bear the responsibility of teaching them and guiding them through such situations.

Coming to terms with an unwanted pregnancy or the possibility of abortion undoubtedly qualifies as a situation when a teenager needs her parents. And loving parents will want to be – and deserve to be there for their child. After all, parents have legal rights and responsibilities, including a duty to ensure their child's well being and accounting for their decisions. Measure 43 ensures that they have that opportunity and that their daughters receive the love and guidance they need.

**Further, to deal with those instances when girls have abusive parents or are pregnant as a result of incest, Measure 43 has a bypass option that allows them to participate in a confidential judicial hearing where the notification requirement can be waived. Again, this is common sense.**

Will parental notice always contribute to the best decisions being made? No one can guarantee that. But it seems right to me to trust that the vast majority of parents will try to do the right thing and help guide their daughter's decision – and their daughters will benefit from their involvement.

**Indeed, if we ask that parents give their permission before school children receive an aspirin, is it reasonable to leave them in the dark when their daughter seeks an abortion? As a parent, I know I would want to be notified and that's why I support Measure 43.**

*(This information furnished by Ron Saxton, Friends of Ron Saxton.)*

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## Argument in Favor

### **That's What Families Are For**

For over 25 years, the Oregon Family Council has dedicated itself to the belief that public policy should help families, not hurt them.

Measure 43, which requires a doctor to notify a parent of a girl 15, 16 or 17 prior to an abortion, does exactly that. It ends a nonsensical loophole that allows a boyfriend or abortion-clinic employee to influence a teenage girl's decision regarding abortion rather than her parents.

**It's Too Great A Decision For A Teenage Girl to Make Alone**

Abortion is a significant medical procedure and a decision few teens are equipped to make alone. For example, most teen girls cannot adequately provide an abortion-clinic worker with vital information about her medical background or know to ask probing questions regarding the short or long-term complications of abortion. This leaves her at risk without parental involvement.

# Measure 43 Arguments

## **It's Too Great A Risk For A Teenage Girl to Make Alone**

Furthermore, an unplanned pregnancy is traumatic, especially for a young girl still in high school. Making matters worse, some teens suffer lasting emotional and psychological complications following an abortion. These can include nightmares, damaged self-esteem, relationship disorders or drug and alcohol abuse. An informed parent can watch for these or other related complications.

## **A Teenage Girl Needs Her Parent's Love and Support**

Most importantly, a situation that may appear completely overwhelming to a pregnant teenager, can become much more manageable with a parent at her side.

Facing an unplanned pregnancy is far too great a burden for a young teenage girl to face alone. It's the time when she most needs the love, support and wisdom of her parents. And it's the time when her parents, who are responsible for her health and well-being, most deserve to be involved.

### **Please, join us in voting Yes on Parental Notice Measure 43**

Young teenage girls need it.  
The parents of teen daughters deserve it.

*(This information furnished by Mike White, Oregon Family Council.)*

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## **Argument in Favor**

### **Parents have a serious responsibility to their kids**

We all recognize that parents have a serious duty and responsibility to their children. When parent's slack off, children get hurt. **But, how can they protect and care for them if information about their medical treatment is deliberately hidden from them?**

In the State of Oregon abortion providers and those to whom you entrust your children have no requirement to tell you if your minor daughter is pregnant and contemplating or is scheduled for an abortion.

This is wrong and it needs to be changed. Do not be confused by the rhetoric or the 'horror stories' about cruel and abusive parents.

This vote is simple: Do you want to be informed if your minor daughter is pregnant and contemplating abortion? It is time for concerned and conscientious parents to step in and protect their children. This is a serious duty and responsibility of parents and it should not be taken away from you without due process.

Your vote in favor of the Parental Notification Initiative is one step in the direction of reclaiming your parental rights to be involved in your child's life.

The Most Reverend Robert F. Vasa  
Bishop of Baker

*(This information furnished by The Most Reverend Robert F. Vasa, Bishop of Baker, Diocese of Baker.)*

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## **Argument in Favor**

### **Leon O. Harrington M.D.**

#### **Board Certified Child & Adolescent Psychiatrist**

As a physician with over 30 years of Psychiatry practice in Oregon, I support Measure 43 because I have personally seen the psychological affects of pregnancy on teenage girls. I see

troubled teenage girls in my practice who become pregnant for both conscious and subconscious reasons. Many become sexually active at a young age to act out against their parents in an attempt to either gain peer approval or sustain a romantic relationship in order to receive the love they may never have felt before.

### **Whatever the psychological motivation or rationalization for pregnancy is; the usual emotional response in a pregnant 15 to 17 year old is anxiety, embarrassment, fear and guilt.**

Unfortunately most adolescents of 15 to 17 years of age have not reached the stage of formal operational thinking when one is able to realize the full ramifications of one's decisions. Therefore, Parental involvement in this scenario is a must.

Adolescents who make an abortion decision in a vacuum often feel estranged from and resentful toward their parents for their non involvement.

In my clinical experience, once parents are involved, the pregnant adolescent is more likely to make an informed decision and less likely to experience guilt, unresolved grief and the need to compulsively redo the pregnancy cycle, after choosing an abortion.

Opponents argue that some parents will be abusive once the pregnancy is discovered. Measure 43 includes a judicial bypass for those young women unable to communicate with their parents.

But, when the pregnant adolescent makes the choice in a supportive environment, there tends to be less ambivalence, depression and less personally, harmful behavior, such as drugs and alcohol abuse and extreme promiscuousness in the future. Furthermore, if the girl does have a negative emotional reaction to her pregnancy or abortion, it is almost always the parents that recognize the fact that she needs professional help.

Leon O. Harrington M.D.  
Child Psychiatrist

*(This information furnished by Leon O. Harrington, MD.)*

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## **Argument in Favor**

### **Stronger Families of Oregon Support Parental Notification Law**

Currently in Oregon, 15, 16, and 17 year old girls cannot legally get their ears pierced, receive medication from their school, or utilize a tanning facility without written parental consent. These same girls, however, can get an abortion not only without their parents' consent, but without their parents' knowledge that they have undergone a major medical procedure.

### **Why Girls Don't Tell Their Parents**

There is a general assumption that most pregnant teens tell at least one parent if they are planning on getting an abortion and that not allowing parents to know protects teens from an abusive home. This assumption is not valid. According to the Guttmacher Institute, 55% of minors did not tell their parents they planned on having an abortion. Of those, 89% consulted their boyfriends instead. Only 6% cited fear of abuse as a reason not to tell their parents. 73% of teens did not tell their parents because they did not want to disappoint them. In reality, many found their parents loving and supportive.

For teenage girls who do live in abusive homes and cannot turn to their parents for help, this law affords a bypass that allows the girls to seek permission from an administrative law judge with the Oregon Health Department. The hearings are timely

# Measure 43 Arguments

and confidential. More importantly, they hope to also provide a window for the teen to escape her abusive home instead of an abortion which may only perpetuate the abuse.

If their daughter has an abortion, parents need to know so they can be prepared to provide physical, emotional and spiritual care. This care cannot be left to a boyfriend, or stranger in a clinic. A teenage girl facing an unwanted pregnancy needs the wisdom and guidance of a parent who knows the daughter, her medical history, and are better equipped to handle such a situation.

Please give Parents the Right to Know!

Stronger Families for Oregon

*(This information furnished by Krista Anderson, Stronger Families of Oregon.)*

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## Argument in Favor

### Oregon Legislature has failed on this issue:

I have served in the Legislature for 10 years and in that time Parental Notification Bills have come before us multiple times. One time, it passed both the House and the Senate, but was vetoed by the Governor. Then this protective law was continually blocked in committee by people who were responding to special interest groups and willing to play politics with our daughter's lives. This is just not acceptable. The good news is that now we have a chance to make it right, by voting yes on 43.

### Constitutionally Sound:

Having carefully studied the law I am confident that Measure 43 will make good public policy. It has the necessary safeguards for medical emergencies and victims of abuse, while allowing parents to be involved in their daughter's life at a most critical time. This Parental Notification Law is constitutionally sound, something that numerous lawyers and judges in this state have confirmed. Furthermore, Measure 43 is only a statutory change, not a constitutional amendment. This means that, in the unlikely event that there are any negative unintended consequences, we in the legislature can step in to make any necessary adjustments and clarifications.

### 44 Other States already have Parental Notification:

Forty-four other states already have some sort of parental involvement law on the books – its time Oregon had one too. Let's stop playing politics with our daughters; they deserve better. As a father and a legislator, I urge you to Vote Yes on 43.

Roger Beyer  
State Senator  
District 9

*(This information furnished by Senator Roger Beyer, State Senate District 9.)*

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## Argument in Favor

### Clinical Effect of Abortion on Young Girls

Clinical research shows that women who have an abortion are much more likely to **subsequently experience elevated rates of suicidal behaviors, depression, substance abuse, anxiety, and other mental problems.** As a physician specializing in the practice of psychiatry for 26 years, I have had many occasions to work with women who have experienced the long-term emotional trauma caused by an abortion they

had in their teen years.

Teenage girls often choose abortion out of fear or because of pressure from boyfriends. They do not anticipate nor are they prepared to deal with the emotional experiences which frequently follow an abortion. Parents, who have not been informed about their daughter's abortion, may observe changes in the daughter's behavior but not knowing the cause of the changes, they are unable to appropriately intervene.

Most adolescents are unable to make decisions based upon anticipation of the long-term consequences of their actions. Parental involvement in the decision to or not to have an abortion is very important. A teenage girl, emotionally distraught by an unexpected pregnancy, is unable to rationally consider the impact of an abortion on her future, on her family, and on her fetal infant.

If an abortion procedure is chosen, parents who are informed about the abortion before it occurs can comfort and assist their daughter through the procedure, through the difficult post-abortion adjustment, and can obtain appropriate therapeutic treatment for her when necessary. With parental care and therapeutic intervention, years of heartache for the girl, her family, and her future relationships can be prevented.

Parental Notification prevents girls from being alone in a life-altering decision and event. Staying connected with caring parents is the best coping mechanism for the stress of an unwanted pregnancy.

### **For the mental health of Oregon's young girls, please vote YES on MEASURE 43.**

Lynne Bissonnette, M.D., Ph.D.  
Physician, psychiatrist

*(This information furnished by Lynne B. Bissonnette, MD., Ph.D.)*

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## Argument in Favor

### Oregon is One of Only Six States Without Some Form of Parental Notice Law

Measure 43 is not a radical idea. In fact, it is a very common sense measure which is why 44 other states have passed similar laws or initiatives. Despite all our best efforts to educate teenagers, girls are still getting pregnant at a young age and are forced to make an adult choice with adult consequences. We must not abandon them in this time of need. Instead, parental notification insures that the most reliable support team is involved in a girl's crisis.

### Young Girls are Afraid of Disappointing Their Parents

Studies have shown that the main reason young girls do not tell a parent is not because they are afraid of abuse, but because they are afraid of disappointing them. And for those not in ideal family situations, there is a safe and easy-to-use bypass clause that allows a girl to get the necessary protection.

### Parents Have Needed Medical History

Abortion clinics don't seek out the medical history before they perform the abortion procedure. In this case we are talking about 15, 16 and 17 year old girls who are often frightened and confused about their crisis and decision. Passing Measure 43 will insure that young girls who choose to seek an abortion will do so with the abortion provider having the necessary medical history, insuring the health of the young girl is protected.

### The Boyfriends Leave, but the Parents Stay

Finally, it is too often the case that the young girl gets pregnant and the frightened boy, who is mutually responsible for the

# Measure 43 Arguments

pregnancy, leaves to avoid any responsibility leaving the parents to pick up the pieces. In the end, parents have been there from day one and will continue to support their children.

Please Vote Yes on Measure 43  
Representative Karen Minnis  
State Legislature, Speaker of the House

*(This information furnished by Karen Minnis, State Representative - House District 49.)*

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## Argument in Favor

### Gynecologist Supports Parental Notification

As a medical specialist for women for over 30 years, I have personally seen and treated major complications from abortions, both legal and "illegal". Teenage girls are just not mature enough to ask the right questions about the health consequences of these decisions.

### Post-Abortion Medical Risks - Holly Patterson Case

Contrary to proponents of abortion, the legalization of abortion in 1973 did not end the complications related to abortion. Holly Patterson, the young teen who died from severe post-abortion infection from a medical abortion in California in 2004 made this fact emphatically apparent, given the notoriety of her case. Her father's first awareness of her pregnancy was when he was notified that his daughter was on life support and not expected to live! What a horrifying place for a parent to find themselves in.

### Silent No More

Even when the medical consequences have been minimal, reports in medical journals report the emotional consequences of the abortion procedure. They include significant depression, post-traumatic stress, and subsequent substance abuses; all are well documented. As one girl lamented, who repeated the abortion procedure multiple times, "The act of taking the lives of my children has affected every person around me." Emotional instability and mental health are related to the "secrets" we bury in our subconscious. Parents need to be a part of their young daughter's lives to watch for these dangerous signs.

**Pregnancy conceived in secret and terminated in secret does not solve the inner turmoil for the teens involved.**

**The duplicity of silence must end.  
Vote YES for Parental Notification!**

Richard M. Thorne M.D. FACOG  
Retired Fellow of the American College of Obstetrics and Gynecology

*(This information furnished by Richard Thorne, M.D.)*

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## Argument in Favor

### PARENTS DESERVE TO BE ENGAGED

Most parents, no matter how shocked or disappointed they are that their teen is pregnant, would rather be "in the know" during their child's crisis. Parents set aside their own feelings to help their teen through a personal trial. Imagine the heartbreak to learn your daughter faced a major psychological and medical challenge without your support. Worse yet, imagine your child died from complications, or committed suicide, but you never had the opportunity to help because the law said the doctors did not have to include you. Abortion is a surgical procedure that can put the teen at risk for infection, excess bleeding,

future fertility problems and even death. Don't parents deserve to be notified their daughter is facing this life-altering procedure?

### TEENS DESERVE THE BEST SUPPORT

When facing a procedure as psychologically stressful and physically challenging as abortion, even a teen growing in independence needs to have the best support; that support will be from those who have loved and supported that child all her life. If an abortion is still chosen, the teen must have the proper adult post-op monitoring plus long-term psychological support.

### DOCTORS DESERVE THE OPPORTUNITY TO GIVE BETTER CARE

Any doctor about to do a major surgical procedure on a teen, even one who looks healthy, deserves to have that child's complete personal and family health history as a part of giving excellent medical care. Furthermore, parental involvement allows for reliable care and monitoring afterwards.

**A YES Vote Will NOT Make Abortion Illegal, but It Will Support Our Common Goal of Caring Well for Teens.**

### The American Academy of Medical Ethics

Joan Sage, MD Pediatrician  
Drea Olmstead, MD, Obstetrician and Gynecologist  
E. Daniel Crawford, MD  
Brick Lantz, MD  
Richard A. Williams, MD  
Anna M. Lattin, MD  
Jason A. Lattin, MD  
Michael J. McLaughlin, M. Div., American Academy  
of Medical Ethics  
Grace Crary, DMD  
Ann Tsen, MD  
Christin J. McIntyre, MD, Ph.D  
Andrew C. Tsen, MD

*(This information furnished by Joan Sage, MD, The American Academy of Medical Ethics.)*

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## Argument in Favor

### Yes on 43 – Good for Teenage Girls

As Oregon women, we believe that Measure 43 helps pregnant teenage girls receive the support and care that they deserve.

### Allowing Parents to Parent

Moms and dads are responsible for their children's well-being, and Measure 43 allows a parent to be aware and involved in a difficult situation in her daughter's life. Pregnant teenage girls need the emotional, spiritual, and physical support that parents can best provide.

### Follow-Up Care

Abortion is a surgery with physical and emotional risks and side effects, like any other medical procedure. As informed parents we are more likely to take our daughter in for follow-up care or to watch for signs of potential complications than a well-meaning high school friend or boyfriend. We can also lovingly help our daughter address the risky behavior that led to her pregnancy.

### Protecting Girls, Not Abusers

29% of pregnant Oregon teens are victims of statutory rape, but doctors are not required to ask our underage daughters if their pregnancy is the result of abuse. Right now, adult boyfriends may pressure our daughters to quietly obtain an abortion, keeping his crime a secret. Abortion without notification does nothing to empower teenagers to stop their abusers. Instead, secrecy helps shield criminals.

# Measure 43 Arguments

## Judicial Bypass: an Added Safeguard

Under Measure 43, teenage girls who fear harm if their parents are notified have an important ally: an administrative judge. Hearings to bypass parental notification would be easy to schedule, and could take place over the phone. If a teen were pregnant because of incest or rape, a conversation with a judge would be a safe, confidential place to disclose abuse.

## Joining the Nation

Parental involvement laws are working in 35 states. Through notification, parents are empowered to support and care for their teenage daughter.

Teenage girls deserve Measure 43's protections. Please join the Oregon Women's League—and the majority of Americans—in supporting parental notification.

*(This information furnished by Betsy Maynard, Oregon Women's League.)*

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## Argument in Favor

**I would like to tell you about a woman who had an abortion at 16 after she was raped by a classmate. Some might believe that she would have felt immediate relief after her abortion, but that was not the case.**

When her parents discovered she was sexually active with her boyfriend they forbid her from seeing him anymore. She tells her story, "In an attempt to circumvent my parent's wishes we asked a classmate of ours to pretend to date me, instead, he took me to a remote location and raped me."

About a month later when she discovered she was pregnant. Planned Parenthood told her she had an ectopic pregnancy. **"The counselor said that unless I had an abortion immediately, I would die." Being young and naïve she didn't understand that an ectopic pregnancy couldn't be diagnosed by a simple urine pregnancy test.**

She chose not to tell her parents and had the abortion at a local clinic. After the abortion, she remembers, **"I was a mess, I hemorrhaged, and I cried constantly. I regretted my decision and hated myself for it." She began drinking and became sexually promiscuous.** If wasn't until college that she told her parents about the abortion. She recalls how they reacted, "both my parents were very sad and sympathized with my pain." She says, that "in hindsight I realize that I was still a child being forced to make an adult decision based on fear and erroneous information."

**She believes that had her parents been notified they would have helped the decision to be made rationally, not hastily and emotionally, with better information.** "I would've known to get a second opinion about ectopic pregnancy," instead of relying on one opinion. She asks, "Please don't let another teen make a life-altering decision based on faulty information and fear."

Please Vote Yes on 43.

*(This information furnished by Sarah Nashif, Protect Our Teen Daughters.)*

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## Argument in Favor

### Teenagers Need the Support of their Parents

We are pastors whose combined congregations represent thousands of families and teenagers. We know firsthand how essential a parent's love and support are to a young person facing a deep personal crisis.

This is especially true for a 15, 16 or 17 year-old young woman facing an unintended pregnancy. While understandably disappointing, parents more than anyone else will look to their daughter's long-term well being.

It is a parent who can best help their daughter consider her pregnancy options. Parents can help provide the practical and emotional support needed should their daughter choose to raise her child. They can discuss the seldom-considered choice of adoption. And it is parents who are most careful to assure that their child receives proper medical care and follow-up. Equally important, mom or dad will examine closely, the relationship that led to the pregnancy and help their daughter take steps to prevent this situation from happening again.

### Measure 43 Includes a Reasonable Judicial Bypass

In the rare case where a parent's involvement may not be in the child's interest, Measure 43 has a confidential judicial bypass clause. It can even be accessed by telephone.

**Parental involvement is best for teens.** That's why it is required before a student can play sports, join scouts, get their ears pierced or even go to church camp. How much more important is their involvement prior to a serious medical procedure like abortion.

Teenage girls need the love and support of their parents when facing personal crisis.

**Please join us in voting Yes on Measure 43**

Pastor Frank Damazio  
City Bible Church

Pastor Dale Ebel  
Rolling Hills Community Church

Pastor Ray Cotton  
New Hope Community Church

Pastor Bill Wilson  
Portland Christian Center

Pastor Delbert Durfee  
Athena Christian Church

Pastor James T. Simmons  
Oakland Church of Christ

Pastor James Allison  
Grace Chapel

Rev. Richard L Rice  
Calvary Open Bible Church

*(This information furnished by Michael P. White, Executive Director, Oregon Family Council.)*

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## Argument in Favor

### Dear Democrats,

As a Democrat, I believe that parental notification is a non-partisan issue. Everyone can feel comfortable Voting Yes on 43. Please join our fellow Oregonians in enacting this citizen-initiated law to protect the role of family. The new law will assure that the young women's parent or parents receive notice before a major medical procedure of ending a pregnancy prematurely is performed on their daughter. If this new law is adopted by the people of our state, then a girl can face this critical situation together with her family instead of alone.

### The Bypass is Easy and it Works

I realize that not every family is ideal and there are abusive parents out there and that is why **this law has a simple judicial bypass for girls who are victims of rape or incest, or**



# Measure 43 Arguments

**who may be concerned about parental abuse.** The bypass is offered through the Department of Health's Administrative Law Judges. A girl concerned about abuse could receive a hearing with an administrative law judge with as little as a phone call. The hearings can be conducted over the phone and they are private and confidential, open only to the girl, her lawyer (if she wants) and the judge. The law, as written right now, gives the judge strict timelines in which he must decide whether the girl can bypass the parental notification requirement to go through with the abortion. Even with a second appeal a girl will not wait longer than 10 calendar days for her decision. The bypass clause will protect girls from abusive parents, while bringing sexual predators to light and allowing the girl to receive the help she needs instead of sending her back to be victimized again.

**I urge all Democrats in Oregon to put aside party politics and vote YES to adopt this new law. It is what is best for our daughters.**

Jacqueline Pynes  
Oregon Registered Democrat

*(This information furnished by Jacqueline Pynes.)*

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## Argument in Favor

**Pregnancy Resource Centers is a non-political, non-profit organization, dedicated to providing education, compassionate counsel and care for girls and women facing unplanned pregnancies, without pressure, manipulation, or coercion.** We serve over 10,000 new clients annually. Every day we see the impact that the pressures of unplanned pregnancies place upon these young girls. These decisions will affect the rest of their lives. That's why they need their parent's guidance and protection.

**Parental Notification is not a political issue. It's a health issue. It's a family issue. It's a life issue.** No one makes choices in a vacuum. We all make choices based on the voices we listen to. Currently, often it is everyone, except the parents, who have a voice in their daughter's pregnancy crisis.

**The measure cares about girls in good homes and has a bypass to pull girls out of abusive homes. Current law however, assumes that other people will know better how to care for your daughter than you can.** We urge the passage of this bill to protect Oregon's daughters from coerced abortions. A girl facing the agonizing choice about pregnancy can move ahead with support instead of fear.

**It's time Oregon joined the other 35 states** and the majority of voters in supporting a girl's right to receive counsel from the people who gave her life, and who will need to stand with her in the consequences of her choices. Please vote Yes on Measure 43 and make Parental Notification the standard instead of the exception.

**Pregnancy Resource Centers of Greater Portland (Serving 10,000 new clients annually)**

*(This information furnished by Larry Gadbaugh, Pregnancy Resource Center.)*

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## Argument in Favor

**My Parents Always Took Me to the Doctor...  
But that Night I Had to Drive Myself Home**

When I look back at all the choices I've made in my life, the one that haunts me the most was made when I was just 17; an age when I, like many teenagers, was routinely making poor decisions.

My parents had always encouraged me to do well in school. They were the ones who took me to the dentist and to the doctor when I had strep throat. **They made sure I ate oatmeal on cold winter mornings and took vitamins everyday.**

My decision was made without consulting my parents. But it was people who knew me for less than five minutes who showed me where to sign the forms and told me where to show up to have the late term abortion.

I was terrified about becoming a mother and frankly, afraid of pain and wanted to avoid talking about the situation with my parents. Instead, I found myself going through an agonizing process alone. I drove myself home that night, too ashamed to tell anyone where I had been.

**The devastating effects from this abortion simply cannot be overstated. While thankful that I suffered no lasting physical harm, the emotional damage is on-going.**

Ironically, had I had complications from the abortion such as infection and had to be hospitalized, my parents would have been medically and financially responsible and would need to sign a consent form for me to receive treatment.

If a parental notification bill had been in place when I was going through this situation, I believe I wouldn't be living with this regret today. **Because I was an immature 17 and in the midst of a crisis, with the help of strangers, I made a decision based entirely on fear.** Please Protect other Teen Girls and Vote Yes on 43

Diane Meyer  
Oregon Citizen  
Had Secret Abortion at 17 years old

*(This information furnished by Diane Meyer.)*

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## Argument in Favor

Most Oregonians are simply unaware that every day clinics are performing secret abortions on girls as young as fifteen years old without any legal obligation to notify a parent or to ask who impregnated this young girl.

**Protect Victims of Rape and Incest**

The bypass clause gives girls who are fearful of telling their parents easy access to a judge. Therefore, this bypass helps to reveal cases where teens were the victims of rape and incest instead of giving them a secret abortion and sending them right back to be victimized again.

As a former police officer, I know of many cases in which a girl was the victim of rape, incest and physical abuse. As a result, some girls seek an abortion without ever discussing the issue with their parent(s). I understand that the policy of secrecy was intended to protect a girl's privacy. Unfortunately, the potential tragedy or unintentional consequence is the protection of the offender who may be a sexual predator.

This bill provides protection for victims of rape and incest that we never knew about because of secret abortions. The bypass

# Measure 43 Arguments

clause was meant to be broad enough to cover all mistreatment, neglect and abuse. As a legislator, I did not want to narrow the bypass clause solely down to rape and incest.

## Who Can Protect these Girls?

Who should be offering her guidance during this traumatic experience? I don't think it should be abortion clinic counselors she has never met before and will never see again, and whose livelihood depends on how many abortions are performed that week.

As a State Representative, I'm asking you to not let this policy of silence continue. Show our teen girls that they should not be embarrassed or ashamed because they are pregnant or abused. Silence and Secrecy does not protect girls. Give girls in abusive homes access to protection, Vote Yes on 43.

## Representative Andy Olson Retired Oregon State Police Oregon State Representative

*(This information furnished by Andy Olson, State Representative/Retired State Police.)*

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## Argument in Favor

### Why is Abortion the Exception to the Rule?

I support Parental Notification because I'm a doctor - and a father.

Let's put this measure in context. As a doctor, I cannot run tests or perform medical procedures on a minor without the written consent of a parent. **The consent of a parent is even required before a minor can receive an aspirin at school. Yet, abortion has been separated legally from all other medical procedures for political reasons.**

Abortion is a potentially dangerous procedure. Excessive bleeding, internal trauma, psychological trauma, a possible association with later breast cancer and even death can occur as a result of an abortion. *The Journal of the American College of Obstetrics and Gynecology* (2004) concluded that abortion carried a risk of death nearly three times that of full-term birth. A study in the *Southern Medical Journal* says that women who have abortions are at a 154 percent greater risk of suicide. Breast cancer has also risen proportionately to the abortion rate and this association is under investigation. **Adult women have the capacity to make informed decisions about their medical care and to accept the risks. Children do not have the same capacity.**

Certainly, abortion is more dangerous than taking an aspirin or having an ear pierced, yet these procedures require parental consent and abortion does not even require that a parent be notified. You now have an opportunity to address this double standard.

This measure would not prevent the right of women to choose. **This measure is designed to prevent female children from going through a potentially dangerous medical procedure without a support system and the appropriate follow-up care afterward.** Certainly anyone who is a parent will see the importance and common sense of this measure. That is why as a doctor and as the father of a wonderful teenage girl I am voting yes on this measure.

Frank S. Rosenbloom, M.D.  
Practices in Tualatin

*(This information furnished by Dr. Frank Rosenbloom.)*

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## Argument in Favor

### LAW ENFORCEMENT OFFICERS Support Measure 43

### Parental Notification Is an Important Tool to Combat Sexual Abuse of Teenage Girls

Sexual abuse of teen girls 15, 16 and 17 years of age is a serious problem. According to *Oregon Vital Statistics*, 29% of underage teen pregnancies are the result of sex with a male 20 years or older, therefore constituting cases of statutory rape. Certainly, not all represent the most damaging forms of sexual abuse, but it represents young girls being taken advantage of.

### Includes a Simple Judicial Bypass

In the rare case where a parent or other family member is abusing the child, Measure 43's easily accessible Judicial Bypass, allows the teen to confidentially and promptly discuss her situation with a concerned judge, whereby steps will be taken to end the abuse instead of sending her right back into an abusive situation. The teenage girl can obtain her bypass without ever entering a courtroom; she could even obtain it by phone if necessary.

### Measure 43 Can Help End Abuse

Parental Notification is an important step to combat teen sexual abuse. When parents are notified of an impending abortion, they ask questions. If sexual abuse, like rape, is involved, parents take steps to protect their daughter from further abuse and notify law enforcement giving us the opportunity to apprehend the abuser.

**Current Oregon policy, whereby underage teen abortions can be performed in secret, often protects the abuser and keeps the teen girl in an abusive situation.** That's why Parental Notification is vital in the fight to end the abuse of underage teen girls.

### Please Join Us and Other Oregon Law Enforcement Officials in Voting Yes on Measure 43.

Scott Chamberlain, Law Enforcement Officer  
Rod Moxley  
Colby J. Panter, Police Officer  
Detective (Ret) Thomas J. Dryden  
Pete Dunn, Police Officer  
Jason Camillo  
Dennis Johnson

*(This information furnished by Sarah Nashif, Protect Our Teen Daughters.)*

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## Argument in Favor

### Our 16 year old daughter had an abortion and three months later committed suicide

My daughter Dana was a beautiful, caring, giving and sensitive girl. She loved everyone around her and wanted to do what was best for them. Tragically, she didn't do what was best for herself.

At 16, Dana got pregnant. Dana and her boyfriend decided that abortion was their best option. A few days before Christmas, Dana had a secret abortion. Over Christmas, Dana was not herself. When we asked what was wrong, she would simply say

# Measure 43 Arguments

she didn't feel well.

Dana's boyfriend left her and she slipped into depression. We thought that it was the breakup and that things would eventually be okay. We would try to talk with her, try to support her but she wouldn't communicate. Three months after her abortion, Dana committed suicide.

The day after Dana's memorial service, my sister came to me and told me that three months earlier she took Dana to get an abortion. Dana turned to her aunt for help because like many teenagers, she was concerned about what we would say. Today, my sister recognizes her silence as a terrible mistake.

We knew something was wrong but we didn't see the signs of suicide. Not even Dana's closest friends knew of her plan.

Before her abortion, Dana relied on her peers and boyfriend for support rather than us. Dana's friends didn't mean her harm, but they didn't have the maturity to know the impact the abortion had on Dana's life.

Had we been notified about Dana's abortion we would have known what was happening. We would have been able to give Dana our love, understanding and support as well as the professional help she needed. Had someone taken the time to notify us of her decision we would have our daughter with us today.

Kaye Hale  
An Oregon mother

*(This information furnished by Elizabeth Spillman, Protect Our Teen Daughters.)*

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## Argument in Opposition

### MEASURE 43 NOT SO SIMPLE. NOT AT ALL SAFE.

Ballot Measure 43 creates a government mandated notification by certified mail to parents before a teenager 15 years old or over can have an abortion.

Sound simple? It isn't.

#### Putting At-Risk Teens at Even Greater Risk.

Teaching responsibility and values must happen long before a young woman gets pregnant. It won't happen through a government mandated form letter that arrives in the mail like the cable bill.

Most older teens facing pregnancy DO talk to their parents. In the real world, however, some teens live in homes filled with violence, alcohol and drugs, even sexual abuse.

Imagine if this form letter is received by the abuser. It could subject the teen to further violence, abuse or even fatal injuries. A vulnerable teen too frightened to tell her parent that she is pregnant could do desperate things, like running away or taking matters into her own hands.

#### No Exceptions for Rape or Incest

A victim of rape or incest who discovers she's pregnant needs counseling and support from trained professionals who can give her the help she needs – not an impersonal letter sent into a troubled home.

Measure 43 also creates a complicated process that forces a teen who cannot safely tell her parents into the bureaucracy of the Department of Human Services and perhaps even a trial court.

#### Lawsuits Against Doctors

Measure 43 authorizes lawsuits against doctors, health care professionals and Planned Parenthood if parents don't receive the notice on time – and could take away a doctor's license to practice medicine if the form isn't received for any reason.

**We all want to encourage strong parental involvement. But when you know the facts, it becomes clear that Measure 43 doesn't help – it hurts.**

**Please Join With Thousands Of Oregon's Teachers, Parents, Doctors, Nurses, Counselors And Those Who Care About Keeping Teens Safe**

**VOTE NO ON MEASURE 43.**

*(This information furnished by M. Hoeven, No on Measure 43.)*

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## Argument in Opposition

### Oregon Pediatrician's Advocate Voting "NO" on Measure 43

#### Pediatricians Know Family Communication is Key

As pediatricians, we are on the front lines of providing health-care to teens and young adults and our goal is to ensure their health and well being. We strongly encourage family communication about all health issues, especially reproductive healthcare. But, we know that not all families are the same. Some teens can't talk to their parents and Measure 43 puts those teens at risk.

#### Family Communication Can't be Government- Mandated

# Measure 43 Arguments

In our experience, strong, healthy family communication needs to start long before a young woman faces an unplanned pregnancy, not by mandated parental notification as required in Measure 43.

## Trust Pediatricians to Put Safety First

When teens can't talk to their parents because of family violence, incest or abuse, the consequences of mandatory notification like Measure 43 can be frightening. As we've seen first hand in our medical practice, some teens facing a pregnancy will be beaten, kicked out of the house, or will try to run away or hide their pregnancy. In these situations, these teens need the support of a counselor, doctor or another trusted adult because they cannot turn to an abusive parent.

Fortunately, these cases are not the norm in our practice. In fact, we find that most teens facing an unplanned pregnancy do involve a parent or trusted adult even when not required to do so.

Statement by the American Academy of Pediatrics:

"Adolescents should be strongly encouraged to involve their parents and other trusted adults in decisions regarding pregnancy termination, and the majority of them voluntarily do so. Legislation mandating parental involvement does not achieve the intended benefit of promoting family communication, but it does increase the risk of harm to the adolescent by delaying access to appropriate medical care."

*Pediatrics* Vol. 97, No. 5

<http://pediatrics.aappublications.org/cgi/content/abstract/97/5/746>

**Please Join Us,  
Catherine Thompson, MD, Mary Lynn O'Brien MD,  
and Pediatricians Across Oregon  
in Voting Against Measure 43**

*(This information furnished by M. Hoeven, No on Measure 43.)*

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## Argument in Opposition

### An Important Message from

### Planned Parenthood Advocates of Oregon

### MEASURE 43 WILL THREATEN RURAL HEALTH CARE FOR ALL OF US

Planned Parenthood Advocates of Oregon has worked for more than a 15 years to increase access to women's healthcare throughout Oregon—especially in rural Oregon.

We have seen firsthand from Planned Parenthood health centers in Central Oregon, Grants Pass and Florence that rural Oregonians are facing a serious crisis: the availability of health care – especially access to obstetric and gynecological services.

Not only is there is a shortage of doctors outside the metro area, but many doctors practicing in rural parts of the state are not taking new patients.

Measure 43 threatens to take a serious problem and make it worse. Once again, Oregonians are being asked to cast a vote on a measure that looks simple and straight forward, but it is not what it appears.

One of the elements of Measure 43 allows lawsuits to be filed against medical practitioners if they do not conform exactly to the ballot measure's bureaucratic notification process.

Take a close look at the fine print of Measure 43. Let us be very clear about this: these lawsuits would not have anything to do with how medicine is practiced. They would not be about a mistake, or negligence in treating a patient.

According to Measure 43, Planned Parenthood medical providers could be sued simply because the notification letter was not received for whatever reason.

Underserved areas of rural Oregon could lose the doctors they so desperately need to license suspension or revocation because of a bureaucratic snafu at the post office. Measure 43 is seriously flawed.

## Don't let Measure 43 put yet another barrier between rural Oregonians and the health care they need.

PLANNED PARENTHOOD ASKS YOU TO  
PLEASE VOTE NO ON MEASURE 43

*(This information furnished by Barbara Lowe, PPAO Board Member, Jacksonville, Oregon.)*

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## Argument in Opposition

### A Parent's Perspective on Measure 43

by

### Kathryn Firestone, Past President of the Oregon PTA

When I first read Measure 43, my initial reaction was all about my being a parent. I have 2 sons. But if I had a daughter, would I want to know if she was going to have an abortion? Of course I would.

I hope she would talk to me about it. From the time my kids were small, I've made a priority of teaching good communication and sharing my values. That's true in most families: studies show that most teenagers who are considering abortion talk to one or both of their parents.

Measure 43 is not about those young women. And it isn't about girls younger than 15 – a parent has to give permission for any medical procedure for them.

### So who would Measure 43 really impact?

Measure 43 isn't just about what happens to kids who live in "good" homes. It is about other kids as well. I know that from personal experience.

**When I was 17, my best friend got pregnant. Her father regularly abused her and her brother and sister. She knew that he would beat her if he found out she was pregnant, as he had for far lesser "offenses." She knew that she couldn't safely bring a baby into that house. Fortunately she did have others in her life that could counsel and support her**

I couldn't forgive myself if my vote meant that an abused 17 year old would get a beating or worse because a government mandated form letter showed up in a troubled or violent home – maybe into the hands of the abuser himself.

As a parent I want to protect my children. But we should be concerned with the safety of all children. For too many young women, Measure 43 simply is not safe.

Please remember them when you are filling out your ballot.

**PLEASE VOTE NO ON MEASURE 43**

*(This information furnished by Kathryn Firestone, Past President of the Oregon PTA.)*

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# Measure 43 Arguments

## Argument in Opposition

### Nurses in Oregon Recommend You Vote No on Measure 43

When you think about a nurse's job, the first thing that comes to mind is health care. But there is another word that describes what we do: communication.

Patients spend more time with nurses than any other health care professional. We are the ones who must be most sensitive and attuned to what a patient needs. The only way we can do that is through good communication – often in the most difficult circumstances.

We believe in communication within families as well. If a young woman 15 or older is facing the decision of whether to terminate her pregnancy, we would hope that she would consult her parents. Most do – and they will not be affected by this measure.

But what about the ones who can't?

What about the girls whose parents will not react with love and support, but with hostility, abuse or violence?

When we cast a vote on Measure 43, those are the girls whose lives we hold in our hands.

In hospitals, clinics and doctors' offices throughout Oregon, we have seen too many of these girls. We have helped treat them and counsel them. Believe us when we say that Measure 43 will have a devastating impact on some of their lives.

A government mandate, certified notification letters, the trial court and potential lawsuits against health care professionals will not make anyone safer. They will not provide counseling or comfort. They certainly will not magically create healthy family communication where there is none.

When you vote, please remember that there are real human consequences to this measure.

**Please Join:**  
**Jacquelyn Moon, School Nurse, RN**  
**Mariah O'Brien, RN**  
**Katherine Jeffcott, RN**

**In Marking Your Ballot "NO" on Measure 43**

*(This information furnished by M. Hoeven, No on Measure 43.)*

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## Argument in Opposition

### Don't put an abused teenager at even greater risk. Vote NO on Measure 43

**By Police Lieutenant Jeff Barker (ret.)**

There are often ideas that sound good on the surface, but in the real world are anything but. Measure 43 is definitely one of them.

#### Not every family is a healthy family...

I am all for parental involvement, especially in the context of a healthy family relationship. But as a veteran police officer with 31 years of law enforcement experience, I can tell you from terrible firsthand experience, there are an awful lot of young women who live in unhealthy, often abusive family situations.

#### Puts older teens at risk...

The notification requirements of Measure 43 could put these older teens at even greater risk. We all hope that young women

receive support, counseling and understanding from their parents. But in some homes, the result would be a beating, or even worse. What if her pregnancy was the result of rape or incest, and the abuser is the one who gets the notification?

The bottom line is this measure won't have much of an impact on young women in good homes: the vast majority of them already tell their parents if they get pregnant. But it could have a terrible impact on the girls who are most likely to be affected.

#### Unrealistic and Unworkable...

Yes, the measure outlines a convoluted process allowing an abused teen to petition the State Department of Human Services to waive notification. But look closely at that process: does anyone really believe that a scared teenager is going to jump through all of these bureaucratic hoops? It was hard enough for me to navigate that kind of bureaucracy as a cop. It just isn't going to work.

**As a police officer, my job was to protect citizens – especially the most vulnerable. I would not be doing my duty if I voted for Measure 43. I hope you won't either.**

*(This information furnished by Jeff Barker.)*

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## Argument in Opposition

### An Important Message from Doctors in Oregon

#### Measure 43 is not written for the real world

As doctors, our job is to keep Oregon families healthy. We encourage strong family communication. In fact, the best way to reduce teen pregnancy is through early communication promoting values and responsibility.

But we live in the real world, where not every teen can talk to her parents.

Some teens live in abusive homes, where the threat of violence hangs over their heads every day. We have seen the tragic results of teens living in these troubled homes.

These teens need support and counseling, not a form letter sent to the abusive parent like the cable bill.

#### Measure 43 endangers vulnerable teens

As doctors, we are deeply concerned that Measure 43 would put the health and safety of vulnerable teens at risk.

Imagine a teen living in an abusive home. She's terrified every day of what might trigger violence at home.

Imagine her abusive parent getting a certified form letter saying that their daughter is pregnant. This would be like throwing fuel on a fire. It could lead to further abuse, violence and even death.

And desperate teens do desperate things. A teen frightened of what might happen when the form letter arrives might feel that there is no way out.

#### Government shouldn't interfere

As doctors, we are trained to deal with difficult and sensitive health issues.

Oregon law already allows doctors to tell parents of an older teenager if she is seeking an abortion, a delicate decision that requires training and experience.

The answer isn't unnecessary new laws telling doctors how to practice medicine. Vulnerable teens in troubled homes need help from supportive adults and medical professionals - not government mandates.

# Measure 43 Arguments

**Please join us in voting No on Measure 43  
It's not safe for Oregon**

**Rose Blackwell, MD F.A.C.O.G  
A. Edelman, MD  
Reneé E. Grandi, MD  
Seth Jackson, MD  
Jennifer Murray, MD  
Roberta Palmer, MD  
Stuart Rosenblum, MD**

*(This information furnished by M. Hoeven, No on Measure 43.)*

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## Argument in Opposition

### **Measure 43's Complicated Appeal Process Won't Work In The Real World**

Betty Roberts, Former Oregon Supreme Court Judge  
Sandra Sawyer, Former Juvenile Court Judge

As a former Supreme Court Judge and a former Juvenile Court Judge we are very concerned about the complicated legal process that Measure 43 sets up for older teens that will be affected by this measure.

Let's say that a pregnant teen cannot go to her parents for help or support, or because it will be unsafe?

Other than an ill-defined "medical emergency," Measure 43 does not allow for any exceptions – not even for rape, incest or another dangerous or abusive home situation.

The only recourse is a complex bureaucratic appeals process that simply will not work in the real world.

**This is the system that a frightened teen would have to navigate to avoid a potentially dangerous or traumatic notification:**

- First, the teen would have to make a written application to the State Department of Human Services (DHS) to request a hearing.
- DHS then requests the assignment of an Administrative Law Judge to the case.

**Despite the name "Judge," this state employee is not an actual judge. He or she is not required to be a lawyer, nor to have any training or experience in the sensitive issues to be decided on.**

- If the Administrative Law Judge does not grant the waiver, the teen must appeal to a trial court.
- There is no provision to provide counsel or counseling of any kind to the teen forced to go through this process.

We have long experience in the law, and can tell you this process would be difficult for an adult in non-traumatic circumstances. And a pregnant, possibly abused teen? It is simply unrealistic. It is also dangerous: she could consider running away, or worse, take matters into her own hands...

**Please Join Us in Voting NO on Measure 43**

*(This information furnished by Sandra Sawyer.)*

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## Argument in Opposition

### **Oregon's Classroom Teachers Urge You to Vote NO on 43**

As educators, we work with young people in classrooms every day. There is nothing more important to us than helping them succeed, and keeping them safe.

That is why we strongly urge you to vote NO on Ballot Measure 43.

It is unusual for us to weigh in on an issue like this, but because we work with the young women who would be harmed by this measure, we feel it is our obligation to speak out.

By requiring, without exception, that there be parental notification by certified letter 48 hours before a teen 15 years or older has an abortion, Measure 43 will put some teens at great risk.

Most teens are able to communicate with their parents, even though it can sometimes be a challenge. This measure will not impact them. Our concern however, is for teens from more troubled homes. We know them because they are our students too.

As teachers, we witness the abuse, neglect, and crisis that these students shoulder. Sadly, we know that not every teen can safely go to their parents. We know from our experiences with these students the devastating impact a letter like that could have. Measure 43, which doesn't even have an exception for cases of rape or incest, puts teens who are already in trouble at greater risk.

With Measure 43, a government mandated certified letter replaces the support of people that could help a young woman in crisis: a doctor, a safe and supportive relative, a counselor, or even a teacher.

Please join Oregon's educators in voting no on Measure 43. It is not simple, and it is not safe.

### **Oregon Education Association**

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

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## Argument in Opposition

### **The League of Women Voters of Oregon Advises you to vote "No" on Measure 43**

#### **Measure 43 will not support traumatized teenage girls.**

The League of Women Voters believes that parental notification would place legal, economic and emotional barriers in the way of a teenage girl to keep her from terminating her pregnancy.

Such delays and barriers are part of the cultural wars currently raging in America and have nothing to do with what is medically best for a young woman caught up in a traumatic and tragic situation.

#### **Measure 43 may increase the risk of both physical and mental trauma to the teenager.**

Many families are not as supportive as we would like. If the pregnancy is the result of rape or incest by her father, adoptive father, family friend or guardian, then a certified letter could even put her life in danger.

#### **Measure 43 is too complex for most teenagers.**

The administrative and court procedures, specified by

# Measure 43 Arguments

Measure 43 to avoid a certified letter being sent to parents, are too complex for most teenagers to follow.

Finding help could be difficult, since it may be necessary to rely on lawyers and other professionals for support, a cost that few of any age can surmount. Thus, it would seem that the real purpose of Measure 43 is to interfere in the reproductive rights of the individual.

## Measure 43 fails to face the facts.

Measure 43 is about stopping abortions, which is more important to the promoters of this measure than the lives and futures of vulnerable young women. Oregonians have always supported a woman's right to choose.

We need to stand up for these young women who may have to make a most difficult decision, and who have no functional family for support. The League of Women Voters is a non-partisan political organization that encourages informed participation in government.

### Please join the League of Women Voters of Oregon in voting "No" on Measure 43

*(This information furnished by Margaret Noel, League of Women Voters of Oregon.)*

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## Argument in Opposition

### The Oregon Nurses Association Urges a "NO" vote on Measure 43

Young women need a place to go when they are scared or in need of guidance. Nurses recognize that for older teens, parents are their best allies in making good decisions during times of distress. Through the confidential nature of the provider-teen relationship, most young women are successfully counseled to involve one or both parents in their reproductive health.

#### Measure 43 is Not Necessary

Under current law, the secure environment of a licensed health care professional is the major factor in a young woman seeking parental involvement surrounding health decisions. If we disturb this confidential relationship, we lose an important opportunity for these troubled teens to willingly involve their parents in a vitally important life decision.

#### Measure 43 is Harmful to Our Young Women

Unfortunately, not all young women have loving parents. The one source of compassion that some older teens may have in this distressing time is a licensed health care provider—a nurse.

Mandatory parental notification will turn what was once the only source of legitimate support into a source of fear for these women. The opportunity to explore choices other than abortion with a licensed health care professional will be lost.

Young women whose very safety depends on terminating a pregnancy in complete confidence could seek other means. She might do something dangerous, such as: buy drugs off the internet, obtain services from a non-medical, self-described "abortionist", or perform self-induced abortion.

#### Keep Our Teens in Safe Hands

A government mandate, certified notification letters, court hearings, and revocation or suspension of license to practice will not make any woman safer. They will not provide counseling or comfort, nor will they improve already broken patterns of parental communication.

Nurses lead young women to make the choice to involve

their parents.

### Vote "NO" on Measure 43

*(This information furnished by Susan King, Executive Director, Oregon Nurses Association.)*

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## Argument in Opposition

### A Nurse's Perspective

from Jane Ann White, RN

### Vote "NO" on Measure 43

As a registered nurse for over 26 years, I've helped care for hundreds of patients, many of them teenagers.

In a perfect world, every teen would live in a supportive, caring home with open communication and healthy parental involvement.

I wish that we lived in a perfect world, but we don't. Too many teens live in homes racked by abuse and violence.

I know, because I've heard their stories, and it is just heartbreaking.

### Vulnerable teens at risk of violence

One 16-year-old came to my office shaking, terrified to tell her parents that she was pregnant. "I just want to finish high school," she said. Living in a violent home, she had seen her older sister beaten, thrown out of the house and unable to graduate.

Another young woman would do anything to avoid her violent father finding out. He repeatedly threatened to "beat you within inches of your life and throw you away in the street with the garbage" if she got pregnant. She believed him.

### No exceptions for rape or incest

Some of my toughest days are when I see a teen who is the victim of rape or incest.

The pain, suffering and trauma from the attacks is horrible enough. Just imagine how this young woman feels when she discovers she is pregnant.

To avoid notifying an abusive parent, Measure 43 would require victims of rape and incest to navigate the bureaucracy and administrative law judges, driving them further away from the care they need.

I have seen young women struggle to rise above a childhood of abuse and put their lives back on track.

I can't imagine what their lives would be like today if a government mandated letter had been sent like a ticking time bomb into their violent homes.

### Please join me in voting NO on Measure 43.

### Vulnerable teens need our help.

*(This information furnished by Jane Ann White.)*

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# Measure 43 Arguments

## Argument in Opposition

### **American Association of University Women Urges a "NO" Vote on Measure 43**

#### **Government can't mandate family communication**

Healthy family communication and parental involvement are things everyone wants for every family. In a perfect world, every teen would feel that she could talk to her parents about anything, even pregnancy.

In fact, the best way to reduce teen pregnancy is to promote family communication long before a teen gets pregnant. We can protect teens by teaching them responsibility and values early.

#### **Measure 43 puts vulnerable young women at risk**

Studies show that most teens do talk to their parents when faced with an unwanted pregnancy. In a perfect world, every teen with an unwanted pregnancy would talk to her parents.

But we don't live in a perfect world and not every family is a model family. Some teens can't talk to their parents because their homes are violent, racked by alcohol and drug abuse.

A government mandated letter arriving in the mail will not fix the problems in an abusive home and could put a teen at risk of further violence.

#### **No exception for incest**

Measure 43 takes the tragic situation of incest and makes it worse.

Think about it. A young woman who is the victim of incest discovers that she is pregnant. When she goes to the doctor, she learns that a certified form letter will go home to her father. Sending a form letter to the person who sexually abused his daughter could lead to further abuse or even violence.

If she wants to avoid having her parent notified, she will have to plead her case to an administrative law judge with no required medical training or experience.

Under Measure 43, a victim of incest will become a victim a second time, when she is pushed away from the support and help she needs.

### **Join the 2,000 Oregon members of the American Association of University Women in Voting "NO" on Measure 43**

*(This information furnished by Alice M. Bartelt, The American Association of University Women of Oregon.)*

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## Argument in Opposition

### **American College of Obstetricians and Gynecologists Urge a "NO" Vote on Measure 43**

#### Measure 43 is Not a Healthy Solution for Older Teens or for Oregon

#### **Measure 43 Poses Health Risks for Older Teens**

As doctors who work with women and their reproductive health decisions, we know that requiring parental notification is not a healthy solution for older teens. Most teens talk with their parents, but every day, we work with teens who can't because of violence and abuse. Teens will go to extremes to avoid the risk of increased violence and abuse, many times resulting in a lack of or delayed medical care. We've seen teens make dangerous decisions like trusting unscrupulous people offering unsafe and

sometimes fatal options.

#### **Measure 43 Has No Exception for Rape or Incest**

Measure 43 is a government mandate that takes a delicate situation out of the hands of doctors and makes it worse. At this traumatic time in their lives, these young women need help from supportive adults, counselors, doctors and nurses, not images of the consequences of a certified letter coming in the mail. This law pushes away doctors and puts them at risk of being sued or losing their license. The doctor is punished, the young woman is punished, everybody loses.

#### **Measure 43 Threatens Access to All Health Care**

Oregon already has too few obstetricians and gynecologists; Measure 43 threatens to shut down more doctors' offices, impacting the health care of all Oregon women. Measure 43 allows doctors to be sued or lose their license if a parent doesn't receive notification for any reason. These lawsuits would not be about quality of care, but about navigating a confusing bureaucratic process.

### **Protect the Health of Teens and Health Care for All Women Vote "NO" on Measure 43**

*(This information furnished by Roberto M. deCastro, M.D., Chairman, Oregon Section of the American College of Obstetricians and Gynecologists.)*

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## Argument in Opposition

### **Planned Parenthood of the Columbia/Willamette urges a "NO" Vote on Measure 43**

#### **Measure 43—it's not what it seems and it's not what we need.**

As one of the largest providers of reproductive health care, family planning services, and comprehensive sex education, Planned Parenthood of the Columbia/Willamette is on the front lines of providing care to thousands of Oregon teens every year. We know what works and we should not take a risk on a government mandate that puts at-risk teens in harms way.

#### **Measure 43—it won't work and causes real problems.**

Planned Parenthood strongly promotes healthy family communication, but teaching about responsibility and values has to happen before a young woman faces an unplanned pregnancy, not by government mandated parental notification as required in Measure 43. We know first hand that not all families are the same. Some teens are in desperate and dangerous situations and can't talk to their parents. Measure 43 puts those teens at risk.

#### **Measure 43 punishes medical providers.**

Measure 43 authorizes lawsuits against health care providers such as Planned Parenthood if the government mandated notification letter is not received for any reason. Teens, particularly those who are at-risk, need timely medical attention from caring trained medical professionals – not a new law that allows medical providers to be sued and possibly lose their licenses.

#### **The real answer is prevention and education.**

We have decades of experience and we know what works when it comes to reducing the number of unintended pregnancies. That is why we are working closely with agencies and allied organizations to promote proven prevention and education programs. It is clear our efforts are working. According to Vital Statistics, Oregon's teen pregnancy rate has declined by 39%



# Measure 43 Arguments

over the past ten years and the trend continues.

## **Please Join Planned Parenthood in Voting NO on Measure 43**

*(This information furnished by Nancy Bennett, Planned Parenthood of the Columbia/Willamette.)*

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### **Argument in Opposition**

#### **I'm a Parent, Like You... And I'm Voting No on Measure 43**

Nothing is more important to me than my kids and my family. Sometimes it's scary being a parent in today's world. Things like drugs, the internet, even pop culture and the media seem to have a greater hold on our kids than ever before.

As the world for my kids seems to get bigger and bigger, it makes me want to pull them closer in. But I know that ultimately they need to make their way in the world.

As a parent my job is to love and support them, teach them right from wrong and trust them to make responsible choices on the road of life. I know my kids will come to me, and talk to me about tough issues...they already have. I trust the strength of our relationship and the lines of communication in our family.

I know that my kids would come to me for guidance long before some notice in the mail. But the more I think about it the more I realize that not every family is like mine.

As parents we come to know our kids' classmates, teammates and friends. We know there are families where things just aren't right, they are unstable or neglectful. We have all seen parents with drug or alcohol abuse problems, or those we suspect abuse their kids.

I am voting No on Measure 43 not because of my kids or yours, but because not every kid is lucky enough to have a loving and safe family. Those who do have good families don't need this measure, and for those who don't, this measure will only make things worse.

**Please join me in voting against Measure 43**

**Nancy Hamilton, Mom**

*(This information furnished by Nancy Hamilton.)*

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### **Argument in Opposition**

#### **The Oregon Medical Association Urges You to Vote "NO" on Measure 43**

As physicians, we commit to the principle: "First, do no harm." This principle leads us to ask you to vote "NO" on Ballot Measure 43.

##### **1) Measure 43 increases the potential for harm.**

As physicians, we pledge to protect our patients. But Ballot Measure 43 makes it impossible for us to protect some of our most vulnerable patients—young women who may be in a dangerous or abusive situation. Measure 43 makes no exception in the case of incest or rape.

##### **2) Measure 43 is unnecessary.**

Under current law, physicians may inform parents about a minor's abortion without the consent of the minor. Oregon law

allows physicians and other health care providers to use their professional judgment to make decisions that are in the best interest of the patient. The decision to notify a parent is not taken lightly and requires the keen judgment of a professional, not a unilateral, impersonal governmental decree.

##### **3) Measure 43 increases bureaucratic red tape.**

The state legislature has already deemed that minors 15 years of age or older are mature enough to consent to medical procedures, including abortion.

##### **4) Measure 43 increases risk to physicians.**

If Measure 43 passes, physicians may face suspension or loss of their license for performing a legal procedure because they failed to give notice in the 48-hour period. Measure 43 increases the probability for lawsuits because the measure provides for a new avenue for lawsuits.

Measure 43 takes the decision of what is best for a young person out of the hands of caring medical professionals, counselors or trusted extended family members and places it into the hands of a government mandate.

#### **Please Vote NO on Measure 43**

Andris Antoniskis, MD  
President, Oregon Medical Association

*(This information furnished by Andris Antoniskis, M.D., President, Oregon Medical Association.)*

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### **Argument in Opposition**

#### **Sexual Assault Support Services Recommends Voting "No" on 43**

##### **Measure 43 won't protect victims of sexual assault.**

We know that in the real world, some teens cannot talk to their parents. Some teens live in homes where they are at risk of abuse, or are already survivors of sexual assault. Teens experience high rates of sexual violence; one in four young women are sexually assaulted or abused before their 18th birthday.

##### **Measure 43 offers no exception even for rape or incest.**

As one of the leading organizations in Oregon assisting survivors of sexual abuse, Sexual Assault Support Services works with hundreds of young women each year; many are terrified to tell their parents they were raped, and many face further abuse when their parents do find out. Measure 43 will not protect these young women, and will leave them with no access to help if they get pregnant.

##### **Rape or incest victims won't get the help they need.**

A young woman who is pregnant from these horrific scenarios doesn't need a certified letter to a parent who may be responsible for the abuse. She doesn't need a complex bureaucratic process in a time of crisis. She needs supportive adults-- counselors, doctors, nurses, and rape crisis center advocates-- to help her through this traumatic time.

This law will prevent abused teens from looking for help, and will threaten these trained professionals with the risk of being sued and losing their license if the required letter is not sent, not received, or lost in the mail. This does nothing to end the abuse or support the young woman, who may be forced to look for help through other, perhaps illegal or dangerous, avenues. This nightmare is not what Oregonians want for our children.

Measure 43 will not keep teens safe. Teens will be left more vulnerable and at greater risk unless Oregonians reject this heartless and dangerous measure.

**Please Vote "NO" on Measure 43.**

# Measure 43 Arguments

(This information furnished by Maria Paladino, Director of Programs and Services, Sexual Assault Support Services of Lane County.)

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## Argument in Opposition

### The National Association of Social Workers, Oregon Chapter

#### Urges a "NO" Vote on Measure 43

NASW, the professional association for social workers in Oregon, is 1,700 members strong. We oppose Measure 43 because as social workers we know first hand that not every family is an ideal family, there are far more children who are abused, neglected or forgotten than most people realize.

#### Measure 43: Fails to Address Abusive Homes

Social workers work with families torn apart by alcoholism, drug abuse and family violence every day. Unfortunately, these are often families in chaos—the parents are unable to cope with their own addictions and problems, let alone provide their teenagers with the guidance, counsel and support that they need.

It is sad but true that some homes are dangerous and abusive places for kids to grow up. These kids are already too isolated, and we see daily the difference that access to adults who are caring, trained professionals can make in their lives. This measure threatens to push those adults away, leading to even more isolation for teens at a traumatic time in their lives.

#### Measure 43: Is Not Safe

Measure 43 puts teens who live in abusive homes at greater risk. The Measure has no exemptions for rape or incest. We would like to believe that all families are loving and stable, but our work takes us into homes that are troubled, or worse, violent. We know in a personal way how dangerous the consequences of this Measure could be in those homes.

#### Measure 43: Is Not Necessary

Research has shown that the vast majority of teens will involve at least one parent if confronted by an unplanned pregnancy. The small percentage who might try to conceal the pregnancy would likely be those teens living in an abusive or volatile home situation.

#### Measure 43: Not Safe, Not Necessary, Not Right for Oregon

#### Please Join Social Workers in Rejecting Measure 43: Vote No

(This information furnished by Mark McKechnie, National Association of Social Workers, Oregon Chapter.)

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## Argument in Opposition

### I'm a Dad.

#### There is nothing I wouldn't do to protect my daughters.

#### That is why I am voting No on 43.

From the moment I first looked into the eyes of both my little girls, I knew there was nothing I wouldn't do to protect them. Of course, protecting your kids isn't always as simple as it seems. My love for my daughters is absolute. But in the real world, things aren't always so black and white.

If one of my daughters found herself facing a pregnancy, of course I would want to know. I hope she would come to me or to her mother for advice and support.

But what if she was too afraid of disappointing us? I don't want that to be true, but I have to be honest and admit it is possible. What if the prospect of a notification letter being sent to us was too much for her, and she ran away, or even did something more dangerous and desperate?

There is no question that Measure 43 could create just that situation.

I also worry about all those teenagers who aren't lucky enough to live in a home like ours. We hear about them in the news all the time – kids who are abused and neglected. It is easy to see how a notification letter sent into a home like that could subject an already abused teen to the beating of a lifetime – or worse.

Right now, a doctor has the right to notify the parents of an older teen that she is considering an abortion. I would much rather that judgment is in the hands of a trained, caring professional rather than a government mandate or a state bureaucracy.

#### If you are a Dad like me, let's protect all of our daughters.

#### Join me in voting NO on Measure 43!

Jerry Fernee, Portland

(This information furnished by Jerry Fernee.)

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## Argument in Opposition

### Planned Parenthood of Southwestern Oregon Advocates a NO Vote on Measure 43

#### Measure 43 will not help family communication.

At Planned Parenthood of Southwestern Oregon, we have worked for over forty years to encourage and support strong family communication about difficult issues through our education and outreach programs. We offer information and support to parents on how to develop strong, healthy communication with their children, while also teaching factual information about reproduction.

Our experience tells us that the government cannot mandate successful family communication. Successful, healthy communication requires teaching about responsibility and values and opening the lines of communication between parents and youth well before a young woman faces a pregnancy. And that is why we are urging you to **oppose Measure 43.**

**Measure 43 will not help a young woman talk to her parents.** This government mandate may seem reasonable at first. But the reality is that not all families are the same. The majority of older teens already seek the support of a parent or other trusted adult in making reproductive health care decisions. However, we know some teens simply cannot talk to their parents, and this measure will not fix those families.

#### Measure 43 will not protect our most vulnerable teens.

The mandate in Measure 43 to force a doctor to send a certified letter to a parent who may be responsible for the abuse increases the risk to vulnerable teens. Measure 43 won't protect teen safety.

Young women enter our clinics every day seeking family planning information and services, with the support of a mom, dad, grandma, aunt or other trusted adult. This measure could change that because even in stable families, the threat of a certified letter could frighten teens away from the very support

# Measure 43 Arguments

they need most.

**We oppose Measure 43** because we know it simply will not keep our teens safe.

Please join us by voting **no on Measure 43**.

*(This information furnished by Bill Sheppard, Planned Parenthood of Southwestern Oregon.)*

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## Argument in Opposition

### Religious Leaders in Oregon Urge a "NO" Vote on Measure 43

#### Clergy and People of Faith Oppose Measure 43

As Clergy, we care for those who most need care. Ballot Measure 43 is not as safe for teens and families as it seems. We understand that every family is different, with their own challenges and problems. Imposing a one-size-fits-all government mandate will not help teens from troubled homes.

#### Government Mandated Communication is Not the Answer

We know that the vast majority of families are involved with one another, including the lives of their daughters. Part of the job of the ministry is to support this successful family structure. We encourage strong, healthy families. Our experience has taught us that the best way to promote good family communication and values is to start early.

Teaching about responsibility and your own family values has to start when a child is very young to foster open, honest communication. Government-mandated parental notification after a young woman becomes pregnant will not improve family communication.

#### Measure 43 Makes a Tragic Situation, Worse

We know there are some young women who cannot involve their parents because they come from homes where physical violence or emotional abuse is prevalent or because their pregnancies are the result of incest. Ballot Measure 43 has no exceptions for rape or incest. Even in stable families, the threat of a certified letter could frighten teens away from the support they need.

#### Measure 43 Simply Will Not Keep Our Teens Safe

Measure 43 will complicate the lives of vulnerable teens, rather than help them. We offer our support to young women and families who need help at this traumatic time. Families need help; they do not need a new government mandate in their most private parenting and family decisions.

#### Measure 43 is not safe or simple

#### Join us in Voting NO

**Reverend Alicia Speidel, Medford**  
**Reverend Paul B. Robinson, Medford (Ret)**  
**Reverends Pat and Gene Ross, Portland**

*(This information furnished by Alicia Speidel and Paul B. Robinson.)*

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## Argument in Opposition

### Outside In Urges You to Oppose Measure 43

**Outside In opposes Measure 43.** Outside In works to address the changing needs of homeless youth as they work toward self-sufficiency and improved health by providing them innovative services and resources. We are dedicated to ensuring the safety, well-being, and positive development of young people who are homeless. Because we are committed to the health and safety of these young people, we oppose Measure 43.

#### Measure 43 does not take into account the real world.

This measure will drive more young people away from their homes and onto the streets. We see, every day, young people that do not have a healthy relationship with their parents. Youth living in abusive or troubled homes know that a certified letter to their parents will be dangerous. These same youth have had bad experiences navigating bureaucratic systems—an administrative law judge is not the answer for them either. These two options are not enough for the young people we serve. Measure 43 won't protect their safety.

**Measure 43 is not safe for Oregon's most vulnerable youth.** Young women, from troubled homes, facing a pregnancy need help from supportive adults, counselors, doctors and nurses. This government mandate may sound good at first, but the problem is not all families are the same. We know. We work tirelessly to protect Oregon's most vulnerable youth who are living proof. It is our responsibility, as the voters in Oregon to cast our ballots to keep our youth safe.

**Outside In protects our most troubled youth,  
We know Measure 43 is a bad idea.  
Please Vote "NO"**

*(This information furnished by Kathy Oliver, Outside In.)*

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## Argument in Opposition

### ORGANIZATIONS AND LEADERS FROM EVERY CORNER OF OREGON ASK YOU TO PLEASE VOTE NO ON MEASURE 43

We the undersigned are deeply concerned about the well being of teens, the healthy communication of families and the protection of safe and accessible health care in Oregon.

Measure 43 creates serious problems – and in some cases potentially tragic risks – in all of these aspects. It is not simple. It is not safe. We urge you to join us and other concerned citizens in voting NO on 43.

Below is a partial list of organizations and individuals endorsing the campaign to defeat this measure, for an expanded list, please visit [www.NoOn43.com](http://www.NoOn43.com).

#### Health Care Professionals and Medical Providers

- The Oregon Medical Association
- Oregon Nurses Association
- The American College of Obstetricians and Gynecologists, Oregon
- Planned Parenthood Advocates of Oregon

#### Parents and Educators

- Oregon Education Association
- Kathryn Firestone, Past President of the Oregon PTA

# Measure 43 Arguments

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## Judges and Law Enforcement

- Betty Roberts, Former Supreme Court Judge
- Sandra Sawyer, Former Juvenile Court Judge
- Police Lieutenant (Ret.) Jeff Barker

## Religious Leaders and People of Faith

- National Council of Jewish Women, Portland Section
- Rev. (Ret.) Paul B. Robinson, Medford
- Rev. Alicia Speidel, Medford
- Reverends Pat and Gene Ross

## Social Service Providers

- National Association of Social Workers, Oregon Chapter
- Sexual Assault Support Services of Lane County
- Outside In

## Civic Leaders and Community Organizations

- Governor Barbara Roberts
- Mayor Tom Potter
- Democratic Party of Oregon

*(This information furnished by M. Hoeven, No on Measure 43.)*

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# Measure 44

Proposed by initiative petition to be voted on at the General Election, November 7, 2006. The information in the shaded area below will appear on your ballot.

## Ballot Title

# 44

### **ALLOWS ANY OREGON RESIDENT WITHOUT PRESCRIPTION DRUG COVERAGE TO PARTICIPATE IN OREGON PRESCRIPTION DRUG PROGRAM**

**RESULT OF "YES" VOTE:** Yes" vote expands eligibility to participate in Oregon Prescription Drug Program to Oregon residents who have no prescription drug coverage (except Medicare), eliminating current restrictions.

**RESULT OF "NO" VOTE:** "No" vote retains current law limiting participation in Oregon Prescription Drug Program to Oregon residents over age 54 who meet income limit, past coverage limitation.

**SUMMARY:** Existing law authorizes the Oregon Prescription Drug Program, which is intended to reduce prescription drug costs and to make prescription drugs available to participants at the lowest possible cost. Existing law authorizes the program's administrator, among other things, to negotiate price discounts, to purchase prescription drugs on behalf of participants, and to reimburse pharmacies. Under current law, Oregon residents over age 54 whose gross annual income does not exceed 185 percent of the federal poverty guidelines and who have not had private prescription drug benefit coverage for the past 6 months are eligible to participate in the Program. Measure eliminates those restrictions and expands Program eligibility to all Oregon residents who have no prescription drug coverage except Medicare Part D. Provides no funding. Other provisions.

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

## Text of Measure

### **AN ACT**

Relating to prescription drugs; amending ORS 414.312.

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

**SECTION 1.** ORS 414.312 is amended to read:

414.312. (1) As used in ORS 414.312 to 414.318:

(a) "Pharmacy benefit manager" means an entity that, in addition to being a prescription drug claims processor, negotiates and executes contracts with pharmacies, manages preferred drug lists, negotiates rebates with prescription drug manufacturers and serves as an intermediary between the Oregon Prescription Drug Program, prescription drug manufacturers and pharmacies.

(b) "Prescription drug claims processor" means an entity that processes and pays prescription drug claims, adjudicates pharmacy claims, transmits prescription drug prices and claims data between pharmacies and the Oregon Prescription Drug Program and processes related payments to pharmacies.

(c) "Program price" means the reimbursement rates and prescription drug prices established by the administrator of the Oregon Prescription Drug Program.

(2) The Oregon Prescription Drug Program is established in the Oregon Department of Administrative Services. The purpose of the program is to:

(a) Purchase prescription drugs or reimburse pharmacies for prescription drugs in order to receive discounted prices and rebates;

(b) Make prescription drugs available at the lowest possible cost to participants in the program; and

(c) Maintain a list of prescription drugs recommended as the most effective prescription drugs available at the best possible prices.

(3) The Director of the Oregon Department of Administrative Services shall appoint an administrator of the Oregon Prescription Drug Program. The administrator shall:

(a) Negotiate price discounts and rebates on prescription drugs with prescription drug manufacturers;

(b) Purchase prescription drugs on behalf of individuals and entities that participate in the program;

(c) Contract with a prescription drug claims processor to adjudicate pharmacy claims and transmit program prices to pharmacies;

(d) Determine program prices and reimburse pharmacies for prescription drugs;

(e) Adopt and implement a preferred drug list for the program;

(f) Develop a system for allocating and distributing the operational costs of the program and any rebates obtained to participants of the program; and

(g) Cooperate with other states or regional consortia in the bulk purchase of prescription drugs.

(4) The following individuals or entities may participate in the program:

(a) Public Employees' Benefit Board;

(b) Local governments as defined in ORS 174.116 and special government bodies as defined in ORS 174.117 that directly or indirectly purchase prescription drugs;

(c) Enrollees in the Senior Prescription Drug Assistance Program created under ORS 414.342;

(d) Oregon Health and Science University established under ORS 353.020;

(e) State agencies that directly or indirectly purchase prescription drugs, including agencies that dispense prescription drugs directly to persons in state-operated facilities; and

(f) Residents of this state who[.]

[(A) Are more than 54 years of age;]

[(B) Have a gross annual income that does not exceed 185 percent of the federal poverty guidelines; and]

[(C) Have not been covered under any private prescription drug benefit program for the previous six months] **do not have prescription drug coverage.**

(5) The state agency that receives federal Medicaid funds and is responsible for implementing the state's medical assistance program may not participate in the program.

(6) The administrator may establish different reimbursement rates or prescription drug prices for pharmacies in rural areas to maintain statewide access to the program.

(7) The administrator shall establish the terms and conditions for a pharmacy to enroll in the program. A licensed pharmacy that is willing to accept the terms and conditions established by the administrator may apply to enroll in the program.

(8) Except as provided in subsection (9) of this section, the administrator may not:

# Measure 44

- (a) Contract with a pharmacy benefit manager;
- (b) Establish a state-managed wholesale or retail drug distribution or dispensing system; or
- (c) Require pharmacies to maintain or allocate separate inventories for prescription drugs dispensed through the program.

(9) The administrator shall contract with one or more entities to provide the functions of a prescription drug claims processor. The administrator may also contract with a pharmacy benefit manager to negotiate with prescription drug manufacturers on behalf of the administrator.

**(10) Notwithstanding subsection (4)(f) of this section, individuals who are eligible for Medicare Part D prescription drug coverage may participate in the program.**

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

## Explanatory Statement

Ballot Measure 44 modifies the eligibility requirements for Oregon residents to participate in the Oregon Prescription Drug Program. The program intends to make prescription drugs available to participants at the lowest possible cost through negotiated price discounts.

The current program is limited to Oregon residents who are: a) at least 54 years old; b) earn less than 185% of the federal poverty level (currently \$18,130 per individual); and c) have not had private prescription drug coverage for the six months preceding application to the program.

Ballot Measure 44 expands the Oregon Prescription Drug Program by removing eligibility requirements so that all Oregonians without prescription drug coverage regardless of age or income may participate. Participation in the Oregon Prescription Drug Program is voluntary. Medicare Part D prescription plan enrollees would be eligible to join.

Participants receive a card to use at participating pharmacies to purchase prescription drugs at the discounted price.

### Committee Members:

Gerald J. Cohen  
Maribeth Healey  
Don Stecher  
Jim Thompson  
Lynn Lundquist

### 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 44 Arguments

## Argument in Favor

### **Governor Kulongoski Supports Measure 44 As Another Step to Reduce Health Care Costs for All Oregonians**

As your Governor, I am committed to doing everything that works to reduce health care costs for all Oregonians.

Measure 44 is another step in that direction, designed to reduce the costs of prescription drugs.

We know Measure 44 will work, because it expands a program that is already delivering real savings to Oregonians – the Oregon Prescription Drug Program. That program, launched during my administration, uses the combined purchasing power of individuals and employer groups to negotiate price discounts from pharmaceutical companies. By so doing, this program has reduced costs for low-income seniors by up to 60 percent and delivered thousands of dollars in savings per month for school districts and local governments.

I have continued to expand the Oregon Prescription Drug Program, most recently by combining our pooled purchasing efforts with those of Washington State. As our program grows in size and can negotiate for more persons, we will be able to secure even better prices from the drug companies.

**Now, thanks to Measure 44, we have the opportunity to extend the state's pooled purchasing program to all Oregonians who do not have prescription drug coverage. Currently, these persons pay the highest prices that the market will bear for prescription drugs. Under Measure 44, they will be able to get their medications at the best prices we can negotiate for them.**

No one in Oregon should have to choose between filling a prescription and filling their refrigerators. Measure 44 will eliminate that dilemma for many thousands of Oregonians.

Please join me in supporting Measure 44 and in working together to reduce health care costs and expand health care coverage for all Oregonians.

For more information on my "Everything That Works" plan to reduce costs, expand coverage and improve the quality of our health care system, go to my campaign website at [www.tedforgov.com](http://www.tedforgov.com).

Theodore R. Kulongoski  
Governor

*(This information furnished by Governor Ted Kulongoski.)*

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## Argument in Favor

### **Oregon Nurses Ask for your YES Vote on Measure 44 for affordable prescriptions.**

We are on the frontlines of the health care crisis and we need your help.

As nurses, we see too many patients in the emergency room because they can't afford the medications they need to manage their chronic disease.

This increases the cost of health care for all of us.

### **Measure 44 is a tool we need to help patients access life-saving prescription drugs.**

Nearly one million Oregonians do not have prescription drug coverage. Alone, they are charged 60% more for their prescriptions than the federal government negotiates. Measure 44 gives consumers the same power big insurance

companies have to negotiate discounts.

### **Oregon Nurses support Measure 44 because:**

We see children whose parents can't afford the asthma medication their child needs.

### **Measure 44 will make prescriptions more affordable for Oregon children.**

We see uninsured working Oregonians with chronic diseases, like diabetes, who can't afford the insulin they need.

### **Measure 44 will make prescriptions affordable for working Oregonians.**

We see seniors who fall through the Medicare Part D donut hole and can no longer afford their blood pressure medications.

### **Measure 44 will make prescriptions affordable for Oregon seniors.**

Measure 44 will make prescription drugs affordable for Oregonians without prescription coverage and reduce the cost of health care for all of us.

### **Join Oregon Nurses Association in Voting Yes for Affordable Prescriptions Yes on Measure 44.**

*(This information furnished by Susan King, RN, Oregon Nurses Association.)*

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## Argument in Favor

**"Our school district is saving \$3,000 a month on health insurance premiums because we joined the Oregon Prescription Drug Program. That is money put back into educational programs and services for our rural school district." Laurence M. Taaffe, Crook County School District employee.**

This innovative program is working!

The Oregon Prescription Drug Program combines state agencies, local governments, school districts and individuals without prescription drug coverage to negotiate reduced prices on prescriptions. Individual participants are saving up to 60% off their prescriptions.

### **Vote YES on MEASURE 44 to reduce the cost of health care for all of us!**

The rising cost of health care is a burden for families, businesses and government alike. Double-digit cost increases for health insurance premiums are forcing businesses, local governments and school districts to make difficult decisions regarding health coverage. Many are seeking to transfer the burden of rapidly rising health care costs to employees and their families. This just makes the crisis worse!

### **Measure 44 offers a smart, simple solution to reduce prescription costs for more than one million Oregonians.**

It just makes sense! When Oregon school districts and community colleges are negotiating their health insurance packages, we encourage them to look to the Oregon Prescription Drug Program as an option for reducing costs. It is already working in Crook County.

Measure 44 will strengthen this program and help lead to greater cost reductions for participating groups. Reducing the cost of health care helps all of us!

We're working for real solutions to reduce the cost of health care for school districts and community colleges across Oregon.

# Measure 44 Arguments

Measure 44 will help.

**VOTE YES ON MEASURE 44.**

**Merlene Martin, President  
Oregon School Employees Association**

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

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## Argument in Favor

### AARP Oregon urges "YES" vote on Measure 44

Did you know? ...

An AARP Oregon member in Yamhill County who had just-turned 50, was laid off from a two-decade career in the high-tech industry. For the first time in their lives, she and her self-employed husband have no health insurance or prescription coverage.

The daughter of a West Linn AARP Oregon member recently graduated college and started a new teaching job, but has to wait four months for health insurance and prescription coverage to kick in.

The neighbors of a Medford AARP Oregon member can't get health insurance since the mom was diagnosed with heart disease. The family can't afford the high premiums, or the out-of-pocket cost of medications, leaving the parents of three young children very worried.

Prescription drugs costs are spiraling out-of-control, and are a key driver of overall health care costs. And the number of Oregonians without health and prescription coverage is growing at alarming rates.

AARP Oregon believes **Measure 44 can put an end to these stories, leading to healthier families, healthier communities and a healthier economy.**

Measure 44 will:

- Allow Oregonians without prescription drug coverage to be included in an innovative purchasing pool, regardless of age or income.
- Increase access to more affordable life-saving medicines.
- Rein in prescription drug costs.
- Help control overall healthcare costs. When people can't afford preventative medications, it usually results in expensive emergency visits or treatments that ultimately cost us all.
- Give grandparents and other seniors on Medicare Part D a valuable safety net in case they fall into the "donut hole."

**Measure 44 can do all this at  
no additional cost to taxpayers**

because it takes advantage of an already established, effective program that pays for itself through savings realized from negotiations.

**Let's help write the prescription for a Healthy Oregon.  
Vote "YES" on Measure 44.**

For AARP Oregon:

Jerry Cohen, State Director and Measure Sponsor  
Ray Miao, State President

*(This information furnished by Jerry Cohen, State Director and Ray Miao, State President; AARP Oregon.)*

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## Argument in Favor

### OREGON BUSINESS ASSOCIATION URGES A YES VOTE ON MEASURE 44

**Affordable prescription drugs make it possible for Oregonians to go back to their jobs sooner and to be more productive when they are at work.**

The Oregon Business Association was formed in 1999 to provide bipartisan, statewide business leadership that ensures Oregon's long-term economic competitiveness. Providing access to affordable and sustainable health care resources for all Oregonians is essential to fulfilling that mission – and requires balanced solutions that involve business, medical providers, public policies and educational programs.

**Accessible and affordable prescription drugs strengthen our economy by making it possible for workers to go back to their jobs sooner and to be more productive when they are at work.**

Whether it's depression care, powerful migraine medicine, or non-drowsy antihistamines for our state's infamous hay fever season, prescription drugs help to dramatically reduce employee absenteeism rates.

During the 2005 legislative session, the Oregon Business Association specifically supported bulk purchasing of pharmaceuticals for Oregon Health Plan participants, and the use of a pharmaceutical formulary for all Oregon Health Plan participants not currently served by a managed care plan.

**Measure 44 will help stem the skyrocketing cost of health care for all Oregonians by lowering prescription drug prices for more than a million Oregonians who currently lack prescription drug insurance coverage.**

It will do this without adding a new government program or additional burdens on businesses. Extending the Oregon Prescription Drug Program to more than one million Oregonians will allow individuals and families to enjoy the same benefits of bulk purchasing power that large companies, and Oregonians with prescription insurance, already enjoy.

**Measure 44 is a smart, effective program that won't create new government programs, or add costs to Oregon taxpayers.**

**It will lower the cost of health care, help increase Oregon's economic competitiveness, and benefit all regions of the state.**

**PLEASE MARK YOUR BALLOT YES FOR MEASURE 44:  
PRESCRIPTION FOR A HEALTHY OREGON**

Lynn Lundquist  
Oregon Business Association

*(This information furnished by Lynn Lundquist, Oregon Business Association.)*

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## Argument in Favor

### THE OREGON AFL-CIO WORKS TO MAKE SURE OREGON FAMILIES HAVE GOOD JOBS AND STRONG COMMUNITIES

Our 90,000 members -- including firefighters, teachers, steelworkers, nurses, construction workers, longshoremen and more -- work together to make sure that Oregon families have good jobs and strong communities. For us, that means:



# Measure 44 Arguments

## Health care must be affordable and accessible for ALL Oregonians.

Our member representatives have studied the ballot measures and voted to say  
“YES ON MEASURE 44.”

### PRESCRIPTION DRUG COSTS ARE OUT OF CONTROL

High prescription costs hurt Oregon’s families, businesses, communities and schools.

Union members get stung at the bargaining table when employers can’t afford to give raises because health care costs rise faster than inflation.

Two-thirds of the 613,000 uninsured Oregonians are in families that work full-time.

### MEASURE 44 ALLOWS WORKING FAMILIES TO BUY IN BULK AND NEGOTIATE REAL SAVINGS, JUST LIKE VETERANS AND BIG INSURANCE COMPANIES.

We all know that buying in bulk saves money. This holds true for buying medicine. The more Oregonians join together, the more power we have to get discounts that lower health care costs for all of us.

### DRUG COMPANIES SPEND MORE ON ADVERTISING AND PROFITS THAN THEY DO ON RESEARCH

It’s wrong to make Oregon seniors and low-wage workers choose between paying the rent and filling their prescriptions. What’s worse is drug companies spend more money on marketing and sky-high profits than they do on developing new drugs. The good news is: there’s a lot of room to pass savings on to people who need lower prices, without hurting research!

### MEASURE 44 PAYS FOR ITSELF

Measure 44 won’t cost taxpayers a single extra penny, because the administrative expenses to run this program are already in place. By negotiating with drug manufacturers and pharmacies, and gaining health care savings across the state, Measure 44 pays for itself.

**The Oregon AFL-CIO wants health care to be affordable for ALL Oregonians.**

### MEASURE 44 MAKES SENSE

**Vote YES on MEASURE 44**

**THANK YOU!**

*(This information furnished by Tom Chamberlain, President, Oregon AFL-CIO.)*

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## Argument in Favor

We don’t get the opportunity very often to vote on a ballot measure that doesn’t have a flip side — a consequence that someone else doesn’t like. Certain Oregon petitioners have, over the years, even become infamous for authoring ballot measures full of “unintended consequences.” So it’s refreshing to have Measure 44 on the ballot this year, a measure that simply should be a no-brainer.

Here’s how Measure 44 works. It allows Oregonians who don’t have prescription drug coverage to participate in the Oregon Prescription Drug Program (OPDP). The OPDP was created by the 2003 Legislature to combine state agencies, local governments, school districts and low-income seniors. In other words, it forms a “pool” to get better rates from the drug companies. If Measure 44 passes, it will add Oregonians without prescription

insurance to that pool.

How much will this cost Oregon taxpayers? **NOTHING.** That’s the beauty of Measure 44: there’s no negative consequence, unintended or otherwise. There is no state subsidy involved; participants still must pay for their own prescriptions. But through the OPDP and its pool, the state is able to negotiate discounts on many common drugs — in some cases, as much as 60 percent.

In fact, there’s probably only one reason to vote against Measure 44: if you’d like to see the big pharmaceutical companies make more money.

Most of us likely believe the big drug companies are doing just fine, and Measure 44 is a painless way that we can help fellow Oregonians in need to better afford vital prescription medicine. We at the Oregon chapter of the American Federation of State, County and Municipal Employees (AFSCME) strongly believe there are a lot of changes that need to be made under the banner of “health care reform” — Measure 44 is a great start that only saves money.

**We encourage you to VOTE YES on BALLOT MEASURE 44.**

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

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## Argument in Favor

### PRESCRIPTION DRUG COVERAGE A WIN-WIN Ron Saxton

Today, over 600,000 Oregonians are uninsured — including more than 100,000 children — and many more don’t have prescription drug coverage. The price for coverage is simply too high.

As a result, an ever-increasing number of Oregonians are seeking medical care only in emergency situations, and more often than not those with insurance — or the government — are picking up the bill. This means a significant percentage of your insurance premium, if you are lucky enough to have insurance, goes to paying the high emergency costs of the uninsured.

The solution requires that we work both to reduce the cost of insurance and medical care, including prescription drugs. Measure 44 helps us do just that.

Measure 44 leverages the power of bulk purchasing by expanding the number of Oregonians who qualify for the Oregon Prescription Drug Program, and as is true with any bulk purchasing program, the bigger the pool, the cheaper the prescription drugs for everyone in the pool.

In many cases Measure 44 would reduce the cost of prescription drugs by up to 60%, resulting in more Oregonians being able to afford medications, fewer unpaid bills, and lower overall healthcare costs.

Further, Measure 44 doesn’t come at taxpayer expense. Why, because the Measure simply expands eligibility for a drug purchasing program already in place without adding more bureaucracy. In fact, Measure 44 saves the state money by reducing the cost of medications state government already purchases.

It is also important to understand that only legal Oregon residents can participate, but that as many as 1 in 5 Oregonians may be eligible for cheaper medications, including those who have health insurance but don’t have a prescription drug benefit.

# Measure 44 Arguments

It's not overstating the case to say that this is a true win-win for Oregon's taxpayers and healthcare consumers alike. How often can you reduce the cost of healthcare and expand prescription drug coverage without spending more tax dollars?

*(This information furnished by Ron Saxton, Friends of Ron Saxton.)*

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## Argument in Favor

**Measure 44 will  
make prescription drugs more affordable  
and help  
1 million people stay healthy**

**That's exactly what we should be doing in Our Oregon**

In Our Oregon, everyone should be able to afford the medicine they need to stay healthy, and no one should suffer price gouging just because they don't have insurance.

**Uninsured Oregonians are charged more for their prescriptions drugs than insurance companies or other big purchasers are. It's not fair.**

That's why we support Measure 44.

Measure 44 is simple and effective. It lifts the current restrictions on the Oregon Prescription Drug Program so that anyone without insurance coverage can join.

**The pharmaceutical industry blocked attempts to allow more people to get affordable medicine through the Oregon Prescription Drug Program.**

That's why we need Measure 44.

Measure 44 ensures that everyone in Oregon gets a fair deal. Individuals will have the same bulk purchasing power that the big insurance companies have when they negotiate lower prices with the drug companies

**Our Oregon urges you to vote YES on Measure 44**

Get the facts on this and other measures:

[www.ouoregon.org](http://www.ouoregon.org)

*(This information furnished by Christy B. Mason, Deputy Director, Our Oregon.)*

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## Argument in Favor

Fire Fighters Urge a YES Vote on  
Measure 44!

**OREGON FIRE FIGHTERS SAY  
MEASURE 44 WILL LOWER THE COST OF  
PRESCRIPTION DRUGS**

Oregon's firefighters are on the front lines of our communities every day. It is our mission to protect the public's health and safety.

"The way I see it, patients unable to afford prescribed drugs are like fire fighters trying to work without water in our hoses. Effective care requires affordable prescriptions- that is why we need to pass Measure 44." Jeff Hamilton, Gresham Fire Fighters L-1062

**We take our mission seriously** and we want Oregonians to know that access to affordable prescription drugs is vital

for our community. Measure 44 will prevent unnecessary health care expenditures.

Fire fighters are constantly reminded of what happens when things go terribly wrong. As first responders, we see that a lack of access to affordable prescriptions is hurting Oregonians and raising health care costs for all of us.

"We've seen a huge rise in calls from people who require emergency assistance because they couldn't afford to take medications to manage their chronic diseases. Measure 44 will help reduce strain on our public safety systems." John Wooten, Fire Fighter/Paramedic, Pendleton L-2296

"I see people in my community suffering without the life-saving prescriptions they need. Joining together to reduce the cost of prescription drugs is just common sense. I'm voting Yes on Measure 44 because it opens a groundbreaking program to Oregonians in need, and will reduce the cost of health care for all of us." Mark Cross, Tualatin Valley Fire Fighters, L-1660

**Oregon Fire Fighters urge Oregonians to  
Support Measure 44 to reduce prescription drug costs  
for the nearly one million Oregonians  
without prescription drug coverage.**

Kelly Bach, President  
Oregon State Fire Fighters Council

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

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## Argument in Favor

**The  
League of Women Voters of Oregon  
supports Measure 44**

The League of Women Voters nationally and in Oregon has long supported public policies and efforts that help provide accessible and affordable health care.

**We believe that Measure 44 is an important step toward providing all Oregonians with access to basic health care—including preventive care—and controlling health care costs.**

Here is why the League of Women Voters of Oregon supports Measure 44:

- It will **lower prescription drug costs** by up to 60 percent for more than one million Oregonians estimated to be without prescription coverage, by allowing them to be part of a purchasing pool.
- By providing Oregonians access to the medications they need for healthy lifestyles, it **helps contain health care costs for all residents** because more expensive emergency room visits or treatments can be avoided.
- **It builds upon an innovative and already proven successful program.** The Oregon Prescription Drug Program uses the power of the marketplace to negotiate directly with drug manufacturers and pharmacies, giving Oregonians valuable purchasing power. The more people who can join, the more everyone saves.
- **It won't cost taxpayers anything extra** because Measure 44 utilizes the structure of an existing, efficient program and the savings realized from deep discounts, rebates and grants negotiated with drug companies.

The League of Women Voters is a non-partisan political organization that encourages informed citizen participation in government.

# Measure 44 Arguments

## **Please join the League of Women Voters of Oregon in voting "yes" on Measure 44.**

Measure 44 could help you, your family, a neighbor, a friend or a co-worker, with no new costs to taxpayers. **It will help build a healthier Oregon.**

*(This information furnished by Margaret Noel, President, League of Women Voters of Oregon.)*

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## **Argument in Favor**

### **An Important Message from Measure 44 Sponsor Senator Bill Morrisette**

#### **BALLOT MEASURE 44: NO COST TO TAXPAYERS AND A HEALTHIER OREGON**

**Unlike the federal government's prescription drug plan, the Oregon Prescription Drug Program has no confusing or complicated plans. It actually lowers prescription drug prices and offers no big giveaways to pharmaceutical companies.**

I sponsored legislation to create the Oregon Prescription Drug Program, a groundbreaking plan that has a strong track record of saving participants as much as 60% off their medications.

This innovative state program pools the purchasing power of state agencies, local governments, school districts and some uninsured Oregonians to join together and negotiate lower prices with the pharmaceutical companies. That combined power gives us the ability to negotiate with drug companies, just like insurance companies do.

**Ballot Measure 44 can help more than one million Oregonians get the prescription drugs they need – at no cost to taxpayers. The more people who join, the more everyone saves.**

Three important reasons to vote YES on 44:

1. Ballot Measure 44 means more than one million Oregonians won't have to choose between buying food or life-saving medicines each month.
2. Ballot Measure 44 means people won't have to travel to Canada or Mexico to buy their medications at discount prices.
3. Ballot Measure 44 gives taxpayers peace of mind. The administrative expenses to run this program are already in place. By negotiating with drug manufacturers and pharmacies, the program pays for itself.

**Please vote Yes on Measure 44. It's the smart and simple solution to making prescription drugs more accessible and affordable for Oregonians.**

Sen. Bill Morrisette, Springfield  
Sponsor, Measure 44

*(This information furnished by Senator Bill Morrisette.)*

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## **Argument in Favor**

### **AN IMPORTANT MESSAGE FOR OREGON SENIORS**

From United Seniors of Oregon,  
Gray Panthers of Oregon,  
Elders in Action Commission,

Oregon State Council for Retired Citizens  
Oregon AFSCME Retirees Association  
and the Oregon Alliance for Retired Americans  
Urging you to vote YES on Measure 44.

### **MEASURE 44 HELPS OREGON'S SENIORS**

Measure 44 opens Oregon's innovative Prescription Drug purchasing pool to all Oregonians without prescription drug coverage. All Oregon seniors with Medicare Part D Prescription coverage would also be able to participate. This successful, easy to use program has already saved over \$560,000 for its 4000 current individuals.

### **MEASURE 44 IS EASY TO USE**

Enrollment is simple and can be done by mail. Participants can use their OPDP card at 90% of Oregon pharmacies and nationwide chains to pay the discounted price for their prescriptions. The card is free and enrollment for this voluntary program is open year round. Visit [www.opdp.org](http://www.opdp.org) for an application.

### **MEASURE 44 NEGOTIATES FOR THE LOWEST PRICE**

**By negotiating with drug companies, like Medicare should be doing, participants pay the lowest cost for their prescriptions- as much as 60% off.**

Right now, 25% of Oregon seniors on Medicare have no prescription drug coverage- they pay the highest price for their prescriptions or go without. Measure 44 will help.

For Oregon seniors who will fall in the Medicare "donut hole," Measure 44 means we will have access to reduced cost prescriptions during the time we've been abandoned by the federal government.

### **MEASURE 44 ISN'T JUST FOR SENIORS- It will help our children and grandchildren afford their prescriptions, too.**

By joining together, this groundbreaking measure gives the one million Oregonians without prescription drug coverage the same negotiating power as the big drug companies.

*(This information furnished by Verna Porter, Oregon Alliance for Retired Americans; James (Jim) Davis, Oregon State Council for Retired Citizens, Gray Panthers of Oregon, United Seniors of Oregon.)*

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## **Argument in Favor**

### **The Oregon Medical Association Urges You to Vote YES on Measure 44. It's a no-brainer.**

Measure 44 would allow any Oregon resident without prescription drug coverage to participate in the Oregon Prescription Savings Programs. The OMA encourages a YES vote on Measure 44 because:

1. **M44 increases quality of life.** Many medications manage chronic diseases like diabetes or asthma cost-effectively. People with chronic diseases can be assured that they can get their medication, maintaining their health and reducing the possibility of work absence. People suffering from mental illness could become more productive if they were able to get proper medication for their conditions.
2. **M44 can decrease overall health care costs.** Ensuring a way for people to get their medication regularly may prevent an expensive trip to the emergency room—and prevent health care costs from skyrocketing for everyone.
3. **It's wrong to make patients have to choose between paying their bills or buying their pills.** One-third of our patients do not have prescription insurance coverage. That

# Measure 44 Arguments

means they have to pay 60% more for the medicines we prescribe them than our insured patients. Some patients skip pills in order to stretch out their next refill date or never get their prescription filled.

## **The Oregon Medical Association urges you to vote YES on Measure 44.**

Andris Antoniskis, M.D.,  
President, Oregon Medical Association

*(This information furnished by Andris Antoniskis, M.D., President, Oregon Medical Association.)*

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## **Argument in Favor**

### **HEALTH CARE PROVIDERS SUPPORT MEASURE 44**

#### **Vote YES on Measure 44 to make Oregon a healthier place to live.**

**No one should have to choose between buying gasoline and groceries or paying for life-saving medications. But that's the reality our patients without insurance face EVERY DAY.**

- Ballot Measure 44 will forever change the lives of more than one million Oregonians
- Ballot Measure 44 will save our patients as much as 60% at the pharmacy
- Ballot Measure 44 will keep our patients out of the E.R.
- Ballot Measure 44 means shorter hospital stays and fewer surgeries.

"As a rural Eastern Oregon health care provider, the only one in a fifty mile radius, I see patients every day who can't afford the prescriptions they need. Measure 44 will improve the quality of life for my patients."

**Kate Grace, Physician's Assistant, Halfway**

"As a family physician, I have patients with diabetes or high blood pressure who can't afford medication and end up in the hospital close to death. I support Measure 44 because it will help hundreds of thousands of people afford lifesaving medications and prevent the needless waste of health care resources that drives up all our health care costs."

**Evan T. Saulino, M.D., Family Physician, Portland**

"As a nurse, I am troubled by the number of patients who can't afford their prescriptions. I'm excited to have the Oregon Prescription Drug Program as an option to help those in need."

**Kathy Geroux, R.N., President, Oregon Federation of Nurses and Health Professionals, Clackamas**

**As health care providers, we end up spending more and more time with those who are gravely ill and less time keeping the rest of our patients healthy.**

**Join us in voting Yes on Measure 44, because we need to do everything we can to provide quality health care to as many Oregonians as possible.**

Oregon Society of Physician Assistants  
Oregon Federation of Nurses and Health Professionals  
Tuality Healthcare  
CareOregon

*(This information furnished by Maribeth Healey, Yes on 44- Prescription for a Healthy Oregon.)*

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## **Argument in Favor**

### **A MESSAGE FROM OREGON PRESCRIPTION DRUG PROGRAM PARTICIPANTS MIKE AND KAREN BRYANT**

We've been married for 38 years and have two adult children and six grandchildren. I'm a self-employed contractor. Due to the high costs, we have no health insurance.

I've always been healthy, but in February I was diagnosed with cancer of the throat, and had to undergo aggressive chemotherapy and radiation treatment.

Fortunately, we qualified for Oregon's unique prescription drug purchasing program. After completing the treatments, I suffered extreme pain and was unable to speak. I needed a prescription for the pain.

Luckily, Karen found this often-difficult to locate drug at our neighborhood pharmacy. Through the donations of friends and neighbors, we still had a little money in a savings account, so Karen took what was left and went to the pharmacy, hoping we would have enough to buy the needed prescription.

### **THE OREGON PRESCRIPTION DRUG PROGRAM HAS BEEN A GOD-SEND FOR US.**

Using the Oregon Prescription Drug Program (OPDP) card that I had just received in the mail, the prescription I needed was \$44.00. We were flabbergasted! The negotiated discount price was roughly 10% of what we had expected to pay for the prescription.

**Because of Oregon's unique prescription program, we were able to afford the prescription I desperately needed.**

**Everyone in Oregon should have access to affordable prescriptions.**

The Oregon Prescription Drug Program works a lot like Costco. The more people who join, the more everyone saves. Even better than Costco, there are no membership fees

As taxpayers, we are also glad to know that with this measure we won't pay a single extra penny because the administrative expenses to run this low-cost program are already in place. By negotiating with drug manufacturers and pharmacies, the program pays for itself.

### **JOIN US IN VOTING YES ON MEASURE 44- PRESCRIPTION FOR A HEALTHY OREGON.**

**Mike and Karen Bryant**

*(This information furnished by Mike Bryant, Karen Bryant.)*

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## **Argument in Favor**

**Oregonians shouldn't have to take buses to Canada or Mexico to get their life-saving medicines.**

Measure 44 will reduce prescription drug costs so everyone can get their medicine here at home.

By joining together, the Oregon Prescription Drug Program gives everyone in Oregon the same bulk purchasing power as the big insurance companies.

**Vote YES on Measure 44 to reduce prescription drug costs by up to 60%**

**Your YES vote will let Kathy Karppinen of Forest Grove join the pool.**

As a diabetic with a sleeping disorder, Kathy took \$1200 in medications that were covered by insurance, until her husband

# Measure 44 Arguments

lost his job of 30 years. At 53, she doesn't qualify for the Oregon Prescription Drug Program, and has gone without many of her needed prescriptions. "I never thought I'd have to choose between buying my insulin or sleeping medication. The Oregon Prescription Drug Program would help me afford prescriptions I need to stay out of the hospital."

## Your YES vote will let Jason Reynolds of Portland join the pool.

After falling through the donut hole in his Medicare Prescription Drug Plan, Jason is now going without needed medications. "The cost of my prescriptions exceed my monthly income. I'm paying the full cost for some of my medications and going without others. Measure 44 will fill the holes in Bush's prescription plan and help people like me."

## Your YES vote will let Aleta Taal and her son of Oregon City join the pool.

Aleta works and is a full-time student, but she and her son can't afford health insurance. When Ryan developed strep throat last year, Aleta had to use her rent money to buy the \$346 in prescriptions he needed. "You have to take care of your sick kid. I wish OPDP would have been an option for us."

## The One Million Oregonians without Prescription Drug Coverage ask you to vote YES on Measure 44.

*(This information furnished by Maribeth Healey, Yes on 44- Prescription for a Healthy Oregon.)*

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## Argument in Favor

### IF YOU CARE ABOUT MENTAL HEALTH, VOTE YES ON MEASURE 44.

When it comes to prescription drugs for mental illnesses, one size does not fit all. Each person reacts differently to anti-psychotic or anti-depressant medications.

Individual body composition can make one prescription drug more effective than another. Using other medications can lead to potentially dangerous side effects.

We MUST:

- Give every patient the freedom to choose the best medication for their health & lifestyle
- Make their prescription drugs more affordable.

**If Oregon really hopes to stem the mental health crisis, we need a health care system that uses the power of the consumer to guarantee choice, affordability and access.**

**A YES vote on Measure 44 is a tremendous step in that direction.**

ALL Oregonians, even those without insurance coverage, must have choice and access. The most cost-effective and humane solution for mental health patients is to respect the roles of the practitioner and consumer to select the treatment that works best. **Measure 44 gives more than a million Oregonians the opportunity for effective mental health treatment.**

A recent national mental health report on America's health care system for serious mental illness gave Oregon barely a passing grade.

In fact, our per capita mental health spending ranks 40th in the country. It's no wonder funding was cited as the primary critical need.

We aren't going to fix those problems overnight, but **Measure 44 is exactly the kind of first step we need.**

## Vote YES to make sure all of our state's mental health patients have access to affordable, effective medications.

Monica Kosman  
President  
National Alliance on Mental Illness – Oregon

*(This information furnished by Monica Kosman, President, National Alliance on Mental Illness – Oregon.)*

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## Argument in Favor

### OREGON HEALTH ACTION CAMPAIGN URGES A YES VOTE ON MEASURE 44

\$1,128 of every family health insurance premium pays for the costs of the uninsured.

When Oregonians can't afford the medications they need, too many end up worse off and in the emergency room- driving up the cost of health care for all of us.

### Oregon Health Action Campaign supports Measure 44. Access to affordable prescription drugs is crucial for quality health care.

Oregon Health Action Campaign is a statewide coalition of individuals and organizations who have come together to empower the consumer voice in the development of quality, responsive health systems that allow all people to access the health care they need, when they need it from the providers of their choice at an affordable cost.

### Here's why Oregonians from around the state support Measure 44:

"With the loss of family wage jobs that provide benefits in Eastern Oregon, more and more of us go without health care. Access to affordable prescription drugs is vital to the health and economy in our community."  
Glenna Awbrey, La Grande

"As a public health nurse, I have seen too many families struggling with the choice of buying needed medications or paying rent. The Oregon Prescription Drug Program will ease the burden for families in our community."  
Mary Lou Hennrich, R.N., Portland

"Affordable prescription drugs are a huge necessity for the seniors, children and working families in our community. Measure 44 will bring relief to those struggling to access health care, and reduce costs for all of us."  
Rich Rohde, Ashland

"Coastal communities have been hit hard by our declining economy. Access to affordable prescriptions would help ensure children, seniors and families get the care they need."  
Linda Peckron, Lincoln City

**The Oregon Prescription Drug Program gives consumers the power to negotiate a fair price for prescriptions, just as the big insurance companies do today.**

Join with Oregon Health Action Campaign in voting YES on Measure 44.

*(This information furnished by Ellen Pinney, Oregon Health Action Campaign.)*

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# Measure 44 Arguments

## Argument in Favor

**In 2006, 20% of Oregon's low-income children did not receive a needed prescription because of the high cost.**

Working in Oregon's classrooms with at-risk and special needs students, we see the impact of the high cost of prescription drugs. When students don't have access to the prescriptions they need, it is much harder for them to be successful in school.

Today, over 117,000 children in Oregon go without health insurance, and many families lack prescription drug coverage. They pay 60% more for prescriptions than the lowest negotiated price.

**Because healthy kids learn better, the American Federation of Teachers-Oregon urges a YES vote on Measure 44.**

AFT-Oregon represents thousands of Oregon workers in K-12 classrooms, child care centers, community colleges, and higher education. We care about kids and their families. To us, **Measure 44 is a simple solution to keep families healthier.**

Measure 44 will allow Oregon to negotiate lower prescription prices, just like the big insurance companies. By opening up Oregon's unique purchasing program to all Oregonians without prescription drug coverage, Measure 44 will make prescription drugs more affordable and accessible. The more people in the pool, the larger the savings for everyone.

AFT members working in hospitals and the health care professions know that when someone on medication for heart disease or diabetes goes without, we all pay the price. These patients often end up seeking emergency care when they can't access their preventative medications. Measure 44 will take a big step forward in helping all of us with the high cost of prescription drugs.

We see more and more difficult bargaining sessions as districts grapple with rising costs for health insurance. Measure 44 will also reduce the cost of health care for all of us—families, businesses and school districts.

**Measure 44 will reduce the skyrocketing cost of health care for all of us!**

**Join AFT-Oregon members in voting YES on Measure 44- Prescription for a Healthy Oregon**

Mark Schwebke, President  
AFT-Oregon

*(This information furnished by Mark Schwebke, President, AFT-Oregon.)*

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## Argument in Favor

### MEASURE 44 IS IMPORTANT FOR OREGON'S CHILDREN

With 117,000 children in Oregon uninsured, and many more underinsured, too many parents are forced to choose between filling the refrigerator and filling a prescription.

**Affordable, quality and comprehensive health care is not only vital to a child's health and well-being, it is an essential component of every family's financial stability.**

**Measure 44 will help uninsured families afford the prescriptions their children need.**

Growing up healthy is essential for a child's success. Having unmet health needs can significantly impact a child's well-being and reduces her or his ability to learn and grow into a

productive adult.

Uninsured children are 10 times more likely than insured children to miss out on needed medical care.

When children and their families are unable to access necessary health care – society pays a high price.

**Access to affordable prescription drugs is one less worry for families of children with chronic illnesses.**

Children without health insurance are more likely to suffer from earaches, sore throats and asthma – common childhood illnesses that force students to miss school and hamper educational success.

An estimated 63,000 children in Oregon have asthma, and children under the age of 5 have the highest rate of emergency room visits for out-of-control asthma.

Whether it is a one-time antibiotic for an ear infection or an ongoing asthma medication, the skyrocketing cost of prescription drugs is a burden for many Oregon families.

**Every child in Oregon deserves access to quality health care. Measure 44 is a step in the right direction.**

Children First for Oregon  
Oregon School-Based Health Care Network  
Oregon Pediatric Society  
Stand for Children

*(This information furnished by Tina Kotek, Children First for Oregon.)*

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## Argument in Favor

### Oregon's Educators Support Measure 44

We, the 45,000 members of the Oregon Education Association, are on the front lines teaching, counseling, transporting, and caring for children in our public schools. We see the impact of escalating health care costs for Oregon's families.

**Every day we work with kids who go without the medicines they need to be healthy and ready to learn.**

That is why securing affordable health care for Oregonians is a key component of our work in support of public education.

Health care costs are now 25% of our state budget and increasing at an alarming rate. Prescription drug costs are on average 14% of overall health care premiums.

These increasing costs mean more Oregon families and children are unable to afford health insurance and prescription drugs. They also mean higher costs for businesses, government, and school districts.

**We support expanding Oregon's prescription drug purchasing pool so that more Oregonians and school districts can save money on prescription drug costs.**

The Oregon Prescription Drug Program is an innovative plan that has already lowered the cost of medications for thousands. Measure 44 will expand this simple, smart program to more than a million Oregonians—including 117,000 children—who lack prescription drug coverage. Administrative costs for the program are covered by the savings from bulk purchasing, so expanding it won't cost taxpayers anything.

Measure 44 will:

- Allow families to save up to 60% on their medicines.
- Give Oregonians the same bulk purchasing power as the big insurance companies.

# Measure 44 Arguments

- Open up a successful, cost-effective program to students of all ages.
- Help reduce the cost of health care for all of us, without any cost to taxpayers.

**No child should be denied access to needed medications because families can't afford them.**

**The Oregon Education Association urges a YES vote on Measure 44.**

Larry Wolf, President  
Oregon Education Association

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

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## Argument in Favor

**Vote YES on Measure 44**

**Ecumenical Ministries of Oregon supports Measure 44.**

For many in the faith community, one's health is a gift from God. We all have a personal responsibility to care for this gift. And we all have a solemn responsibility to make health care accessible and affordable to as many people as possible. There are hundreds of thousands of Oregon residents without adequate prescription drug coverage. Many are elderly, children, and working families. They are all one step away from life threatening illnesses.

Measure 44 will change this for some through the power of a purchasing pool for people without prescription drug coverage, including those in Medicare Part D's doughnut hole. This is not a government handout. Nor is it a cash assistance program. It's a smart way to do business and it's needed. By the simple step of pooling individuals without prescription drug coverage together, prescriptions would be sold at a lower cost to those that join the state's purchase program.

You can help make a difference in the lives of close to 1,000,000 Oregonians that would be eligible to join the drug purchasing pool. It's the power of numbers. It's the simple power of your vote to make a difference.

Help reduce the cost of prescriptions for people who need it. No Oregonian should be forced to choose between life-saving prescription drugs and food.

Signed by the Executive Committee of EMO

Rev. Alcena Boozer, St. Philip the Deacon Episcopal Church, Portland

Rev. Kent Harrop, First Baptist Church, McMinnville

Rev. Dr. Dan E. H. Bryant, (Disciples of Christ) First Christian Church, Eugene

Rev. Stephen Schafroth, St. Paul Episcopal Church, The Dalles

Rev. Mark Knutson, Augustana Lutheran Church, Portland

Trudy Bradley, (Disciples of Christ) First Christian Church, Portland

**Join with faith leaders in voting YES on Ballot Measure 44.**

**Vote YES on Measure 44.**

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 Rev. Alcena Boozer, Ecumenical Ministries of Oregon.)*

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## Argument in Favor

**Oregon's diverse populations support Measure 44**

Like too many other Oregonians, many of our state's African Americans, Asian Americans and Latinos don't have access to affordable health insurance or prescription drug coverage, and struggle to afford the cost of today's expensive prescription medications.

With estimates now well over one million Oregonians who don't have prescription drug coverage – across all races, ethnicities, backgrounds and ages, but disparately affecting the minority and other medically underserved populations that we represent – this is nearing crisis mode. We've got to act!

**Supporting Measure 44 is one simple, effective way we can all attack this problem and make a difference.**

Measure 44 gives our state the ability to use the Costco model – the more people who can join and pool together, the more they can save. By negotiating directly with drug makers and pharmacies, **the cost of prescription drugs can be reduced up to 60 percent** and it doesn't cost us one dime because we'd be using an existing structure and using the deep discounts!

**This would benefit all Oregonians ...** When our citizens don't have access to, or can't afford, to take preventative medications or seek the care they need, it hurts and costs us all.

Measure 44 is one way to help bridge, and eventually eliminate, gaps in health care and outcomes for urban and rural, racial and ethnic minority and other underserved populations. And it's smart and simple medicine for all Oregonians.

Vote 'YES' on Measure 44 because it:

- delivers fairness and equity;
- reduces out-of-control prescription drug costs; and
- holds down the cost of everyone's health care.

Asian Health and Service Center  
Oregon Latino Health Coalition  
Urban League of Portland

*(This information furnished by Holden Leung, Asian Health & Service Center; Leda Garside, Chair, Oregon Latino Health Coalition; Marcus C. Mundy, Urban League of Portland.)*

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## Argument in Favor

**Oregon consumers deserve the same negotiating power as big insurance companies.**

**OSPIRG AND OREGON ACTION ASK YOU TO VOTE YES ON MEASURE 44**

Prescription drug prices are out-of-control and the uninsured pay the highest price. According to recent studies, uninsured Oregonians pay 61% more than what the drug companies charge federal agencies like the Veterans Administration for the same drugs. That's because the uninsured have no one negotiating lower prices on their behalf. Measure 44 offers a smart solution, leveraging the buying power of more Oregonians to negotiate lower prices.

**Oregonians shouldn't have to take buses to Canada or Mexico to afford their prescription drugs. Measure 44 means consumers can afford their life-saving medications here at home.**

Joining together, consumers have the power to negotiate a fair price for our prescriptions. Unlike the Bush Administration prescription drug plan, the Oregon Prescription Drug Program has no confusing and complicated plans, actually lowers

# Measure 44 Arguments

prescription drug prices and offers no big giveaways to pharmaceutical companies.

We've been in the halls of the state capitol, advocating for affordable health care. Thousands of Oregonians called, wrote and visited legislators asking for this groundbreaking prescription drug program to be opened to all Oregonians without prescription coverage.

## **As advocates for consumers, we support Measure 44 because it restores fairness in prescription pricing.**

Oregon State Public Interest Research Group (OSPIRG) is a non-partisan, nonprofit that delivers persistent, result-oriented public interest activism that protects our environment, encourages a fair, sustainable economy, and fosters responsive, democratic government. When consumers are cheated or the voices of ordinary citizens are drowned out by special interest lobbyists, OSPIRG speaks up and takes action.

Oregon Action is organizing people on the downside of power to work together building power winning campaigns making real changes in our lives and our communities. We work on issues that profoundly influence people's lives — jobs, health care, housing, hunger, criminal justice, taxes.

## **Stand Up for Consumers Vote YES ON MEASURE 44**

*(This information furnished by Laura Etherton, Oregon State Public Interest Research Group; Jo Ann Bowman, Oregon Action.)*

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## Argument in Favor

### **An Important Message from the American Cancer Society**

#### **YES ON MEASURE 44: A HEALTHIER OREGON**

**Today's medicines make it possible to save and improve lives more than at any other time in human history. But only if you can afford it.**

**Prescription drugs = tremendous benefits  
Prescription drugs = less time in a hospital bed  
Prescription drugs = less surgery**

Measure 44 makes prescription drugs more affordable for more than one million Oregonians who don't have prescription coverage.

Measure 44 allows people to choose life without losing their life savings.

#### **The American Cancer Society urges you to vote yes on Measure 44.**

Prescription medicines have made enormous strides toward keeping people alive, providing patients with numerous treatment options, helping them determine the course of potential recovery and their own quality of life. It's tragic that those choices don't exist for everyone.

#### **In Oregon nearly a third of us don't have those choices due to lack of prescription drug coverage.**

You're pretty hard pressed these days to not have a family member or a friend who hasn't been touched by cancer, heart disease, diabetes, or chronic asthma. What you may not realize is that several families living on your block or just around the corner can't afford to pay for the prescription drugs that can help manage those illnesses or even save their lives.

**Vote YES on Measure 44. Vote YES for your neighbors.  
Vote YES for yourself.**

*(This information furnished by Maribeth Healey, Yes on 44- Prescription for a Healthy Oregon.)*

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## Argument in Favor

### **The Working Families Party of Oregon Urges a YES Vote on Measure 44 And Legislative Action to Make Health Care Affordable For All Oregonians**

What can we do to control health care costs for working Oregonians and their families?

One answer to that question begins with the Oregon Prescription Drug Program (OPDP), which uses pooled purchasing to negotiate lower prices for medications from the pharmaceutical companies.

**In the crazy world of prescription drug pricing, what you pay depends on who you are: The bigger you are and the more you buy, the less you pay.** As a result, individuals who participate in large insurance groups are rewarded with better prices, while those without insurance pay the highest prices of all.

**Measure 44 offers a way to overcome this problem – by opening up the OPDP to all individuals without insurance coverage for prescription drugs.** These individuals pay the highest prices now; they deserve a better deal.

We urge a YES vote on Measure 44.

**But Measure 44 doesn't go far enough. We will urge the legislature next year to open the OPDP to individuals with health insurance coverage as well.** Hundreds of thousands of Oregonians are covered by small employer groups, who could benefit from the purchasing power of the state program.

And prescription drugs are only part of the problem.

We need to get control of rising health care costs at their source, from those incomprehensible hospital bills to the cost-plus premiums charged by insurers.

We need to expand coverage, beginning with the 117,000 Oregon children without health insurance.

And, we need to make sure that we get the best possible care for the money we're spending.

There are ways to do all of this. But it requires action by our state lawmakers.

To review our ideas for the 2007 legislative session and to give us your own, go to our website at [www.oregonwfp.org](http://www.oregonwfp.org).

The Working Families Party of Oregon

*(This information furnished by Barbara Dudley, Working Families Party of Oregon.)*

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## Argument in Favor

### **SEIU 503 MEMBERS URGE A YES VOTE ON MEASURE 44**

**We are working to reduce the skyrocketing cost of health care for all Oregonians.**

**Measure 44 is part of the solution!**



# Measure 44 Arguments

Our 40,000 members are working to make health care more affordable for all Oregonians. We're taking on the special interests, like the pharmaceutical, insurance, and hospital corporations that make health care expensive and hard to get.

In the 2003 and 2005 legislative sessions, we fought for affordable health care. We supported legislation to begin and expand Oregon's unique prescription drug purchasing program.

SEIU members were in the halls of the Capitol all session long urging lawmakers to do the right thing. Nearly fifty SEIU members participated in the one and only hearing in the House on the bill to expand the prescription drug pool. We spent hours sharing stories of family members, friends, and neighbors forced to choose between filling the refrigerator and filling a prescription. Sadly, the one drug industry lobbyist in the room trumped our pleas.

**The drug industry, through its friends in the Capitol, killed that legislation. But with your YES vote on Measure 44, Oregonians will have the last word.**

**Oregonians will have the right to negotiate reduced prescription prices – just like the big insurance companies do now.**

Skyrocketing health care costs are crushing working families, businesses, and government. Cutting health care benefits or shifting more costs to employees does nothing to solve the problem.

**It's time for common-sense solutions to get our health care costs under control. Because right now, we're all paying the price.**

**SEIU 503 members urge a YES vote on Measure 44.**

**Leslie Frane, Executive Director  
SEIU Local 503, OPEU**

*(This information furnished by Leslie Frane, Executive Director, SEIU Local 503, OPEU.)*

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## Argument in Favor

A Message from a Pharmacist in Support of Measure 44

### **Ballot Measure 44 Eliminates Drug-Buying Trips to Canada and Mexico**

"The pharmacy is where the rubber meets the road. I see the pain in my customers' eyes when the pharmacy bill is more than they can afford. It is heartbreaking every time. I support Measure 44 because it offers help to those in need."

Daniel L. Kennedy, RPh, Portland

### **AS A PHARMACIST, I CARE ABOUT KEEPING FRIENDS AND NEIGHBORS HEALTHY**

### **THEREFORE, I URGE YOU TO VOTE YES ON BALLOT MEASURE 44.**

I see too many Oregonians who can't afford the prescription drugs they need.

As a pharmacist, we buy wholesale and we sell retail. Pharmaceutical companies set the prices we charge. We see the drastic price variances, with big insurance companies able to get lower prices by using their size to negotiate above-average price breaks from drug manufacturers.

**Measure 44 gives all Oregonians the same negotiating power as the big drug companies.**

**Patients shouldn't have to drive to Canada or Mexico to buy lower-cost drugs. They should be able to get their**

**medications right here at home in the pharmacies we staff. Measure 44 is a step in the right direction.**

Measure 44 channels more than one million Oregonians into a single, large-scale purchasing pool. Its sheer size motivates drug manufacturers to offer discounts and rebates.

**Oregon consumers receive discounts of up to 60% off prescriptions. And best of all, it doesn't cost taxpayers a single extra penny.**

**The more people join, the more people save.**

**As a taxpayer I am thrilled that the program pays for itself.**

**Unlike Medicare Part D, this program is simple and smart.**

**That is why, as a pharmacist, I am asking you to vote YES on Measure 44.**

**Daniel L. Kennedy, RPh, Portland**

*(This information furnished by Maribeth Healey, Yes on 44- Prescription for a Healthy Oregon.)*

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## Argument in Favor

**A MESSAGE FROM  
FORMER GOVERNOR JOHN KITZHABER, M.D.**

**Urging you to VOTE YES on MEASURE 44**

Fellow Oregonians,

I support Ballot Measure 44 because it represents a grass-roots effort to address one of the most serious problems facing our state and our nation: the growing crisis in our health care system.

As a doctor, I believe that the goal of our health system should be health – not just the financing and delivery of health care. But part of staying healthy involves timely access to needed prescription drugs. When people are unable to afford the medications they need, they often end up with much more serious problems.

When I was an emergency room doctor in Roseburg, I once saw a man who had suffered a massive stroke because he could not afford the medication to manage his blood pressure. And the cost of his hospitalization was dramatically higher than the cost of the medications which could have prevented his stroke in the first place.

My point is that it costs us far more as a society – in both human and economic terms – to leave hundreds of thousands of Oregonians without timely access to prescription drugs – than to ensure that everyone can afford the medications they need. Yet today, nearly one million Oregonians do not have prescription drug coverage. By opening Oregon's prescription drug purchasing pool to all citizens, Oregonians can gain the same negotiating power as large employers and insurance companies to negotiate directly with drug manufacturers and pharmacists for lower prices.

Measure 44 is a practical, market based solution to the problem of high drug costs. I urge you to join me in voting YES ON MEASURE 44 to help more Oregonians gain access to the medications they need.

Former Governor John A. Kitzhaber, M.D.

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

# Measure 44 Arguments

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## Argument in Favor

“Uninsured Clobbered by High Drug Costs”  
*The Oregonian, 7/19/06*

“Uninsured in Oregon likely to go without care”  
*Associated Press, 4/27/06*

“More children losing out on health insurance”  
*The Oregonian, 4/2/06*

### **THE NEED FOR AFFORDABLE HEALTH CARE IS CLEAR. Oregonians for Health Security urges you to vote Yes on Measure 44**

We are health care professionals, consumer, business, labor and faith organizations, caregivers, and concerned citizens advocating for improved access to quality, affordable and secure health care.

We worked to create Oregon’s unique prescription drug program because the skyrocketing costs of prescription drugs are burdening Oregon families, businesses and governments. Oregon’s Prescription Drug Program is combining the purchasing power of state agencies, school districts, local governments and individuals to negotiate the best prices for prescription drugs.

**Instead of taking a bus to Canada or Mexico,  
Oregonians should have access to affordable  
prescriptions here at home.**

**Oregon’s unique Prescription Drug Program is a success.** With a simple application, participants receive a free card they can use at over 90% of Oregon pharmacies, including all national chains, to receive the negotiated discount price. Discounts of up to 60% help Oregonians access their life-saving medications.

**Drug industry lobbyists blocked  
this bill in the Legislature.**

**Now you have the chance to stand up to them-  
Vote YES to reduce the cost of prescription drugs.**

During the 2005 legislative session, we fought for legislation to allow more Oregonians to join the program because expanding the pool will lower prescription costs for everyone. Thousands of Oregonians testified, wrote letters and called their legislators in support of lower drug prices, but drug industry lobbyists thwarted their efforts.

**Oregonians for Health Security Urge your Yes Vote on  
Measure 44 because Oregonians deserve relief from  
skyrocketing prescription prices.**

**visit our website at  
[www.OregoniansForHealthSecurity.org](http://www.OregoniansForHealthSecurity.org)**

*(This information furnished by Maribeth Healey, Oregonians for Health Security.)*

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## Argument in Favor

**Vote YES on MEASURE 44  
Shattering the barriers to affordable prescriptions for  
more than one million Oregonians**

**The following organizations urge you to  
VOTE YES ON MEASURE 44**

AARP Oregon  
Advocacy Coalition of Seniors and People with Disabilities  
AFT-Oregon  
American Cancer Society  
CareOregon  
Children First for Oregon  
Community Action Directors of Oregon  
Ecumenical Ministries of Oregon  
Elders in Action Commission  
Eugene-Springfield Solidarity Network  
Human Services Coalition of Oregon  
League of Women Voters of Oregon  
Metropolitan Alliance for Common Good  
National Alliance on Mental Illness- Oregon, Monica Kosman  
National Association of Letter Carriers Branch 82  
National Association of Social Workers, Oregon Chapter  
Northwest Parish Nurse Ministries  
Oregon AAUW  
Oregon Action  
Oregon AFL-CIO  
Oregon AFSCME Council 75  
Oregon AFSCME Retirees Association  
Oregon Alliance for Retired Americans  
Oregon Association of Area Agencies on Aging and Disabilities  
Oregon Consumer League  
Oregon Education Association  
Oregon Federation of Nurses and Health Professionals  
Oregon Health Action Campaign  
Oregon Nurses Association  
Oregon Society of Physician Assistants  
Oregon State Public Interest Research Group  
Oregon Women’s Rights Coalition  
Oregonians for Health Security  
Our Oregon  
Parkinson’s Resources of Oregon  
Portland Fire Fighters’ Association  
Portland Jobs with Justice  
SEIU Local 49  
SEIU Local 503, OPEU  
Seniors Serving Oregon Coalition, Inc.  
Stand for Children  
Tuality Healthcare  
United Food and Commercial Workers Union, Local 555  
Working Families Party of Oregon

*(This information furnished by Maribeth Healey, Yes on 44- Prescription for a Healthy Oregon.)*

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**Note:** No arguments in opposition to this ballot measure were filed with the Secretary of State.

# Measure 45

Proposed by initiative petition to be voted on at the General Election, November 7, 2006. The information in the shaded area below will appear on your ballot.

## Ballot Title

# 45

### **AMENDS CONSTITUTION: LIMITS STATE LEGISLATORS: SIX YEARS AS REPRESENTATIVE, EIGHT YEARS AS SENATOR, FOURTEEN YEARS IN LEGISLATURE**

**RESULT OF "YES" VOTE:** "Yes" vote limits state legislators to six years as representative, eight years as senator, total of fourteen years in Legislative Assembly. Includes previous legislative service.

**RESULT OF "NO" VOTE:** "No" vote retains current state law, which does not limit length of service as state representative, as state senator, or in the Legislative Assembly overall.

**SUMMARY:** Amends Constitution. Existing law does not limit the number of years or terms that a person may serve in the Oregon legislature. This measure provides that no person shall serve more than six years in the House of Representatives, eight years in the Senate, and no more than a total of 14 years in the Oregon legislature. Includes all years of legislative service before measure's effective date, but legislators duly elected on or before January 1, 2007, shall be allowed to complete their terms of office. Prohibits current legislators from seeking reelection if service will cause that person to exceed limits. Measure confers standing to enforce limits on all persons residing in Oregon and nonprofit business entities doing business in Oregon. Severability provision. Other provisions.

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

## Text of Measure

WHEREAS: Limiting the terms of legislators expands opportunities for public service, reduces the influence of lobbyists and the power of incumbency in elections, and encourages fresh energy and ideas through varied public representation, and;

WHEREAS: The People of Oregon overwhelmingly approved term limits with 70% of the vote in 1992, but those term limits were overturned in 2000 under a legal technicality;

THEREFORE:

The following amendment shall be added to the Oregon Constitution:

No person shall serve more than six years in the Oregon House of Representatives, eight years in the Oregon Senate, or more than a total of fourteen years in the Legislative Assembly. Accordingly, no person shall be placed upon a ballot for an elected office or appointed to such office, if being elected or appointed could cause that person to exceed these limits.

These limits shall include all previous years of service in the Legislative Assembly. Notwithstanding, any person duly elected or appointed to an office in the Legislative Assembly on or before January 1, 2007 shall be allowed to finish that specific term of office.

If any part of this amendment is held to be invalid for any reason, then the remaining parts shall not be affected but shall remain in full force and effect. Any person residing in Oregon or nonprofit business entity doing business in Oregon shall have standing to enforce this amendment.

## Explanatory Statement

Ballot Measure 45 amends the Oregon Constitution to add a new section limiting the number of years that a person can serve as a state Representative, the number of years that a person can serve as a state Senator, and the total number of years that a person can serve in the Oregon Legislative Assembly as either a state Representative or a state Senator.

Existing law does not limit the number of years or the number of terms that a person may serve in the Oregon House of Representatives, in the Oregon Senate or in the Oregon Legislative Assembly.

Ballot Measure 45 prohibits any person from serving more than six years as a state Representative or more than eight years as a state Senator. The measure prohibits any person from serving a total of more than 14 years in the Legislative Assembly.

Ballot Measure 45 prohibits the placement of any person on a ballot for an elected office, or the appointment of any person to the office, if the election or appointment of the person could cause the person to exceed the limitations imposed by the measure.

Ballot Measure 45 applies to all years of legislative service before the effective date of the measure. However, the measure allows any person who is duly elected or appointed as a legislator before January 1, 2007, to complete the term of office to which the person was elected or appointed.

Ballot Measure 45 confers standing for enforcement of the measure's provisions on any person residing in Oregon and any nonprofit business entity doing business in Oregon.

### **Committee Members:**

Paul R. Farago  
Eric Winters  
Ken Allen  
Beth Burczak  
Phil Keisling

### **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 45 Arguments

## Argument in Favor

### Put Voters in Charge of Legislative Term Limits

After submitting more than 400,000 signatures in the past 4 years, term limits is finally before Oregon voters, again.

In 1992, Term Limits became the most popular initiative amendment in state history, winning with 1,000,000 votes and 70% approval.

In 2001, when the law was being phased-in, legislators sued to have their own voter-approved limits overturned on a technicality. This measure is written in accordance with the resulting Oregon Supreme Court ruling.

Voters now have a chance to take the decision about term limits back from the politicians and judges.

From the years when we had legislative term limits in Oregon, we know exactly what to expect in a Legislature under term limits:

- Greater voter control over the Legislature
- An end to the seniority system
- More equal power-sharing among legislators, rewarding merit, not mediocrity
- Regular open-seat elections with a greater number of more-qualified candidates and more lively, interesting campaigns
- An end to the good old-boy club, with greater opportunity for the under-represented to hold office, including women and minorities
- Loss of clout for lobbyists and bureaucrats, whose power depends on long-time, cozy relationships with our lawmakers.

Term limits in our Legislature gave neither advantage nor disadvantage to any party or issue. It was just good for democracy to have a regular supply of new blood and fresh perspective in our Legislature every session. That's why so many Oregonians signed the petition to put term limits back on the ballot.

It was irresponsible for the politicians to overturn our voter-approved term limits. It's now time for Oregonians to again vote YES: "Term Limits – And We Mean It."

[www.oregontermlimits.org](http://www.oregontermlimits.org)

*(This information furnished by Paul Farago.)*

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## Argument in Favor

A former Democratic state senator says "Vote Yes on Term Limits"

Fellow Oregonians:

As a former State Senator I was able to see first-hand the influence of large organizations and lobbyists on our elected officials in Salem. Fact is, the average voter in this state has no voice whatsoever when it comes to who represents us in our state legislature. The powerful lobbying interests handpick the selections and we merely rubber-stamp their choice.

That is, unless we put in place the single most powerful tool available to return our citizen legislature to those who are supposed to be represented—we the people of this state. Regardless of what they might say, lobbyists hate term limits. As one lobbyist told me during my days in the Senate, we

finally get you people trained and then we have to start all over again.

No, we passed term limits in 1992 by an overwhelming majority, but it was the politicians joining the judges in Salem to get the law thrown out. We wanted term limits, and just like politicians often do, they refused to listen to the voice of the people of this state. They sniveled their way into court and got their buddies to throw our vote out the door.

Isn't it time we return the favor to them. Isn't it time we restore what rightfully is ours—our state legislature. Vote with me in restoring the law that truly protects our political voice. Vote yes on restoring term limits.

Thomas Wilde  
Former State Senator (Portland-D)

*(This information furnished by Thomas Wilde.)*

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## Argument in Favor

### Restore term limits to revive Oregon democracy

Oregon lawmakers used to respect democratic traditions. For most of our history, term limits weren't necessary. Most legislators followed the example of our nation's first leader, President George Washington. They served no more than two terms and returned to live under the laws they passed.

As government began to grow in so many directions and stray from its priorities, politicians became increasingly irresponsible. They no longer felt bound by tradition and began to serve term after term after term – turning volunteer civic service into a career.

Lawmakers began to know lobbyists and bureaucrats on a first-name basis. They became more distant from the voters' viewpoint and increasingly disconnected from the value of hard-earned taxes. The enthusiasm of being new to a job, over time, yielded to the temptation to go-along-to-get-along.

In this fashion, career politicians sap our democracy's vitality.

Consider these words of two framers of American democracy – the voice and the pen of the Revolution of 1776:

#### John Adams and Thomas Jefferson

"Elections, especially of representatives and counselors, should be annual ... These great men ... should be [chosen] once a year – Like bubbles on the sea of matter bourne, they rise, they break, and to the sea return. This will teach them the great political virtues of humility, patience, and moderation, without which every man in power becomes a ravenous beast of prey." - John Adams

"To prevent every danger which might arise to American freedom from continuing too long in office, it is earnestly recommended that we set an obligation on the holder of that office to go out after a certain period."  
- Thomas Jefferson

*(This information furnished by Eric Winters.)*

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# Measure 45 Arguments

## Argument in Favor

### Great Americans on Rotation in Office (Term Limits)

"In free governments, the rulers are the servants, and the people their superiors and sovereigns. For the former, therefore, to return among the latter [is] not to degrade but to promote them." – Benjamin Franklin

"My reason for fixing them in office for a term of years, rather than for life, was that they might have [an] idea that they were at a certain period to return into the mass of people and become the governed instead of the governors which might still keep alive that regard to the public good that otherwise they might perhaps be induced by their independence to forget." – Thomas Jefferson

"If our American society and United States government are overthrown, it will come from the voracious desire for office, this [desire] to live without toil, work, and labor ... from which I am not free myself." – Abraham Lincoln

### Oregon Legislators Try To Justify Canceling Term Limits in 2001

"There comes a time when you decide you'll try all methods and all means available to do something. We need to take every approach possible. I don't expect voters to understand. But as you know, we are privy to things they are not. This hallowed place is where we are, and we know it best." – Rep. Carl Wilson (R-Grants Pass)

"To use a subterfuge to try to get the courts to throw out the law is disgraceful." – Rep. Bill Witt (R-Cedar Hills)

"Stick it in your ear." – Sen. John Minnis (R-Fairview), to his angry constituents

*(This information furnished by Ted Piccolo.)*

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## Argument in Favor

### OREGONIANS FOR NEW BLOOD EVERYWHERE URGE A YES VOTE ON MEASURE 45

And this is just the beginning! Soon we will start gathering signatures for the 2008 ballot to adopt term limits for the following occupations:

**HEART SURGEONS: 8 years.** I don't know about you, but I don't want to be just another notch on someone's triple-bypass belt. If it's the first time for me, it should be the first for my surgeon.

**JOURNALISTS: 10 years.** Just think: with a limit like that, we wouldn't have had to suffer through year after year of doddering has-beens like Cronkite, Jennings and Brokaw.

**PILOTS: 6 years.** If you run into a lightning storm, or maybe snakes on a plane, who do you want in the cockpit? Some geezer who's gone through it all a dozen times before? You gotta be kidding.

**BASKETBALL PLAYERS: 8 years.** I mean, c'mon. Did Kareem Abdul-Jabbar ever win anything with the Lakers? With term limits, Jabbar would have been out in 1978, and would have stopped embarrassing himself.

**GRANDMOTHERS: 9 years.** Over the river and through the woods to Grandmother's house we go ... to hear the same stories ... and get the same presents ... from the SAME grandmother ... year after year. But it doesn't have to be that way. A brand new grandma for every 9-year-old! How cool would that be?

**TALK SHOW HOSTS: 6 years.** Seriously, did anyone actually watch Johnny Carson after 1968? But there he stayed, keeping young talent out of the game, decade after decade

**"EXPERIENCED." IT'S JUST ANOTHER WORD FOR "BORING."**

**Friends of Steve Novick, which paid for this statement, is not affiliated with either side of the campaign on this measure, but Steve Novick and his friends believed that Oregonians would appreciate some common sense.**

*(This information furnished by Steve Novick, Friends of Steve Novick.)*

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## Argument in Favor

### Another Good Argument for Legislative Term Limits

**"Power tends to corrupt and absolute power corrupts absolutely."**

- Lord Acton (letter, 4/5/1887)

Politicians cannot be trusted with unlimited power.

The branch of state government that should be closest to the People - our state Legislature - even got rid of their own voter-approved term limits.

Through the initiative process, voters can regain power from politicians and assert voter control over irresponsible state government.

That's what restoring legislative term limits is all about.

Oregon's 1992 term limits law that earned 70% approval had included the instruction:

**"If any part of this Act is held to be invalid, it is the expressed intent of the people of Oregon that their elected officials should respect the limits within this Act."**

Once career politicians ditched term limits in '02 and were legally permitted to continue in office, many of them did, in violation of the will of the People.

Incumbents rarely retire and are nearly impossible to unseat due to their built-in advantage. By now, one-third of our state lawmakers rely on a legal technicality to serve **beyond** the limits set by 1 million Oregonian voters.

Vote **YES on Measure 45** to promote our career politicians to other positions in the public or private sector, and restore the will of the people: a true citizen-legislature in Salem.

We need term limits, now, more than ever.

**Vote YES on Measure 45  
Restore Oregon's Term Limits**

[oregontermlimits.blogspot.com](http://oregontermlimits.blogspot.com)

*(This information furnished by Paul Farago, Restore Oregon's Term Limits Committee.)*

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# Measure 45 Arguments

## Argument in Favor

### Women Voters in Oregon Support Term Limits

#### Vote YES on Measure 45

Term limits are **good for voters** – putting the people in charge of the politicians.

Term limits are **good for women** – creating open seats that enable qualified women candidates to break into the old-boy network.

Term limits are **good for women voters** – for a healthier democracy.

#### Women are smart enough to know that elections are not the same as term limits.

Although opponents claim elections already are term limits, it's not that simple. Under our current system, incumbents enjoy tremendous advantages like media attention and special interest funding that result in a built-in, minimum 20-point lead.

The advantage of incumbency keeps citizen-legislators out. In this rigged system, we don't have fair and competitive elections because challengers aren't willing to risk the money and time when the deck is so stacked against them and a loss is virtually guaranteed.

#### Term limits = increased participation by women.

In Oregon before term limits, women were under-represented in our Legislature. Even the most-qualified women had difficulty breaking through the glass ceiling in Salem.

When we had term limits, from '92-'02, female representation in the state House of Representatives peaked - at 35 percent after '98 and '00. Then, term limits were scrapped and female representation steadily dipped. Now, women comprise just 28 percent of the House. In the Senate, women have never topped 20 percent.

The old-boy network that opposes Measure 45 is the same bunch that conspired to overturn the vote of 70% of Oregonians in '92. Canceling term limits was a setback for all women who would want to serve in the Legislature.

#### This is not the time to turn back the clock on women in Oregon politics.

#### Join me in voting YES on Measure 45. Restore term limits in our state Legislature.

*(This information furnished by Ruth F. Bendl.)*

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## Argument in Favor

### Who opposes Term Limits for state legislators ... and why?

Opposition to Measure 45 is brought to you by ... **a big FLAT conflict of interest.**

**Oregon lobbyists influence billions of dollars in public spending.** Legislative leaders who oppose term limits recruited veteran tobacco lobbyist Mark Nelson to lead the opposition against Measure 45. The group is known as "Fifty Lobbyists Against Termlimits", or FLAT.

The Eugene *Register-Guard* reported, July 28, 2006:

"[E]arlier this month [Nelson] contacted dozens of lobbyists and groups they represent to organize a campaign to fight the term-limits measure. Nelson said he received indications from ... 50 groups that they would help with such a campaign."

The Salem *Statesman-Journal*, July 20, 2006, reported under the headline "Pay-review board might be revived [that] would suggest compensation level for state legislators":

"The proposal was offered by Mark Nelson, a veteran lobbyist whose clients include the Oregon Judges Association."

According to the latest filing with the Oregon Government Standards and Practices (Ethics) Commission, Nelson represents 32 different entities seeking to influence Oregon state government, including **out-of-state** corporations that manufacture and sell **cigarettes, alcohol** and **drugs** to Oregon consumers.

Among his other corporate clientele are **out-of-state** market leaders in **title loans, gambling** and **pornography**.

He works intimately with **government union lobbyists** and also represents the interests of **criminal defense lawyers, judges** and **psychiatrists**.

The list also includes public entities including **Linn County, Deschutes County**, and the **City of Klamath Falls** – whose citizens' taxes should **not** be used to campaign for or against any ballot measure.

For the price of a campaign to prevent the restoration of term limits, FLAT Oregon lobbyists can maintain perpetual influence over state spending estimated at more than \$44 billion next biennium. **It's no wonder Measure 45 is opposed by FLAT.**

[flatoregon.blogspot.com](http://flatoregon.blogspot.com)

[oregontermlimits.blogspot.com](http://oregontermlimits.blogspot.com)

*(This information furnished by Paul Farago, Restore Oregon's Term Limits Committee.)*

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# Measure 45 Arguments

## Argument in Opposition

Words here in the Voters' Pamphlet cost a little over \$1.53 each, so the conventional wisdom is to use as close to your full allotment of 325 as possible.

But sometimes, saying less is worth more.

We are **AFSCME**, the American Federation of State, County and Municipal Employees. We think Ballot Measure 45 is a bad idea, and we'd like you to vote "No." In fact, at AFSCME we believe in term limits—two years for a state representative, and four years for a state senator.

Now, we could easily use up the rest of our words. We could explain that we have lobbyists at the state capitol who see first hand how term limits actually create legislative gridlock—how with the clock always ticking, legislators are less likely to compromise because they're too busy pushing their own agenda. And on and on.

Instead, we'll say this. We're a public employee labor union, and by the way, we're proud of it. But maybe you don't like unions, so what we have to say isn't likely to sway you. **So all we ask is this ... please scan through all of the other arguments against Measure 45 here in the Voters' Pamphlet and note the wide variety of business, labor and other interests who are all united on this issue.** We are certainly not the only ones who think this is a bad idea.

**Vote NO! on Ballot Measure 45!**

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

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## Argument in Opposition

**The League of Women Voters of Oregon opposes constitutional amendment Measure 45**

**Term limits are poor public policy.**

When term limits go into effect, the ability of legislators to make effective long-term policy decisions for the state is decreased. Lawmakers who are elected for short periods of time often come with specific agendas to pass while they are in office, rather than considering the effects of legislation on the future. If this constitutional amendment passes, 50 percent of the current House members and 30 percent of the Senate members would be ineligible for re-election in 2008. This drain on legislative leadership diminishes the Legislature's efficiency and would create the same severe problems experienced by the Oregon Legislature over several legislative sessions following the passage of term limits in 1992.

**Out-of-state interests are promoting term limits.**

Contributions for the constitutional amendment Measure 45 initiative campaign came largely from U.S. Term Limits, located in New York. This is not a home-grown initiative and comes at a time when other states are either rescinding previously passed term limits laws or courts are striking them down. No state has adopted term limits since 2000.

**Term limits take power away from the Legislature.**

Term limits result in a shift of power away from the Legislature because special interest lobbyists and bureaucrats may exert more influence on inexperienced legislators. Term limits have created a revolving door to legislative leadership positions and empowered special interests.

**We already have term limits. They are called elections.**

This constitutional amendment would take away the voters' ability to elect candidates of their choice. Responsible and

respected decision-makers are forced out of office by term limits despite support of constituents.

**Oregon does not need term limits.**

**The League of Women Voters of Oregon, a non-partisan political organization,**

**urges you to vote "No" on constitutional amendment Measure 45.**

*(This information furnished by Margaret Noel, League of Women Voters of Oregon.)*

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## Argument in Opposition

BikePAC of Oregon urges you to Vote No on Measure 45

Term limits are a Bad Idea.

The answer to reforming government isn't giving the bureaucracy and the lobbyists more power!

When term limits were first enacted, it took several years for the effects to show. First, more experienced legislators began to run in the opposite house or not run again. The next step was those remaining experienced lawmakers leaving for good, taking their knowledge and experience with them or going to work as lobbyists themselves.

The new legislators now had only paid staff members, state agencies and lobbyists to depend on for the all-important historical perspective needed for effective legislating. We refer to this sense of history as institutional memory.

As a Political Action Committee that is made up of active citizens, not big bank accounts, we value the institutional memory of veteran legislators who have learned the nuances of complex issues. It is crucial for citizens to have the advice, knowledge and support available from experienced Senators and Representatives.

Every two years we have an election at which we can actively say yes or no to keeping legislators in office. We can choose them on their merits. That is the term limits the founders of our democracy envisioned.

Term limits are a bad idea. Vote no on term limits.

BikePAC of Oregon is a nonprofit organization incorporated as a Political Action Committee. BikePAC of Oregon promotes the interests of motorcyclists through education and legislative advocacy.

*(This information furnished by Ken Ray, BikePAC of Oregon, Inc.)*

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## Argument in Opposition

**Dear Voter:**

**We want to talk to you** about term limits and the contentious Oregon Legislature.

**We are a group of individuals** who have been examining the Legislature's inability to work efficiently and effectively together. We serve as volunteers on the Public Commission on the Legislature, but we are **not** writing this on your taxpayer time and we are paying for this page with our own money.

**We've been working to understand** the problems for a year now. It is glaringly apparent that one huge problem is

# Measure 45 Arguments

inexperience, due to loss of experienced legislators during the previous term limit law now thrown out by the courts. This inexperience creates barriers to public access. It prevents knowing how to develop respectful relationships under the immense stress of legislative sessions. It results in too few people who understand how to manage legislative sessions so they are shorter and cost less. It shows up as a lack of knowledge about how to use staff the best way to serve the public. It increases the power of non-elected bureaucrats and lobbyists over voter-elected legislators.

**When you hire someone** to fix your roof, or repair your car, you most likely want someone with experience who knows how to do the job. Why tell people who know how to do this job that they can't even apply? The voters still hold the hiring decision.

**Term limits have caused serious problems** with our Legislature for us Oregon citizens.

**We ask you to vote NO on Measure 45.**

|   |                         |
|---|-------------------------|
| Dave Barrows                                | Sen. Avel Louise Gordly |
| Daniel O. Bernstine                         | Rep. Wayne J. Krieger   |
| Rep. Deborah Boone                          | Ginny Lang              |
| Frank E. Brawner                            | John N. Lattimer        |
| Jane Cease                                  | Hans A. Linde           |
| Kim Duncan                                  | Sen. Frank Morse        |
| Dave Frohnmayer, Former<br>Attorney General | Laura M. Pryor          |

*(This information furnished by Dave Barrows.)*

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## Argument in Opposition

**Who Benefits from Term Limits— Out of State Special Interests, or the Citizens of Oregon?**

This year a multi-millionaire from New York, and private organizations from Illinois and Washington, DC, spent half a million dollars to get Measure 45 on the ballot. Why are they willing to spend so much money to limit your right to vote for the candidate of your choice for the legislature in Oregon?

In 1992 they convinced Oregon voters to limit service in the House and Senate. Most of the leaders of the legislature were forced out and were replaced by new, inexperienced people. Corporate special interests had a field day obtaining huge tax breaks for themselves and their friends while Oregon's ability to fund its schools, healthcare, senior programs, and the state police nosedived. The last three speakers of the Oregon House had only two regular legislative sessions' experience each when elected speaker. That inexperience has hurt Oregon. Partisanship increased, efficiency decreased, and the ability of your legislature to get good things done for Oregon declined.

I have been fighting against powerful special interests and their tax loopholes and for the interest of average Oregonians since I was first elected in 2000. It has been slow going. Like anything really worth doing, this work takes time. We are making progress, but a new term limit law would be devastating to the reform Oregonians desperately need.

That New York multi-millionaire thinks he can convince you to vote away your right to elect those you want to represent you and give more power to bureaucrats and those who can afford high priced lobbyists. Do not make Oregon more vulnerable to wealthy out of state special interests that couldn't care less about you.

Fight with me against out of state special interests. Preserve your voting rights. Vote NO on Measure 45.

This statement was written and personally paid for by Phil Barnhart, State Representative, District 11.

*(This information furnished by Phil Barnhart, State Representative, House District 11.)*

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## Argument in Opposition

**Oregon's Editorial Writers Say NO to Term Limits**

"[E]veryone here ought to know the full costs of writing into the constitution a law that requires a Legislature of novices and requires even the best of lawmakers, after just a few years, to hit the road. We've lived with term limits and seen the results: lousy leadership, more power concentrated among lobbyists and serious civic problems left to fester."

*The Oregonian* – August 22, 2006

"This fall, Oregon will be a political laboratory. And you'll be a lab rat. Two national groups have already spent more than a million dollars to salt Oregon's November...they'll be eagerly watching from their Illinois and New York headquarters, now and then tossing more money into Oregon, hoping you bite on Election Day. For them, this is just another political experiment. For Oregon, though, it is yet another crossroads in a maze of dead ends."

*The Oregonian* – July 30, 2006

"What we do know, however, is that term limits have not worked well in numerous states, our own for one...The results were predictable: sessions poorly run and legitimate bills quietly sidetracked. Meanwhile, administrative rules piled higher and higher."

*Medford Mail Tribune* – July 25, 2006

"[C]onsider in November our past experience with term limits, which were enacted in 1992...The result for much of the 1990s was a revolving door of freshman legislators who quickly dug themselves into partisan ditches with no way to build bridges that brokered compromises or solved problems."

*Corvallis Gazette Times* – July 24, 2006

"We tried term limits before. It seemed like a good idea when we enacted the limits in 1992. But we should have learned from our mistake. Eventually the limits drove some experienced members out of the Legislature, and no one would say that the quality of legislative work improved as a result."

*Albany Democrat-Herald* – August 2, 2006

**Please join Oregonians for Voter Choice  
and a chorus of others in Voting NO on Measure 45**

*(This information furnished by Pat McCormick, Oregonians for Voter Choice.)*

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## Argument in Opposition

**Don't be Used by Out-of-State Special Interest Groups**

This fall, Oregon will be a political laboratory.

As voters, we'll be lab rats.

At least that's what *The Oregonian* said about Measure 45, and I couldn't agree more. As a representative of the Oregon State



# Measure 45 Arguments

Fire Fighters Council, my members want Oregonians to know who's behind Measure 45.

A national organization called U.S. Term Limits, a Chicago special interest group, spent about \$510,000 on the signature drive to qualify Measure 45. They are committed to a cause and want to promote it, which is their right, but we are the ones who have to live with it if it should happen to pass. You can expect that they'll spend more, hoping to tease Oregonians into taking the bait.

For U.S. Term Limits, this initiative is political experiment. They're taking advantage of Oregon's initiative system with the hope of spreading the concept elsewhere.

Nothing prevents U.S. Term Limits or anyone else from spending millions of dollars more in the next few months to try to persuade Oregon voters to approve their initiatives. This is a wide-open system, and we Oregonians seem to like it that way.

However, nothing prevents voters from strongly resisting every attempt to use Oregon and other open initiative states as political playgrounds.

The day after the November election, U.S. Term Limits will pick up and go. They'll move on to their next project in another state. Unlike Oregonians, U.S. Term Limits won't have to deal with the consequences if their flawed political experiment becomes Oregon law.

Please vote No on Measure 45 and keep Oregon's initiative system an Oregon system, not a branch of Chicago politics.

*(This information furnished by Bob Livingston, Legislative Director, Oregon State Fire Fighters Council.)*

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## Argument in Opposition

### Don't Let Outsiders Push Us Around

Oregon voters should not allow our state to be manipulated by special interest activists from Illinois. That's why we're asking voters to join Associated Oregon Loggers in voting NO on Measure 45.

Among the issues Oregonians care most about are public schools, health care and public safety. Few Oregonians believe putting term limits on lawmakers makes sense. So why are Oregonians now stuck with this initiative?

Special interest money out of Chicago...

The signatures that placed Measure 45 on the ballot are not the result of masses of Oregonians waking up one morning and thinking that what we really need are legislative term limits.

They were paid for by an organized drive financed by outside interests.

Almost all the \$510,000 spent on the signature drive came from U.S. Term Limits, a group based in a suburb of Chicago.

Oregon tried term limits before. It seemed like a good idea when we enacted the limits in 1992. But we learned from our mistake. Eventually the limits drove some of Oregon's most qualified and experienced members out of the Legislature, and no one would say that the quality of legislative work improved as a result.

Measure 45 is even more extreme than the 1992 law, because it counts prior years of service. Almost all of our most experienced legislators would be out by 2008, and by and by 2011 every current member of the legislature would be termed out. That means U.S. Term Limits from Chicago, not Oregonians, will be dictating who we elect to office.

Don't let out-of-state special interest groups throw their weight around, change the Oregon Constitution and take away our right to vote for whom we please.

Please join Associated Oregon Loggers in voting NO on Measure 45.

*(This information furnished by Jim Geisinger, Executive Vice President, Associated Oregon Loggers, Inc.)*

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## Argument in Opposition

### Oregon Alliance of Senior and Health Services Asks Oregonians to Vote NO on Measure 45

The Oregon Alliance of Senior and Health Services believes it is important for Oregonians to know who's behind Measure 45.

A Chicago-based special interest group called U.S. Term Limits financed the effort to place Measure 45 on the Oregon ballot. They are committed to advancing term limits nationally, which is their right, but in the end, should Measure 45 pass Oregonians will be left with term limits' sad legacy

Oregon has a proud tradition of an open initiative system, and nothing stops U.S. Term Limits from spending millions to persuade Oregon voters to approve term limits. However, nothing stops voters from strongly resisting every attempt to use Oregon and other open initiative states as political proving grounds. After all, unlike Oregonians, U.S. Term Limits won't have to deal with the consequences of term limits if their initiative becomes Oregon law.

Oregonians tried term limits once before. They didn't work. They left our state legislature devoid of experience and rife with partisanship.

Moreover, term limits are unnecessary. Voters already have the power to limit a legislator's term every two to four years when legislators are up for re-election. Voter's shouldn't be denied the choice to re-elect talented and experienced legislators.

Please vote No on Measure 45. We don't need term limits and we don't need Chicago special interest groups taking restricting our right to vote.

*(This information furnished by Ruth Gulyas, Executive Director, Oregon Alliance of Senior & Health Services.)*

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## Argument in Opposition

### The Oregon Medical Association Urges A NO Vote on Measure 45

Measure 45 would set arbitrary term limits for state legislators. The Oregon Medical Association urges you to vote NO on M45 because:

- M45 would create chaos in the state legislature.** We need a state government with leaders who know how our system of government works. If M45 passes, many legislators with years of experience would be forced out of office. In 2009, 40 newcomers to the legislature and we would have inexperienced legislators grappling with a multi-billion dollar budget.
- M45 does not discriminate between good and bad legislators.** Regardless of how effective a legislator is, he or she would be ousted once they reached the limit of their

# Measure 45 Arguments

term. We don't throw out good doctors — why would we throw out good legislators?

- 3. There is already a process to weed out ineffective legislators.** We can vote them out of office when it is time for re-election. The current system allows change to occur naturally and for experienced legislators to mentor inexperienced legislators.
- 4. M45 would shift more power to the governor, state agencies, legislative staff, and lobbyists.** M45 would turn the Capitol into a revolving door of legislators, thereby giving more decision-making power to stable entities, like lobbyists and special interest groups, who are not affected by the term limit. Legislators would be hindered from forming long-term relationships with constituents and power brokers.
- 5. M45 is a simplistic idea that would have a tremendous and disastrous effect on a complex system.** Nearly every current legislator would be gone by 2011. This kind of turbulent turnover breeds distrust and increases opportunity for mistakes—if you don't know the history of a problem, it's easy to repeat it.

**Please join the Oregon Medical Association and Vote NO on Measure 45.**

Andris Antoniskis, M.D.  
President, Oregon Medical Association

*(This information furnished by Andris Antoniskis, M.D., President, Oregon Medical Association.)*

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## Argument in Opposition

### Oregon Schools Need Experienced Legislators

The Oregon School Employees Association asks you to vote NO on Measure 45. This measure would hurt Oregon schools by ousting experienced and knowledgeable legislators with a proven record of supporting our school children.

If Measure 45 passes, it will replace our best and brightest legislators with inexperienced rookies who will be in charge of managing the state's finances, especially complicated school finance issues. Experienced legislators are more familiar with how schools operate and are not as easily influenced by lobbyists or bureaucrats, as some more partisan freshman legislators tend to be.

Oregon has experience with term limits — and it should cause us to send the out-of-state special interest group that paid to put Measure 45 on the ballot, packing. After term limits were adopted in 1992, our best most experienced legislators were booted from office, and legislators started focusing on short-term issues they could tackle during their brief legislative tenures, rather than Oregon's most pressing problems. That's part of the reason the legislature hasn't solved the school-funding crisis.

Unfortunately, Measure 45 is even more extreme than the 1992 law. Measure 45 counts prior years of service, whereas the 1992 law did not. That means virtually all of our legislative leaders would be prevented from running for re-election by 2008, leaving less-experienced legislators to fill the void. If Measure 45 is approved, by 2009, there would be 40 freshman legislators. Twenty-eight legislators, or nearly half of the 60-member Oregon House, would be freshmen; and by 2011 every current member of the legislature would be termed out. That means there would be virtually no experience in the Capitol on issues most important to Oregonians, like quality education.

**Term limits received an F grade before and they will again.**

**Please join Oregon's educators in voting NO on Measure 45.**

Merlene Martin, President  
Oregon School Employees Association

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

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## Argument in Opposition

### Oregon's Small Businesses Ask You to Vote NO on Measure 45

The Oregon Small Business Coalition urges you to send the Illinois-based special interest group that placed Measure 45 on this year's ballot back to Chicago with a resounding NO.

Oregonians don't even have term limits on their radar screen, but a national organization called U.S. Term Limits is attempting to impose strict new term limits on Oregon legislators. As we've already learned, no one wins with term limits.

We tried term limits between 1992 and 2002. They were a complete failure and ultimately the Oregon Supreme Court declared the Oregon law unconstitutional.

Sponsors of the 1992 initiative promised term limits would make state government more responsive. Instead, term limits undermined Oregon's lawmaking process. Partisanship increased, Oregon's best and most experienced legislators were kicked out, and legislative sessions grew longer and more acrimonious. None of the benefits term limit sponsors promised were realized.

The original term limits law blocked a voter's right to choose whom they wanted to represent them. Measure 45 would again strip voters of their right to choose.

Ultimately, Measure 45 proposes to save Oregon voters from themselves. It's insulting. The responsibility for deciding who represents us should lie squarely in the hands of Oregonians, not U.S. Term Limits.

Voters already have the ability to hold their elected officials accountable at the ballot box. Don't let an out-of-state special interest group limit your choices as a voter.

**Please join the Oregon Small Business Coalition in voting NO on Measure 45.**

*(This information furnished by J.L. Wilson, Oregon Small Business Coalition.)*

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## Argument in Opposition

THE OREGON ASSOCIATION OF REALTORS®  
OPPOSES MEASURE 45

**The Oregon Association of REALTORS® asks you to please vote NO on Measure 45.**

The Oregon Association of REALTORS® is the trade association for Oregon's REALTORS®, real estate professionals who help Oregonians achieve the American Dream of homeownership.

We are concerned about the impact that Measure 45 would

# Measure 45 Arguments

have on Oregon's Legislature. Measure 45 would amend the Oregon Constitution to impose term limits on state legislators, forcing Oregon's most experienced legislators to leave office after only a few years.

Legislators face many complicated issues that affect our quality of life. We are concerned that Measure 45 will force good legislators to leave office as soon as they gain enough experience to tackle these issues.

We often hear it said that the State should be run more like a business. Successful businesses keep their management in place for many years because managers gain experience over time. No business could survive if every single manager had to be fired every few years. Investors would not want to own stock in such a company, and it would be doomed to failure.

Yet, that is exactly what Measure 45 would do; it would fire ever single Oregon legislator regardless of how successful they are at solving problems for the State.

## **That is why it is so important to vote NO on Measure 45.**

As the voice for homeownership in Oregon, the Oregon Association of REALTORS® is joining with many other organizations, newspaper editors and concerned citizens in asking you to reject Measure 45.

## **Please vote NO on Measure 45.**

*(This information furnished by Jeremy Starr, President, Oregon Association of REALTORS.)*

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## **Argument in Opposition**

### **Oregon Health Care Association (OHCA)**

#### **Oregon law should not restrict the ability of voters to elect whomever they think is most qualified.**

Term limits prevent the reelection of popular politicians who are doing a good job. Oregonians should not force proven leaders to lose their jobs. When incumbents run for reelection, campaigns tend to focus on the candidate's record. Voters are able to make more informed decisions and can hold incumbents accountable. Term limits take away the accountability of elected leaders and place a high reward on inexperience.

#### **Experience is important in any job.**

#### **Term limits would require that our leaders be novices.**

You wouldn't want to be operated on by a doctor who had never performed surgery before or to be represented by a lawyer who had never been to trial before. The same rule holds for politicians. Being an effective leader involves more than having opinions on the handful of major issues that decide campaigns. Legislators must understand specific, often complex issues. They learn through experience. But term limits would remove all experienced members from the legislature and disrupt legislative continuity from term to term.

#### **The possibility of reelection compels politicians to serve the people.**

Everyone needs an incentive to do his or her job well. For politicians, the incentive is reelection. If campaign promises are not met, then politicians can expect to lose their jobs. Term limits create lame ducks for whom there is no incentive to act as promised. Having leaders who are no longer dependent on the approval of the people who elected them runs contrary to the basic principles of democracy.

*(This information furnished by Jim Carlson, Executive Director, Oregon Health Care Association.)*

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## **Argument in Opposition**

### **Oregon Needs an Experienced Legislature**

Term limits are an ongoing guarantee that most of the people we elect to oversee Oregon will lack the experience to do it well.

Measure 45 would restore the same failed term-limit scheme the Oregon Supreme Court ruled unconstitutional in 2002. By 2011, almost every current legislator would be gone.

The result: Many good legislators would be kicked out and replaced with more partisan newcomers. Experienced veteran legislators – familiar with how state budgets and programs, and who aren't so easily influenced by lobbyists and bureaucrats – would be replaced by rookies still learning the ropes.

Special interest lobbyists have much more influence on newly elected legislators because, to stay in office without an established political base, they must seek financial support from interest groups to help them cover the costs of their next campaigns.

We don't need to guess about Measure 45's consequences. We've already seen what inflexible term limits do. Backers in 1992 promised that term limits would free legislators from fears about their re-election and focus them on the tough issues facing Oregon.

Instead, inexperienced lawmakers focused on issues with short-term payoff because they knew there wasn't time to tackle big issues, like stable funding for Oregon schools. School funding problems worsened, while short-term lawmakers gave voters the chance to lock the personal and corporate income tax kickers into the state Constitution.

Politics became more paramount. Majority and minority caucuses in the House and Senate became more dominant, producing a more partisan legislature. Gridlock evident in the legislature today has its roots in legislative term limits, when leaders of both parties worried more about how their caucus would fare in the next election than about individual members who were destined to quickly come and go.

As education and health care professionals, we ask you to vote NO on Measure 45. Our state simply cannot afford a legislature known perpetually for its inexperience.

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

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## **Argument in Opposition**

### **The Oregon Business Association Asks You to Vote NO on Measure 45**

Oregon has a history with term limits, and it's not pretty.

Sponsors of the original term limits initiative promised restricting the number of terms a legislator could serve would improve our state legislature. The exact opposite occurred. Term limits left Oregon's legislature in a state of upheaval. During the 10 years they were in effect, partisanship increased and productivity decreased.

Term limits pushed out our best and brightest legislators and replaced them with novice law makers who knew little of state government and were easily influenced by special interests

# Measure 45 Arguments

groups and state government bureaucrats. Today, with the benefit of hindsight, it is clear that none of the benefits term limit sponsors promised were delivered.

Once more, term limits are unnecessary. Oregonians can fire their state legislators each time they run for re-election. But term limits forces Oregonians to get rid of all legislators, not just the bad ones. It blocks a voter's right to choose whom they want to represent them in Salem simply because their time ran out.

Not one of the Oregon Business Association's members would contemplate firing all their best employees. It would drive their businesses into the ground, just as term limits drove the state legislature into the ground. Today, Oregon is still suffering from the after effects of term limits despite the fact the Oregon Supreme Court ruled term limits unconstitutional in 2002.

We are asking you to join the member businesses and employees of the Oregon Business Association in rejecting term limits. We believe it is each citizen's duty to hold their elected officials accountable by exercising their right to vote. Every election we can fire the bad and re-elect the good. Let Oregonians decide for ourselves whom we send to Salem, not an Illinois special interest group that funded this shortsighted proposal.

## Please Vote NO on Measure 45.

*(This information furnished by Lynn Lundquist, President, Oregon Business Association.)*

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## Argument in Opposition

### Oregon's Family Farmers and Foresters Urge a NO Vote on Measure 45

Family farmers and foresters of Oregonians for Food and Shelter are asking all voters to say "NO" to Measure 45.

Here's why:

**CHOICE:** Taking away a voter's right to choose their representation is anti-democratic.

**EXPERIENCE:** Forcing legislators out of office based on years of service rather than performance weakens Oregon's legislature. Legislative experience and historical perspective result in better decisions and fewer repeat mistakes.

**ACCOUNTABILITY:** Politicians must remain accountable to voters. Those that perform well deserve to be voted back to office – and those that don't need to go. This keeps legislators on their toes. Legislators facing term limits don't have the same incentive to listen to constituents.

**NECESSITY:** There is none! Voters can "fire" incumbents every election cycle.

**HISTORY:** Oregon had a term limits law during the 1990s. The benefits term limits proponents claimed would happen -- never did. Legislators tended to focus more on goals with short-term payoff, knowing they'd be termed out soon. State budget spiraled out of control and key, long term issues like schools were left unresolved.

Term limits take away the voice of the voter. It strips the legislature of the experience and leaders needed to tackle important Oregon problems. Term limits are unnecessary, as we can vote poor legislators out while keeping excellent performers. Oregon tried term limits before and they didn't work.

For all of these reasons please join Oregon's family farmers and foresters in voting NO on Measure 45.

*(This information furnished by Terry Witt, Oregonians for Food and Shelter.)*

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## Argument in Opposition

### Oregon Restaurant Association

Please vote no on Measure 45. Here are six reasons why:

**FIRST,** taking away the right of voters to choose who will represent them is at best, misguided, and at worst, destructive of democracy.

**SECOND,** with experience comes greater skill. A first-term legislator is less likely to be able to "get things done" in Salem. Permanent committee staffers become more knowledgeable and powerful than the members themselves. The same is true of agency staff and special interest lobbyists who grow more powerful as they "help" inexperienced members.

**THIRD,** the very fact that politicians are accountable to voters who can reelect them keeps legislators responsive. With term limits, a lame duck legislator no longer has any motivation to continue serving the concerns of constituents.

**FOURTH,** term limits are unnecessary. The electorate should be allowed to do its job holding poor legislators accountable. Voters can always limit a legislator's term at every election.

**FIFTH,** the current system already provides the results term limit proponent say they want. Voters can fire incumbents every election. Term limits simply invite disaster, losing large amounts of local representatives every election.

**FINALLY,** when term limits were implemented in Oregon, the benefits promised by proponents never happened. Politicians serving as city council members and county commissioners ran for the legislature, and Legislators ran for local office, not ordinary citizens. And term-limited legislators turned elections into a version of political musical chairs.

Oregonians have seen term limits and watched them fail. Many of the budget issues were created because you eliminated legislators that understood the complex state budget process and replaced them with inexperienced legislators that have to rely on staff and lobbyists for assistance.

Please join Oregon's restaurants in voting no on Measure 45.

*(This information furnished by Bill Perry, Oregon Restaurant Association.)*

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## Argument in Opposition

### Associated General Contractors Urge You to Vote NO on Measure 45

There's a good reason for Oregonians to wonder why an Illinois-based special interest group is pushing Measure 45 on Oregon's ballot to impose strict new term limits on Oregon legislators. It's because out-of-state special interests – not Oregon voters – stand to gain if Measure 45 passes.

In 2002, the Oregon Supreme Court declared Oregon's decade-old term limits law unconstitutional.

Sponsors of the 1992 initiative promised term limits would make state government better and more responsive to the people. Instead, the limits played havoc with Oregon's lawmaking process. During the 10 years they were in effect, partisanship in

# Measure 45 Arguments

Salem got worse, not better. Reliable legislators that local voters trusted were kicked out, replaced by partisan newcomers eager to please special interests in order to solicit their financial support for the next election. None of the benefits term limit sponsors promised were achieved.

Term limits just made things worse. Trust in government went down, not up. Why?

Because term limits blocked voters right to choose whom they wanted to represent them in Salem. Now Measure 45 would put the same handcuffs on voters, telling us who we **CAN'T** have represent our interests in the Capitol.

One of our founding fathers, James Madison of Virginia, had a better idea when he wrote the U.S. Constitution. He put responsibility for deciding who would represent us in making laws squarely in the hands of the people. The framers of our Constitution debated and rejected term limits.

We are asking you to join the businesses and employees that make up Oregon's construction industry in rejecting term limits. We believe it is each citizen's duty to hold their elected officials accountable by participating in the elections – fire bad ones, re-elect good ones. Let us decide for ourselves whom we send to Salem.

**Please join us in voting NO on Measure 45.**

*(This information furnished by Craig Honeyman, Associated General Contractors Oregon-Columbia Chapter.)*

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## Argument in Opposition

### Term Limits Don't Work

Term limits are a failure. We tried them in Oregon, and the state is still reeling from the aftereffects.

A term limits initiative approved by Oregon voters in 1992 resulted in the ouster of numerous legislators, including most of the leadership. That initiative was eventually overturned by the courts, but not before Oregonians had a chance to see its effects.

The effects were not pretty. The partisanship, record-long sessions and inability to tackle the issues most important to Oregonians were term limits' legacy. This time around, the members of the Oregon Home Builders Association are urging Oregon voters to give Measure 45, and the out of state money behind it, a resounding thumbs down.

As term limits kicked in, Oregon's Legislature began a downward spiral of partisan bickering from which it has yet to emerge. Part of that was the result of inexperienced leadership. The bulk of legislators who were term-limited after the 1992 vote were the most experienced members. When leadership is removed, power slides to those who are most familiar with how the game is played. The veterans who stepped in to fill the vacuum were not legislators, but rather lobbyists and state government bureaucrats.

Measure 45 will produce the same effect. If approved, it will prematurely evict some of the best and brightest now serving in Salem. By 2009, there would be 40 freshman legislators. Twenty-eight legislators, or nearly half of the 60-member Oregon House, would be freshmen. By 2011 every current member of the legislature would be termed out. That means, outside of special interests and bureaucrats, there would be virtually no experience in the capitol.

It takes time to learn how to be a good legislator, just like carpentry or painting or roofing. No one would fire an employee just when they learned their job, but that's what this measure

would do. It's a bad idea in business, and it's a bad idea for the state.

*(This information furnished by Jon Chandler, CEO, Oregon Home Builders Association.)*

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## Argument in Opposition

### Oregon Transit Association

"The wheels on the bus go round and round, all day long."

While that may be a great theme song for members of the Oregon Transit Association, it is not a good theme for our state legislature. The last thing we need is a bunch of inexperienced state legislators spinning their wheels in Salem.

But that's exactly what the Illinois-based special interest group, U.S. Term Limits, would have you do - toss out our most experienced legislators to make room for inexperience. That is why Oregon's transit systems are urging a No vote on Measure 45.

There are a multitude of complex issues new legislators must tackle. Some of them, like our school finance system, our health care system and our transportation system are incredibly detail-oriented and require significant training and experience to make educated decisions.

While legislative turnover is inevitable, if Measure 45 passes, the busses will be lining up outside the capitol to take legislators home. That's because by 2008, nearly half of the Oregon House of Representatives will be first-time legislators. By 2011, the entire legislature will be filled with inexperience. That's why it is so important that Oregonians vote No on Measure 45.

While a "throw them out" mentality might sound good at first blush, that's not what leads to effective governance. Instead, term limits lead to excessive partisanship. That's exactly what happened while term limits were implemented in Oregon between 1992 and 2002. During that time, partisanship stifled the legislature's ability to tackle key issues like health care and school funding, yet produced consecutive record-long legislative sessions.

Oregonians deserve elected officials with the experience and expertise necessary to promote positive change. Oregonians don't need term limits. We already have the ability to fire poor legislators, every two years at the ballot box.

Please join the Oregon Transit Association in Voting NO on Measure 45.

*(This information furnished by Roger E. Martin, Oregon Transit Association.)*

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## Argument in Opposition

### Once Bitten, Twice Shy

Term limits have a proven record of failure in Oregon. They don't merit a comeback. We suggest you say NO to renewing term limits for those who serve in the Oregon legislature. It's a bad idea.

The Illinois-based special interest group, U.S. Term Limits, paid more than half a million dollars to put Measure 45 on the ballot. It would re-impose limits overturned by the State Supreme Court in 2002 and would prohibit voters from electing anyone to the Oregon House for more than three terms and two terms

# Measure 45 Arguments

in the Senate.

Term limits are unnecessary. Voters already have the power to limit a legislator's term every time they run for re-election. Voters shouldn't be denied the choice of keeping a good legislator representing them.

Oregon learned what term limits can do. During much of the 1990s Salem was a revolving door of freshman legislators who quickly dug themselves into partisan ditches with no way to build bridges, broker compromises or solve problems. Inexperienced legislators spent public tax money in a wild fashion, greatly increasing the state budget with no thought about the future.

What if corporations announced a policy of routinely firing employees who had been on the job 12 years? We imagine most people would defend the importance of experience and institutional memory. If reliable employees deserve better than that, so do our citizen legislators.

Please join the Oregon Beer and Wine Distributors in voting No on Measure 45.

*(This information furnished by Paul Romain, Executive Director, Oregon Beer & Wine Distributors Association.)*

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## Argument in Opposition

### Stand for Children Urges a No Vote on Measure 45

#### Our Children Need an Experienced Legislature

**Vote out ineffective legislators and don't give up your right to keep the good ones!**

Well-informed voters **vote out bad legislators and reelect strong champions for children and schools** – not rely on term limits, which get rid of the most experienced, able legislators.

Oregon experimented with term limits from 1992 to 2002, before they were overturned by the courts. The result was **"lousy leadership, more power concentrated among lobbyists and serious civic problems left to fester."** (*The Oregonian*, August 22, 2006)

"Term limits in state legislatures have not accomplished many of the changes proponents promised— greater social, gender and racial diversity in legislatures and a decrease in political careerism. Instead they have given rise to inexperienced lawmakers and polarized legislatures. And they have tipped the balance of power away from legislatures and toward governors' offices and the executive branch."

-- From a report on the first comprehensive, multi-state study of the effects of term limits, *National Conference of State Legislatures News*, August 15, 2006

**Term limits only increase the power of the paid professional lobby.** Before term limits were thrown out by the courts, only one of the 16 Ways and Means members determining our state's multi-billion dollar budget had ever served on the committee before.

**Don't leave the fate of our children and schools in the hands of inexperienced legislators and unelected lobbyists and legislative staff.**

**Keep your rights as a voter to vote out bad legislators and reelect good ones!  
Vote No on Measure 45.**

*(This information furnished by Holly Pruett, Stand for Children.)*

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## Argument in Opposition

### THE OREGON AFL-CIO WORKS TO MAKE SURE OREGON FAMILIES HAVE GOOD JOBS AND STRONG COMMUNITIES

Our 90,000 members -- including firefighters, teachers, steelworkers, nurses, construction workers, longshoremen and more -- work together to make sure that Oregon families have good jobs and strong communities. For us, that means that we have a healthy, active democracy where voters are informed and empowered.

Our member representatives have studied the ballot measures and voted to say "No on Measure 45."

#### This Measure Has Already Failed Oregon Once

*The Oregonian* said, "Oregon has tried term limits before, in a brief experiment from 1992 to 2002. ... Looking back, the state got exactly what you would expect from term limits: inexperienced leaders in the House of Representatives who generally were unequipped and unprepared for their responsibilities, and record-long acrimonious, unproductive sessions in Salem. Why would Oregonians deliberately choose to go through that again?" (8/22/06)

#### Measure 45 Empowers the Pharmaceutical, Tobacco, and Health Insurance Lobbies

After term limits kick in, our experienced elected officials are kicked out – but the seasoned special interests stick around, know the ropes, and get more and more power for big industry lobbies at our expense.

#### Measure 45 Takes Away Voters' Choices

If someone is doing a bad job, we can just vote them out. Term limits force out even the ones who are doing the right thing.

#### Measure 45 is Another Out-of-State Intrusion

This isn't even an Oregon idea. Measure 45 was nearly entirely paid for by wealthy out-of-state interests. The initiative process is for Oregonians – not for rich guys back east to mess with our Constitution.

**Let's learn from our mistakes.**

**Let's support a healthy democracy.**

**Vote NO on Measure 45**

Tom Chamberlain, President  
Oregon AFL-CIO

*(This information furnished by Tom Chamberlain, President, Oregon AFL-CIO.)*

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## Argument in Opposition

### OREGON TEACHERS ASK YOU TO VOTE NO ON MEASURE 45

**Measure 45 takes away power from voters.**

Once term limits are adopted, voters can no longer choose to keep or remove elected officials who represent them.

**Measure 45 keeps elected officials from working for you.**

# Measure 45 Arguments

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With term limits, representatives must leave office often just as they finally know how the legislative process works. Would you want hospitals to only be staffed by first-year doctors?

**Measure 45 destroys accountability to the people.**

Once a politician faces term limits in their existing position, there is no longer any accountability to the people. Their final term is more likely to be spent setting up their career or next campaign for higher office instead of serving your interests.

**Measure 45 is the wrong solution.**

We need to restrain the power of big money corporate lobbyists, not give up the power to choose who represents us. If voters don't like who represents them, they should impose real term limits and vote them out of office.

**DON'T GIVE UP YOUR POWER TO DECIDE  
VOTE NO ON MEASURE 45**

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

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# Measure 46

Proposed by initiative petition to be voted on at the General Election, November 7, 2006. The information in the shaded area below will appear on your ballot.

## Ballot Title

# 46

### **AMENDS CONSTITUTION: ALLOWS LAWS REGULATING ELECTION CONTRIBUTIONS, EXPENDITURES ADOPTED BY INITIATIVE OR 3/4 OF BOTH LEGISLATIVE HOUSES**

**RESULT OF "YES" VOTE:** "Yes" vote amends Constitution to allow laws limiting or prohibiting election contributions and expenditures if adopted by initiative process of 3/4 of both legislative houses.

**RESULT OF "NO" VOTE:** "No" votes retains current ban in Oregon Constitution on laws that limit or prohibit political campaign contributions or expenditures by any person or any entity.

**SUMMARY:** Amends the Oregon Constitution. The Oregon Constitution currently bans laws that impose involuntary limits on, or otherwise prohibit, political campaign contributions or expenditures by any person or any entity. The measure amends the Oregon Constitution to allow laws, if they are enacted or amended through the ballot initiative process or by the Legislative Assembly by a three-fourths vote of both houses, that limit or prohibit campaign contributions and expenditures to influence the outcome of any election. The measure allows such limitations or prohibitions to apply to election contributions and expenditures of any type or description. Other provisions.

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

## Text of Measure

Be it enacted by the People of the State of Oregon, there is added an Article II, Section 24, of the Constitution of Oregon, as follows:

**Notwithstanding any other provision of this Constitution, the people through the initiative process, or the Legislative Assembly by a three-fourths vote of both Houses, may enact and amend laws to prohibit or limit contributions and expenditures, of any type or description, to influence the outcome of any election.**

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

## Explanatory Statement

Ballot Measure 46 amends the Oregon Constitution to allow laws to be passed or amended that would prohibit or limit contributions and expenditures of any kind to influence the outcome of any election. Under the measure, laws could be passed that prohibit or limit how much an individual or entity can give to a candidate for state or local (but not federal) office or other political campaign and how much an individual, entity, candidate or other political campaign can spend to influence the outcome of any state or local election.

At present Article 1, section 8, of the Oregon Constitution, the free speech guarantee, does not allow laws that prohibit or impose limits on political campaign contributions or expenditures in elections for state or local public office. Under this measure, the Oregon legislature or voters by initiative would have the authority to restrict or limit political campaign contributions and expenditures, subject to federal law.

Ballot Measure 46 requires a three-fourths (3/4) vote of both the Oregon Senate and the Oregon House of Representatives to amend previously enacted laws, or pass new laws, prohibiting or limiting political campaign contributions or expenditures. Ordinarily, a simple majority vote of both the Oregon Senate and Oregon House is required to amend existing laws or pass new laws. Under the measure, voters by a simple majority may adopt new laws or amend existing laws prohibiting or limiting political campaign contributions or expenditures.

The measure would not apply to elections for federal offices, which are President of the United States, United States Senator, and United States Representative. Federal law does not currently allow states to prohibit or limit contributions or expenditures for or against ballot measures. The measure does not affect the free speech guarantee under the First Amendment of the United States Constitution.

### **Committee Members:**

Bryn Hazell  
Dan Meek  
Tina Calos  
Andrea Meyer  
Fred Neal

### **Appointed by:**

Chief Petitioners  
Chief Petitioners  
Secretary of State  
Secretary of State  
Secretary of State

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



# Measure 46 Arguments

## Argument in Favor

We personally gathered several hundred signatures to help get Measures 46 and 47 on the ballot. The responses of the people we approached were overwhelmingly positive. Oregonians want campaign finance reform!

A few people won't like these measures: corporate executives and wealthy folks who now supply almost all of the campaign funds for candidates, special interests with a limited but wealthy donor base, and union bosses.

But do you know who will love both of these measures that limit campaign contributions? The 99% of Oregonians who want to trust their legislators and other elected officials.

Bryn Hazell and Harry Lonsdale

*(This information furnished by Bryn Hazell, Harry Lonsdale.)*

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## Argument in Favor

### GET BIG MONEY OUT OF OREGON POLITICS!

#### YES on Measures 46 and 47:

#### Oregon's Campaign Finance Reform Measures

**Oregon is one of only 5 states with no limits on political contributions. None!**

**What Tom DeLay was indicted for in Texas is perfectly legal in Oregon.**

The result of NO LIMITS is that corporate money dominates politics in Oregon. The corporations outspend labor unions by 5-1 on campaign contributions, and both of them massively outspend all other groups and causes, including those for better health care, environmental protection, human and civil rights, decent jobs for all, consumer protection, fair taxes, less promotion of gambling, and sufficient funding for education and other needs.

Corporations pushed up the total spending on political races in Oregon from \$4 million in 1996 to \$42 million in 2002 - that's ten times more. Only about 1% of Oregonians make political contributions, and over **75% of the money now comes from only 1% of those few contributors.** Only 3% of the money comes in amounts of \$50 or less. Almost 70% comes in amounts of \$1,000 or more.

It now usually costs over \$500,000 to win a contested seat in the State Senate and over \$250,000 to win such a seat in the State House of Representatives.

**"And now those money-fueled campaigns for part-time Oregon legislators can reach \$1 million."**

**- The Oregonian editorial, August 13, 2006**

Corporate contributions are so huge in Oregon that Tom DeLay would not even be noticed here. He was indicted for channeling \$155,000 of corporate money into races for the Texas Legislature. **Doing that would be legal in Oregon** and insignificant, since the corporations have pumped over \$20 million into races for the Oregon Legislature in the last two election cycles.

**WE SUPPORT MEASURES 46 AND 47:**

**Sierra Club  
Democratic Party of Clackamas County  
Alliance for Democracy  
Northwest Progressive Community**

## Pacific Green Party Women's International League for Peace and Freedom Utility Reform Project

*(This information furnished by Dan Meek, Utility Reform Project; Elizabeth Trojan, Fair Elections Oregon; David E. Delk, Alliance For Democracy.)*

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## Argument in Favor

### STOP SELLING GOVERNMENT FAVORS TO CAMPAIGN CASH COWS

**"And now those money-fueled campaigns for part-time Oregon legislators can reach \$1 million."**

**- The Oregonian editorial, August 13, 2006**

In 2002, candidates for Governor spent \$15 million, breaking all records. The two major party candidates spent over \$4 million each. This year, expect \$6 million each. Republicans get huge contributions from corporations and executives. Nevada executive Loren Parks alone gave Kevin Mannix \$540,000 in 2002 and \$713,000 in 2006. Ron Saxton this year accepted campaign funds of \$100,000 each from several timber company executives. Democrats get huge contributions from corporations and unions. Ted Kulongoski's 2002 campaign received \$1.2 million from unions.

### CAMPAIGN CASH BUYS BIG GOVERNMENT FAVORS

**Enron/Portland General Electric got a \$400 million annual rate increase in 2001 and since 1997 has charged Oregon ratepayers over \$900 million for federal and state "income taxes" it never paid.** Why? PGE gave over \$500,000 to Oregon politicians.

**The corporate share of Oregon income taxes has declined from 18% to only 4%. The corporate "kicker" will further cut corporate income taxes by 36% in 2005 and 54% next year.** Why? The big corporations provide most of the campaign cash for candidates of both major parties.

**Video Poker outlets get \$100 million per year over the reasonable level of commissions.** Why? The Oregon Restaurant Association gave over \$1.2 million to Oregon politicians since 2000.

**Drug companies defeated bills to expand the Oregon Prescription Drug Purchasing Pool to save hundreds of millions of dollars for Oregonians (an average of 30%) by having the State negotiate lower prices.** How? The drug and medical equipment companies gave over \$3 million to Oregon politicians since 2000.

**The Oregonian (June 4, 2006) says Oregon "has lowered its cigarette tax and all but surrendered in the battle to reduce tobacco use." The American Lung Association gave Oregon "F" in smoking prevention.** Why? The tobacco companies gave over \$600,000 to Oregon politicians since 2000.

[www.fairelections.net](http://www.fairelections.net)

[info@fairelections.net](mailto:info@fairelections.net)

*(This information furnished by Tom Civiletti, Lloyd K. Marbet, Kenneth Lewis.)*

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# Measure 46 Arguments

## Argument in Favor

### **Fair Elections Belong in our Constitution Vote Yes on 46!**

In 1994, 72% of Oregonians voted for limitations on contributions to candidates.

But in 2006, we have NO such limits.

#### **Why not?**

In 1997, the Oregon Supreme Court threw out that law claiming it violated the Oregon Constitution.

#### **The result?**

Corporate contributions to candidates have skyrocketed. Running for office is now beyond the reach of ordinary citizens. Our elected officials are perceived to represent **special interests** rather than ordinary people.

#### **Measure 46 is the solution!**

It's just one sentence which permits limitations on campaign contributions.

That's all!

#### **A constitutional amendment is required to allow limitations.**

We don't advocate amending the Constitution on a whim. But sometimes an amendment is necessary.

#### **What is a constitution?**

Our Constitution is a contract in which the people define how the government is formed and how it functions. Rules governing the election of our government officials ought to be included in the Constitution.

Measure 46 simply makes limitations on political contributions and expenditures constitutional.

It does **not** establish limits on political contributions.

It does **not** establish spending limits.

It **does** give the people the right to pass those types of rules.

#### **What role does the legislature have?**

Measure 46 allows contribution limitations to be enacted either through the initiative process or by our representatives in Salem. If the legislature enacts or changes laws establishing limits, it must do so by a 75% majority vote rather than a simple majority.

This super-majority requirement is needed because in other states with limitations legislatures have changed laws in order to favor the wealthy over the rest of us. During the 2004 election, the Ohio legislature, with a simple majority, increased the ceiling on individual contributions from \$2,500 to \$10,000. This change favored wealthy citizens to the detriment of poor and middle-class citizens.

#### **Vote Yes on Measures 46 & 47.**

Joan Horton, David Delk, Co-chairs  
Alliance for Democracy, Portland [www.afd-pdx.org](http://www.afd-pdx.org)

*(This information furnished by David Delk, Joan Horton; Alliance for Democracy, Portland.)*

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## Argument in Favor

### **Citizens for the Public Good in Jackson County say CAMPAIGN FINANCE REFORM IS GOOD FOR OREGON!**

**We believe the quality of life in our state is increasingly eroded by big money influencing politics. Our health care, education, safety, and environment—are all at stake.**

**Our political system has become corrupted by endless money spent on political campaigns, especially on attack ads and information meant to deliberately mislead the public.** Especially galling are the out-of-state corporations—energy companies, pharmaceutical and chemical industry giants, HMO's, and insurance companies—that have literally spent millions of dollars on politics in Oregon. This has resulted in a state government that often caters to these and other deep-pocketed special interests, not to the needs of average citizens.

**Unless campaign finance reform Measures 46 and 47 are passed in November, this problem will only worsen. Why? Because Oregon is one of only five states with NO limits or restrictions on campaign spending.**

Measures 46 and 47 must both be passed, because they work together. They ensure:

- **A LEVEL PLAYING FIELD IN POLITICS.** Individual Oregonians will have the freedom to contribute to campaigns of their choice, but with fair limits on contributions. No donations will be allowed by corporations or labor unions.
- **OREGON'S POLITICAL ISSUES WILL BE DECIDED BY OREGONIANS.** With fair contribution limits in place, Big Money—including out-of-state--will not have an undue advantage over average citizens in our government.
- **CAMPAIGN SPENDING LIMITS WILL FOSTER DEMOCRACY,** and encourage more folks to run for office who are publicly-spirited and who don't pander to big donors.

**We deserve a better government.  
Measures 46 and 47 are a major step to having one.  
JOIN US IN VOTING YES ON MEASURES 46 & 47!**

#### **Jackson County Citizens for the Public Good Steering Committee**

Avis Adee  
Robert Altaras  
Gerald Cavanaugh  
Michael Dawkins  
Marshall Fox  
Becky Hale  
Irene Saikevych

*(This information furnished by Irene Saikevych, Avis Adee, Robert Altaras, Gerald Cavanaugh, Michael Dawkins, Marshall Fox, Becky Hale; Jackson County Citizens for the Public Good.)*

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## Argument in Favor

### **WHO IS BEHIND THE CAMPAIGN FINANCE REFORM MEASURES?**

#### **MEASURES 46 AND 47**

**It's an All-Oregon Effort of Thousands of Volunteers  
and Donors and Dozens of Public Interest Groups**

Measures 46 and 47 are completely home-grown.

# Measure 46 Arguments

FairElections Oregon is a coalition of Oregon groups and people working on campaign finance reform for 8 years. We spent over 18 months gathering over 280,000 signatures for these measures. We benefited from over 1,000 volunteer, unpaid circulators and over 1,300 donors. All of our volunteer circulators were Oregonians, and 99.99% of our funding came from residents of Oregon.

**We accepted no money from any: corporations, unions, or out-of-state groups or organizations**

Our efforts were greatly assisted by contributions from these Oregonians:

Harry Lonsdale, retired President of Bend Research, Inc., a high-tech company located in Bend

Dan Meek, public interest attorney in Portland

William Boyer, retired professor of philosophy living in Sisters, who passed away earlier this year

Our "out-of-state" supporter was Public Action For Clean Elections (P.A.C.E.).

**THESE OREGON GROUPS SUPPORT MEASURES 46 AND 47:**

**Sierra Club of Oregon**  
**OSPIRG (Oregon State Public Interest Research Group)**  
**Alliance for Democracy**  
**Physicians for Social Responsibility**  
**Pacific Green Party**  
**Democratic Party of Clackamas County**  
**Oregon Gray Panthers**  
**Northwest Progressive Community**  
**Health Care for All Oregon**  
**Universal Health Care for Oregon**  
**Tim Hermach, President, Native Forest Council,**  
**Eugene, OR 97402, 541-688-2600**  
**Jackson County Citizens for the Public Good**  
**Lloyd K. Marbet, Don't Waste Oregon**  
**Women's International League for Peace and Freedom**  
**Utility Reform Project**  
**First Unitarian Church, Economic Justice Action Group**

**FairElections Oregon** **www.fairelections.net**  
**info@fairelections.net**

*(This information furnished by Elizabeth Trojan, FairElections Oregon.)*

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## Argument in Favor

**VOTE YES ON MEASURES 46 & 47!**

The FACTS on CAMPAIGN CASH

- Under current campaign law, Oregon is one of only five states in the nation where any special interest can contribute any amount of money (literally any amount of money), to any state or local candidate.
- It now typically costs over \$500,000 to win a contested seat in the State Senate and over \$250,000 to win such a seat in the State House of Representatives.
- As reported by *The Oregonian* "Nine of the 10 most frequent visitors to legislative leaders [in 2005] represent large campaign donors."

The strength and genius of our system of government is the equation of "one person equals one vote". That core principle is now threatened by a government of, by and for a very small number of very large contributors. We believe it is time to make

people and ideas more important than money in our politics. Let's pass Measures 46 & 47 and put a stop to the "pay to play" system we have now.

**Join us in voting YES for Campaign Finance Reform.**

**YES on 46 & 47**

**www.fairelections.net**

*(This information furnished by Elizabeth A. Steffensen, David Sonnichsen, Norman L. Riddle.)*

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## Argument in Favor

**Vote "YES" on Measures 46 and 47 and help level the playing field in Oregon politics.**

Measures 46 and 47:

The Oregon Campaign Finance Reform Initiatives

Right now we are presented with a rare opportunity to clean up government by making a positive change in the way political campaigns are run in our state.

Under current campaign law, Oregon is one of only a handful of states where any special interest can contribute any amount of money, to any state or local candidate. The current system provides no way to curb the overwhelming influence of big money donors in politics. **The result—special interests get sweet-heart deals at the public's expense.**

Enough is enough. It's time for Oregon to join states like Colorado and Montana that have already enacted successful and tough campaign finance reform initiatives.

**Help level the playing field in Oregon politics.**

**Vote "YES" on Measures 46 and 47.**

*(This information furnished by Tyrone Reitman, Stuart Henderson, Loring Harkness, Shaun Cook.)*

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## Argument in Favor

**OREGON WORKERS ARE VICTIMS OF SPECIAL INTEREST CAMPAIGN CONTRIBUTIONS**

Too often, the safety and welfare of Oregonians take a back seat to the wishes of corporate political contributors. For that reason

**Injured Workers' Alliance supports Ballot Measures 46 and 47.**

Since 1998, our statewide advocacy organization has fought for Oregonians on issues such as workplace safety and access to healthcare. During that time, we've witnessed the tremendous power of insurance companies and their hired hands, resulting in harm to Oregonians. During the 2002 and 2004 election cycles, insurance companies alone contributed over \$850,000 to Oregon candidates!

**Insurance companies have massive political influence! That influence has destroyed thousands of lives.**

It's been well known in Salem for at least 15 years that **independent medical examinations** too often are biased, fraud-ridden, and that physical harm is inflicted during exams. Known as IME's, these exams are routinely used by insurance companies to deny medical treatment. Many examiners don't

# Measure 46 Arguments

even treat people; they only provide opinions. They're sometimes paid \$1,000 or more per hour with little overhead.

**Attempts at warranted, meaningful reforms have been repeatedly stopped cold by special interests.** What has become law is sorely inadequate.

A few days before the 2005 legislative session began, a political committee formed by independent medical examiners gave money - a portion of the fat fees they received from insurers - to the most powerful members of the Oregon House. Their goal was to kill IME reform legislation - perhaps to even prevent a public hearing. These contributions came soon after the release of a state-conducted study that reinforced other evidence critical of the examinations. The money contributed included **\$5,000** to then-State Representative Dan Doyle (R-Salem), later **convicted of campaign finance fraud** for collecting, and then pocketing, campaign contributions.

**Join worker advocates in making democracy work in Oregon.**

**Please vote YES on Measures 46 and 47.**

Learn more about Injured Workers' Alliance at [www.InjuredWorker.org](http://www.InjuredWorker.org)

*(This information furnished by Ernest Delmazzo, Injured Workers' Alliance.)*

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## Argument in Opposition

Oregon AFSCME stands opposed to this measure. Why would we be against a measure that takes the money out of elections? We wouldn't; this measure doesn't do that. All this measure does is open up Oregon to attack in the guise of election reform.

We support sensible campaign finance that puts the power where it belongs, with the people. Oregon AFSCME was one of the strongest supporters of Voter-Owned-Elections. Unlike that program there is no telling what the long term affects of this measure will be on the electoral system in Oregon. All it does is open the door by decreasing our free speech protections.

We cannot support this measure and we strongly encourage you to vote "No." This measure will eat away at Oregon's free speech protections. We have some of the strongest free speech protection in the country under the Oregon Constitution; much stronger than the U.S. Constitution. With this measure the standard will be lowered to that level for political speech.

Under this measure the legislature and other ballot measure will be able to play with Oregon's rules on free speech laws. There is no way to predict what might happen in the years to come.

The reason we are most concerned is because the unfair advantage this will give the extremely wealthy in Oregon elections. This measure will allow regulations on the amount of contributions candidates can collect. Working people who choose to run for office will be forced to spend a great deal of time raising money. On the other hand a wealthy person can still write themselves a huge check and fund their own campaign.

We at Oregon AFSCME urge you to **Vote NO on Measure 46.** Don't amend the Constitution to give Oregon less protection for political speech. You never know what some legislators might decide is best use of the new power this measure gives them.

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

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## Argument in Opposition

### OREGON LIBRARIANS AGAINST CENSORSHIP

#### URGE YOU TO VOTE NO ON MEASURE 46!

We are librarians from all over Oregon who cherish the right of all Oregonians to decide for ourselves what we want to read, see and hear. **Measure 46 will weaken free speech protections and open the door to government censorship.**

We have strong free speech rights in Oregon because our founders in 1859 understood how important it was to include free speech protections in the Oregon Constitution.

We do not need to eliminate free speech rights or weaken our constitution to reform political campaigns. **Don't be fooled by what the sponsors may say: Measure 46 will eliminate constitutional protections for free speech related to candidate and ballot measure elections. Measure 46 goes too far!**

As librarians, we have come together in the past urging you not to weaken Oregon free speech protections. **This is the fourth time in the last twelve years Oregonians have been asked to vote on a ballot measure that would weaken our free speech protections in the Oregon Constitution. Each time, Oregonians have said "NO!"**

Once again, another single-issue special interest is trying to eliminate free speech protections to fit their cause. We hope

# Measure 46 Arguments

you'll join us in saying "No" once again. Maybe this time they'll understand that "No" means NO!

**Measure 46 is extreme and it goes too far.  
LEAVE OUR FREE SPEECH RIGHTS ALONE!  
DON'T OPEN THE DOOR TO CENSORSHIP!**

**VOTE NO ON MEASURE 46!!**

**Diedre Conkling  
Jeanne Goodrich  
Carol I. Hildebrand  
Curtis L. Kiefer  
Larry R. Oberg  
Wyma Jane Rogers  
Joanna Rood  
Janet Webster**

*(This information furnished by Andrea Meyer, No Censorship Committee.)*

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## Argument in Opposition

**DON'T UNDERMINE OREGON'S  
FREEDOM OF SPEECH PROTECTIONS**

**VOTE "NO" ON MEASURE 46!!**

As Oregon authors, artists and performers we oppose Measure 46 as a threat to artistic freedom in Oregon because it would weaken Oregon's important free speech protections.

Much more is at stake in this constitutional amendment than whether we should have campaign finance reform. **This measure would eliminate freedom of speech protections as they relate to political campaign expenditures and contributions and would undermine the free speech rights of all Oregonians.**

It would create the first exception to our Oregon Free Speech guarantee:

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

Oregon has a proud history of artistic freedom—in large part because the Oregon Bill of Rights contains some of the strongest protections for free expression in the country. But Measure 46 would weaken that protection and open the door to government censorship of political activity and authors and performers who create works related to current events.

If Measure 46 is approved, Oregon laws could be passed that would ban political artistic expression if there is any connection to a candidate or ballot measure. We do not want to put artistic expression at risk of government censorship just because a book, film or performance is too topical and is considered a campaign "contribution." But under Measure 46 that could happen.

**Don't be fooled. Measure 46 weakens the  
free speech protections in the Oregon Bill of Rights.  
We don't need to do that and we shouldn't!!**

**Support Oregon artists. Vote No on Measure 46!!**

**Ursula K. Le Guin, author  
Thomas M. Lauderdale, artistic director, Pink Martini  
Paul King, co-founder/president, White Bird Dance  
Phillip Margolin, author  
Jane Kirkpatrick, author  
Molly Gloss, author**

**Henk Pander, artist  
Shirley G. Gittelsohn, artist**

*(This information furnished by Andrea Meyer, No Censorship Committee.)*

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## Argument in Opposition

**MEASURE 46 WOULD WEAKEN  
THE OREGON BILL OF RIGHTS**

**VOTE "NO" ON MEASURE 46!**

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

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

**Unfortunately, Measure 46 has been funded primarily by one wealthy man seeking to change Oregon's constitutional free speech protections.** Here is the language of Article 1, section 8—the free speech provision of Oregon Constitution that Measure 46 would weaken:

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

For almost 150 years, this language in the Oregon Constitution has protected the right of all Oregonians to decide for ourselves what we want to read, see and hear. But Measure 46 will eliminate our current constitutional free speech protections for political campaign expenditures and contributions.

**If Measure 46 is approved, there would be no free speech rights left in the Oregon Constitution to prevent a law that would ban all contributions for and against any ballot measure.**

**DON'T GIVE UP YOUR FREE SPEECH RIGHTS**

Measure 46 will partially replace our current constitutional guarantee of free speech with weaker federal constitutional provisions. **The federal constitution has allowed wealthy candidates to spend as much money as they want out of their own pockets, giving them an unfair advantage.** This is what has turned our U.S. Senate into a millionaire's club. Measure 46 won't fix the problem, it will make it worse.

We don't need to erode our basic freedoms to deal with campaign finance reform.  
Measure 46 goes too far.

**Betty Roberts, Former Oregon Supreme Court Justice**

*(This information furnished by Andrea Meyer, No Censorship Committee.)*

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# Measure 46 Arguments

## Argument in Opposition

### Measure 46: The Wrong Answer

**Measure 46 amends the Oregon Constitution, weakening our free speech protections.** This Constitutional Amendment will put new restrictions in Oregon's Bill of Rights, which currently guarantee our freedom of speech. Oregonians know that our freedoms are precious and must be protected. Our freedom of speech protections have served us well for more than 100 years. We shouldn't be fooled into believing less freedom will be good for us.

**Measure 46 opens the door to further restrictions of our political freedom of speech.** If Measure 46 passes, the legislature would have the ability to ban all contributions for and against any ballot measure—except those made by people who can afford to finance expensive campaigns on their own.

**Measure 46 is sponsored by one wealthy man seeking to limit free speech protections for the rest of us.**

Reforming our campaign finance system is important and should be the result of a collaborative effort that includes all sides. The wealthy sponsor of this measure knows that Measure 46 will limit the free speech protections of average Oregonians, while the U.S. Constitution will protect his own ability to privately finance even more rewrites of our Constitution.

**Measures 46 and 47—working in concert—will take away the political voice of unions and nonprofit organizations.** These measures are designed to work together to limit contributions to political campaigns by unions and other nonprofit organizations. As dedicated professionals working every day in our schools, we see the effect that politics can play on our kids' education. We want to let folks know how political proposals will affect our schools. If these measures pass, their effect will be to take away the political voice of thousands of working men and women who don't have the money to make large contributions on their own, and the story they would tell will not be told.

**Oregon School Employees Association**  
Asks You To Please  
**Vote NO on Measure 46**

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

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## Argument in Opposition

THE OREGON ASSOCIATION OF REALTORS®  
OPPOSES MEASURE 46 AND URGES YOU  
TO VOTE NO!

The Oregon Association of REALTORS® is the trade association for the professionals who help Oregonians achieve the American Dream of homeownership.

The same constitution that protects your right to own property – your home – has provisions in it that protect your right to free speech. Measure 46 seeks to undermine this right by limiting free speech in the name of campaign finance reform. Since we were first founded as a state, Oregon's Constitution has protected our right to see, hear and read what we want.

**That is why it is so important to vote NO on Measure 46.**

The Oregon Constitution protects us from the excesses of government. When we begin to chip away at these protections, there is no telling where it will lead. Once we have lost a constitutional right, it becomes very difficult to get it back.

You have the right to be a fully informed voter. Don't be fooled. Protect your right!

### Vote NO on Measure 46!

*(This information furnished by Jeremy Starr, President, Oregon Association of REALTORS.)*

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## Argument in Opposition

### Protect our Voice Protect Your Freedom of Speech

Real campaign finance reform should come from all of us working together to reduce the influence of big money in Oregon politics. Measures 46 and 47 are the wrong solution. Unfortunately, they will hurt the voice of non-profits and membership organizations, and make the problem of wealthy individuals who seek to influence our politics even worse.

### Join us in VOTING NO on Measure 46

ACLU of Oregon  
American Federation of Teachers-Oregon  
Basic Rights Oregon  
Ecumenical Ministries of Oregon  
Eugene Springfield Solidarity Network  
NARAL Pro-Choice Oregon  
Oregon Action  
Oregon AFL-CIO  
Oregon Education Association  
Oregon School Employees Association  
Our Oregon  
Planned Parenthood Advocates of Oregon  
SEIU/OPEU Locals 49 and 503  
Stand for Children

[www.protectourvoice.org](http://www.protectourvoice.org)

*(This information furnished by Christy B. Mason, Our Oregon.)*

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46

## Argument in Opposition

### Planned Parenthood Advocates of Oregon Asks You to Vote NO on Measure 46

### Measure 46 gives away too much power over our freedom of speech.

This measure goes too far in amending Oregon's Constitution and undermines our freedom of speech protections. This measure exempts ALL future actions of the legislature or ANY ballot measures regarding election contributions and expenditures from the Oregon Constitution's freedom of speech protection. Our rights are too precious to be surrendered without knowing what those future measures might do to limit our freedom of speech.

**Freedom of choice depends on freedom of speech.**

# Measure 46 Arguments

All of our rights begin with the freedom of speech. Measure 47, which accompanies this measure, places severe restrictions on the ability of any non-profit organization to conduct voter education campaigns. We believe those limits are an unreasonable limitation on our political voice – and those limits could not be imposed without Measure 46 taking away the Constitutional protections on freedom of speech we depend on.

## **Don't surrender rights you'd never let someone take.**

Measure 46 undermines Oregon's Bill of Rights, and lets future ballot measures or actions of the state legislature take away your freedom of speech. There's no way to know what unintended consequences will come of it, or how courts will interpret its meaning over time. Freedom of speech is protected in our Constitution for a reason. Don't take it away without knowing what the actual effects will be.

## **Planned Parenthood Advocates of Oregon asks you to VOTE NO on Measure 46**

### **DON'T SURRENDER YOUR FREEDOM OF SPEECH**

*(This information furnished by Bill Sheppard, Planned Parenthood Advocates of Oregon.)*

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## Argument in Opposition

### **Stand for Children Urges You to Vote NO on Measure 46**

#### **Because Oregon's children deserve a voice**

Stand for Children exists because children have no power to influence the democratic system to meet their fundamental needs. Our volunteer-driven organization supports local and statewide candidates who will take a stand for Oregon's children.

**Measure 46 takes away our right to freedom of speech.** Instead of continuing to have Constitutional protection for our right to political speech, Measure 46 would allow the legislature or future ballot measures to determine what we can do and say on behalf of children through the political process. That's wrong and unfair.

**Measure 46 will have unintended consequences.** Stand for Children supports the goal of campaign finance reform, but the impact of this measure is too severe. We will continue to look for specific proposals we can endorse in the future, but do not feel comfortable amending the Constitution – especially its protection on free speech--without knowing exactly what the impact will be.

**Measure 46 is paired with another bad idea – Measure 47.** The combined effect of these measures would be to enable wealthy individuals to speak freely while severely limiting the political speech and participation of member-based groups like Stand for Children.

#### **Measure 46 amends the Constitution. Measure 46 limits your freedom of speech. Measure 46 is the wrong solution.**

Stand for Children asks you to join us in voting NO on Measure 46.

*(This information furnished by Holly Pruett, Stand for Children.)*

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## Argument in Opposition

### **OREGON'S TEACHERS ASK YOU TO REMEMBER:**

#### **Our freedoms cannot be taken away. They can only be given away.**

Every day, we teach children about the importance of our rights in a democracy. None are more important than our freedom of speech. Measure 46 eliminates all freedom of speech protections in the Oregon Constitution as they relate to political campaign expenditures and contributions.

Right now, our freedom of political speech protection under Oregon's Bill of Rights is actually stronger than the federal law. But this measure would effectively remove important freedom of speech protections from our state Constitution, leaving it to the legislature or ballot measures to determine what our freedom of speech means in Oregon.

If Measure 46 passes, the legislature could vote to ban all contributions for and against any ballot measure. Actually, if Measure 46 passes, the legislature could do anything it wanted to regulate campaign contributions and expenditures and, under the new law, none of the changes would be considered a violation of your right to free speech.

Oregon's Constitution was written to protect our free speech rights. Let's keep it that way.

### **KEEP FREE SPEECH PROTECTION IN THE OREGON CONSTITUTION**

#### **Vote NO on Measure 46**

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

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## Argument in Opposition

### **THE WORKING PEOPLE OF SEIU LOCAL 49 and SEIU 503, OPEU Urge you to VOTE NO on Measure 46**

#### **Don't let one wealthy individual take away your freedom of speech.**

What is it with wealthy individuals who want to change our laws and amend our Constitution to suit their interests?

Two-thirds of the money behind Measure 46 has come from just one man, Harry Lonsdale. Mr. Lonsdale is a part-time Californian who joins Nevadan Loren Parks and New York Real Estate Developer Howard Rich as millionaires who want to use their checkbooks to experiment with Oregon law.

Measure 46 asks you to surrender your existing constitutional free speech protection under Oregon's Bill of Rights, and trust the legislature or future ballot measures to determine exactly what your political free speech will mean as it relates to political contributions and expenditures. That's asking for a lot of trust.

If we must amend the Constitution, we should be sure what we are doing, and what exactly the impact will be. Measure 46 goes too far, and can lead to too many unintended consequences. Don't give up your constitutional right to free speech.

#### **Speak now, or forever lose your free speech. Say NO to Measure 46.**

*(This information furnished by Megan Sweeney, SEIU Local 49 and SEIU Local 503, OPEU.)*

# Measure 46 Arguments

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## Argument in Opposition

### American Federation of Teachers-Oregon Urges You to VOTE NO on Measure 46

#### **Measure 46 is brought to you by one wealthy man seeking to change Oregon's Constitution.**

According to *The Oregonian*, two-thirds of the money behind Measure 46 comes from one wealthy individual, who funded this measure despite concerns expressed by many other campaign finance advocates and progressive organizations. Real campaign finance reform should come from all of us working together in the public interest, not one person with a big checkbook.

#### **Oregon's Bill of Rights should not be weakened.**

The freedom of political speech protection in Oregon's Constitution is actually stronger than the federal law. This measure would eliminate all freedom of speech protections in the Oregon Constitution as they relate to political campaign expenditures and contributions. This would leave only the U.S. Supreme Court to determine what political speech is protected for Oregonians.

#### **Measure 46 goes too far**

Supporters wrote Measure 46 to allow the otherwise unconstitutional provisions in Measure 47 to become law in Oregon. Measure 46 also opens the door for acts of the legislature or future ballot measures that would limit freedom of speech.

Keep Oregon's freedom of speech protection in the Constitution, away from extremists and out of the hands of the legislature.

### American Federation of Teachers-Oregon Urges You to VOTE NO on Measure 46

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

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## Argument in Opposition

### Basic Rights Oregon Urges You to Vote NO On Measure 46

#### **Measure 46 is a constitutional amendment that undermines our Bill of Rights.**

Measure 46 eliminates all freedom of speech protections in the Oregon Constitution as they relate to political campaign expenditures and contributions. That goes too far in sacrificing our most cherished and basic right to political speech.

#### **Voters have already spoken out loud and clear for free speech.**

In the last ten years, there have been three separate attempts to amend the free speech clause in the Oregon Constitution, and voters have rejected all of these measures. We should do the same with Measure 46.

#### **We can't afford the unintended consequences of Measure 46.**

Amending the Constitution – especially our Bill of Rights – should be done with extreme care and with very specific intent. Instead, Measure 46 sponsors have written a sweeping amendment that takes free speech protection out of the Constitution and puts it into the hands of the legislature or future ballot

measures, leaving far too much up to chance. Don't surrender your right to free political speech.

### **Don't put our basic rights at risk. Vote NO on Measure 46.**

*(This information furnished by Frank Dixon, Basic Rights Oregon.)*

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## Argument in Opposition

### NARAL Pro-Choice Oregon Urges you to VOTE NO on Measure 46

#### **Too many of our freedoms are now being threatened. Oregon's Freedom of Speech should not be.**

#### **Don't let George Bush's Supreme Court determine your right to free speech.**

Right now, the free speech protection we have as Oregonians is stronger than under federal law. This proposed amendment would weaken our political free speech protection to the federal level. That means that if Measure 46 passes, George W. Bush's Supreme Court will be the only protection Oregonians have against attempts to take away our political freedom of speech.

#### **Don't let the legislature or future ballot measures determine your right to free speech.**

By weakening Oregon's Constitutional protections to political free speech, Measure 46 will leave it up to the legislature or future ballot measures to determine the degree to which our political speech (the most important kind of free speech) is protected in Oregon. This could change over time in unforeseen and unwelcome ways once the Constitutional protections we now depend upon are removed.

#### **Don't let the unintended consequences of Measure 46 limit your right to free speech**

Amending the Constitution is serious. Measure 46 eliminates ANY provision of the Constitution that conflicts with ANY future legislation or future ballot measure that seeks to regulate political campaign expenditures and contributions. That's a blank check we can't afford to write. No one knows how the Supreme Court will interpret its meaning, which sections of the existing Bill of Rights will be affected, or how this will impact other free speech protections over time. That's too big of a risk to take with our right to freedom of speech.

### **NARAL Pro-choice Oregon says: Protect Our Voice Vote NO on Measure 46**

*(This information furnished by Treasure Mackley, NARAL Pro-Choice Oregon.)*

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## Argument in Opposition

### **How did Measure 46 and Measure 47 make it to the ballot? With a little help from their friends**

Measures 46 and 47 used the same paid circulators as Bill Sizemore, Don McIntire, Howard Rich and FreedomWorks.

You may be familiar with FreedomWorks – they are the national group funded by tobacco, oil, and other corporate money.



# Measure 46 Arguments

These groups gave Measures 46 and 47 their “stamp of approval.” The signature gathering contracts explicitly named the measures as being approved to be on the clipboards with extreme right-wing measures funded by wealthy men.

Measures 46 and 47 got help from:

Measure 41 – Bill Sizemore’s scheme that will cut nearly \$800 million from Oregon’s schools, health care, public safety and senior services. Measure 41 was funded almost entirely by one wealthy individual: Loren Parks of Nevada.

Measure 48 – The extreme constitutional amendment funded by wealthy New York developer Howard Rich as part of a national strategy to undermine progressive organizations and public services. Measure 48 got 85% of it’s funding from Howard Rich.

**Circulators were photographed buying and selling signatures on the streets.**

All of these campaigns, including Measures 46 and 47, are under investigation for violating state election laws.

**If Measures 46 and 47 are good for Howard Rich, FreedomWorks, Don McIntire and Bill Sizemore, they can’t be good for Oregon progressives.**

**If Measures 46 and 47 needed fraud to make it to the ballot, they can’t be good for Oregon.**

**We need real campaign finance reform  
Not measures that will silence progressives  
in order to benefit wealthy individuals  
Vote NO on Measures 46 and 47**

[www.ouroregon.org](http://www.ouroregon.org)

*(This information furnished by Christy B. Mason, Our Oregon.)*

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## Argument in Opposition

**The Oregon Family Council Urges Voters  
to Reject Measures 46 & 47  
They May Be the Worst Idea Ever For Oregon Voters**

Admittedly, most Oregonians have grown weary of negative campaign tactics. So measures promising “campaign finance reform” come as a welcome relief. But the remedies proposed in Ballot Measures 46 and 47 are far worse than the ailment.

### Voters are the Big Losers

If passed, all public policy organizations—pro-family, conservative and liberal alike—would lose much of their ability to educate voters or support candidates. More importantly, voters would be far less educated about candidate philosophies and positions on issues at election time.

### Measures 46 & 47 Impose Severe Limitations on All Public Policy Organizations

- All public policy organizations would face dramatic limitations in publishing Voter’s Guides and candidate position information.
- All public policy organizations would face dramatic limitations in their ability to help candidates.
- All public policy organizations would have severe limitations placed on their ability to receive contributions.
- All public policy organizations would be severely limited in their ability to partner with other organizations.

(These limitations would be imposed on all public policy organizations, political parties, business groups and unions.)

### Measures 46 & 47 Impose Severe Limitations on All Voters

- Voters would be severely limited in supporting candidates, organizations or political parties.
- Voters making even modest contributions to political causes would be assigned a tracking number and have their personal information broadcast online.
- Candidates would be severely limited in their ability to contribute to their own campaign.
- Candidates would be limited in paying off campaign debts and any campaign balance would go to the government.

Measures 46 & 47 are dangerous assaults on our citizenship rights to influence public policy, elect men and women of integrity and be informed on Election Day.

### Please Vote NO on Measure 46 & Measure 47

*(This information furnished by Michael P. White, Executive Director, Oregon Family Council.)*

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## Argument in Opposition

### Oregon Right to Life Urges a No Vote on Measure 46

At first glance, Measure 46 sounds good. **However, in reality, it eliminates your freedom of political speech as protected by the Oregon Constitution.**

Currently, you can let your voice be heard by supporting any political organization with your time and money. **Measure 46 will change the Oregon Constitution and allow others to regulate how much you can contribute to your preferred candidates and political organizations.**

In addition to limiting your freedom of speech, **Measure 46 will cast a web of regulations that will ensnare organizations like Oregon Right to Life.** The work we do is funded by thousands of Oregonians who make small donations because they believe in our organization. Measure 46 would limit pro-life Oregonians’ ability to use their dollars to speak through Oregon Right to Life.

Do not be taken in! **Measure 46 takes the power away from you and gives it to the government and politicians.** The text of this measure specifically says that it can be amended by politicians. This would make campaign finance laws subject to the whims of the politically powerful. **Measure 46 also gives the courts further power to rule on the conduct and outcome of elections.**

Measure 46 sounds good. But remember, if it sounds too good to be true, it probably is.

### PLEASE VOTE NO ON 46!

*(This information furnished by Gayle Atteberry, Oregon Right to Life.)*

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# Measure 47

Proposed by initiative petition to be voted on at the General Election, November 7, 2006. The information in the shaded area below will appear on your ballot.

## Ballot Title

# 47

### **REVISES CAMPAIGN FINANCE LAWS: LIMITS OR PROHIBITS CONTRIBUTIONS AND EXPENDITURES; ADDS DISCLOSURE, NEW REPORTING REQUIREMENTS**

**RESULT OF "YES" VOTE:** "Yes" vote limits or prohibits certain contributions and expenditures to candidates, political committees, political parties; limits candidate's spending to own candidacy; adds disclosure, reporting requirements.

**RESULT OF "NO" VOTE:** "No" vote retains current law, which does not limit contributors, contributions to, or expenditures for state or local public office candidates; maintains existing reporting requirements.

**SUMMARY:** Current law requires reporting of certain contributions and expenditures, but does not limit contributors, contributions to, or expenditures for public office candidates. Measure limits individual contributions to candidates, political committees, "small donor committees," political parties, with annual cap for all contributions; limits political committee, political party contributions to candidates and each other; allows unlimited contributions by "small donor committees" (accepting only individual contributions not exceeding \$50 annually). Prohibits corporate, union, organizational contributions and expenditures except through political committees funded solely by individuals. Prohibits candidate loans. Limits: candidate's spending to own candidacy; "independent expenditures" (defined) by individuals, political entities, organizations. Establishes: new disclosure, reporting requirements; procedure for increasing measure's limits to comply with state and federal constitutions. Unspent candidate funds revert to state. Other provisions.

**ESTIMATE OF FINANCIAL IMPACT:** The measure will require \$1,012,020 in state expenditures in the first year, and less than \$100,000 of state expenditures each year thereafter.

This measure has no financial effect on state government revenues.

This measure has no direct financial effect on local government revenue or expenditures.

## Text of Measure

The change to the existing Oregon statutes is shown. New language is in **bold**.

**Be it enacted by the People of the State of Oregon, Chapter 259 of Oregon Revised Statutes is hereby amended by the addition of the following sections (referred to therein as "this Act"):**

**The purpose of this Act is to restore democracy in Oregon and reduce corruption and the appearance of corruption by limiting political campaign contributions and independent expenditures on candidate races and by increasing timely public disclosure of the sources of those contributions and expenditures. These limits and disclosure requirements are needed so that corporations, unions, and wealthy individuals do not exercise undue and disproportionate influence over the results of elections and upon the policies and decisions of candidates and public officeholders. Consistent with the U.S. Constitution, this Act applies to campaigns for all public offices in Oregon, except federal offices.**

**Oregon can make consistent progress in education, health care, economic development, living wage jobs, and natural resource issues, only by curtailing the power of private economic interests to unduly dominate our political process. We must restore fairness in political campaigns and achieve a government that represents the views and needs of all Oregonians instead of allowing only a powerful few to call the tune by providing funds to enable some candidates to overwhelm others.**

### **(1) Findings.**

**The people, acting in their legislative capacity, find these facts:**

**(a) The democratic process has not functioned properly in Oregon, due to the lack of reasonable limits on political campaign contributions and expenditures, including expenditures made independently of candidates, on races for state and local public office. Oregon is one of only five states in the United States with no limits on political campaign contributions. All of the prohibitions, limits, and reporting and disclosure requirements of this Act are reasonable and necessary to curb the undue influence of large contributions and expenditures.**

**(b) Because Oregon candidates are now forced to treat campaign fundraising as an "arms race" to be won at all costs, they have become unduly beholden to large contributors and the special interests able to contribute large amounts for their campaigns. Contributions to candidates in contests for statewide public office and for the Oregon Legislature have increased from \$4.2 million in 1996 to \$27.9 million in 2002. Less than 4% of the contributions were in amounts of \$50 or less, and 75% of the money came from only 1% of the contributors.**

**(c) Large contributions distort the political process and impair democracy, with these adverse effects:**

**(1) Corrupting public officials and causing them to take actions that benefit large contributors at the expense of the public interest;**

**(2) Causing public officials to grant special access and accord undue influence to large contributors;**

**(3) Significantly impairing the opportunity for voters to hear from candidates who do not accept large contributions and for those candidates to communicate with voters; and**

**(4) Fostering the appearance of corruption and undermining the public's faith in the integrity of elected officials and the political process.**

**(d) Candidates engage in the money "arms race" due to their accurate perception that expenditures influence the outcome of elections. In contests for the Oregon Senate, the candidate spending the most money won 87% of the races in 2002 and 94% of the races in 2004. The two exceptions in 2002 and the only exception in 2004 were former legislators who still spent an average of \$195,000 each. In contests for the Oregon House of Representatives, the candidate spending the most money won 92% of the races in 2002 and 90% of the races in 2004. The five exceptions in 2002, including two incumbents, spent an average of \$167,000 each.**

**(e) Oregon candidates have become overly dependent upon large contributions from a very few donors. In the 2002 legislative races, over 98.5% of Oregon registered voters made no contributions at all. In the primaries, 49% of the contributed money came from 3% of the donors in contributions averaging over \$4,100 each. In**

# Measure 47

the general election, 69% of the contributed money came from 6% of the donors in contributions averaging just under \$6,700 each. For the primary and general election campaigns combined, only 3.6% of the funds came from those contributing \$50 or less.

(f) Candidate campaigns spent almost \$15 million in the 2002 contest for Governor alone, easily surpassing the \$2.4 million spent in 1998, the \$6.9 million spent in 1994, and the \$3.2 million spent in 1990. In 2002, each major party candidate spent over \$4 million, and the average spent in the primaries by the four losing candidates taken seriously by the press was \$1.5 million.

(g) Contributions are given also to obtain access to and the favor of whichever candidate is elected. In 2002, almost 40% of money contributed to the legislative leadership political committees came from donors who contributed to both the Republican leadership committees and to the Democratic leadership committees. Nearly one-third of contributions to winning Oregon candidates after the close of the last reporting period in 2000 were first-time contributions from donors who had financially supported the losing candidate in the same race.

(h) Contributions to and expenditures for candidate campaigns in excess of those allowed by this Act are considered to be large contributions and expenditures in Oregon.

(i) Corporations have been granted state-conferred advantages for the purpose of economic gain and the amassing of wealth, including perpetual life, limited liability, and the issuance of securities. The use of corporate treasury funds for political purposes distorts the democratic process, threatens the integrity of the elections process, and overwhelms the voices of ordinary citizens. Corporate spending on politics does not necessarily reflect public support for the political agenda of the corporation. Therefore, corporate use of treasury funds for political purposes should be restricted to the maximum extent allowed by the United States Constitution and the Oregon Constitution.

(j) Examples of the undue influence exercised due to large campaign contributions include:

(1) In 2004, the Oregon Lottery Commission disregarded its own study (showing that Canadian provinces pay video poker outlets commissions of 15% of the money taken in, instead of the 32% paid in Oregon) and continued to allow video poker parlors in Oregon to keep an extra \$85 million per year that should be going to schools. The Commission answers to the Governor and the Legislature, and the Oregon Restaurant Association, whose clients were on the receiving end of the extra \$85 million, contributed over \$1.2 million to their candidacies in the last 3 elections.

(2) Enron Corporation took over PGE in 1997 and in 2001 got from the Oregon Public Utility Commission (OPUC) the largest electricity rate increase in Oregon history – over \$400 million per year. The OPUC also refuses to make PGE pay back any of the more than \$700 million PGE has charged Oregon ratepayers since 1997 for “federal and state income taxes” that in fact neither Enron nor PGE has ever paid. The OPUC answers to the Governor and the Legislature, and PGE/Enron has contributed almost \$400,000 to candidates for the Oregon Legislature and both major political parties.

(k) Even if corporate contributions and expenditures were prohibited, corporations could channel political spending through individuals (in the form of large salaries, bonuses, or other compensation or gifts) and

thereby continue to exercise undue influence over candidates and public officeholders, who would be aware of the sources of the funds.

(l) Allowing unlimited individual contributions accords undue influence to wealthy individuals, regardless of their sources of wealth, who can use that influence to obtain access to public officeholders and benefits from government not available to others. In the 2002 contest for Governor, one individual contributed \$415,000 to the Republican candidate and another \$125,000 to the Oregon Republican Party. The same candidate received another \$200,000 from an individual and another \$150,000 from another individual, with \$100,000 more from that contributor’s son. Each of these individual contributors were executive officers of corporations.

(m) Even if all other contributions were prohibited or limited, large contributions by candidates to their own campaigns would also have the adverse effects noted above, because it would allow candidates with personal wealth to overwhelm the efforts of other candidates and compel those candidates to become beholden to large contributors and special interests in order to compete. Statewide campaigns in Oregon governed by the federal contribution limits have been dominated by candidate personal wealth. In 1996, for example, the winning candidate for an Oregon seat in the U.S. Senate, Gordon Smith, spent over \$2 million of his personal wealth, defeating Tom Bruggere, who spent \$1 million of his personal wealth.

(1) Regardless of the source of wealth, allowing unlimited use of personal funds undermines the goal of robust public debate by discouraging non-wealthy candidates from competing for office, thereby depriving voters of the opportunity to support candidates reflecting a full range of views and experiences.

(2) Candidates should be banned from loaning money to their own campaigns, because solicitations of campaign funds to repay the loans would result in direct financial gain for the candidates.

(n) Contribution limits can also be circumvented when adults use minors to make additional contributions. It is thus necessary to further limit campaign contributions and expenditures by persons under 16 years of age and to prohibit them by persons under 12 years of age, as such contributions and expenditures are very likely to be dictated by adults as a means of circumventing the limits.

(o) Candidates should not be allowed to carry over campaign funds from one election cycle to another, because the accumulation of such “war chests” distorts and corrupts the election process by deterring other candidates from competing for public office and thereby unfairly entrenching incumbents in future elections. One example: In 2002, incumbent members of the Oregon Legislature entered their races with over \$785,000 in funds carried over from previous campaigns. Every incumbent Senator running for re-election won, as did every incumbent member of the House of Representatives, except one who switched parties in 2001. Further, the carried over funds do not necessarily reflect the current views of the contributors on the merits of the candidates in the later race.

(p) Reasonable limits on contributions to political committees and to political parties are also necessary to avoid the adverse effects of large contributions noted above and to ensure that contributors cannot evade the limits on contributions to candidate committees by making unlimited contributions to political committees and political parties that support or oppose their

# Measure 47

candidates.

(q) Contributions from individuals of fifty dollars (\$50) or less to small donor committees pose little or no risk of corruption, because contributions to these committees will reflect public support for the committee's political positions and will not enable the contributors to exercise undue influence over elected officials or over the results of elections.

(r) In 1994, voters in Oregon approved a statutory ballot measure, Measure 9, establishing contribution limits similar to those in this Act, by an affirmative vote of 72 percent. The Oregon Supreme Court in 1997 found that those limits were not permitted under the Oregon Constitution. This Act shall take effect at a time when the Oregon Constitution does allow the limitations contained in this Act.

(s) When the Measure 9 limits were in effect during the 1996 election cycle, candidates were able to amass sufficient funds to campaign effectively and have their voices rise to the level of public notice, using the contributions allowed by Measure 9. A more recent example shows that the contribution limits in this Act will allow effective campaigns. In 2004, Tom Potter won the election for Mayor of Portland, in a race involving over 350,000 registered voters, while limiting his campaign to contributions from individuals not exceeding \$25 per individual in the primary and \$100 per individual in the general election campaign. The reasonable limits in this Act will increase competition for public office, foster a greater robustness of political debate in Oregon, and alleviate the adverse effects noted above.

(t) Limiting contributions will encourage candidates to spend more time in direct contact with voters in their districts and less time raising funds from large contributors, thus improving their understanding of public needs and policy solutions.

(u) So-called "independent expenditures" supporting or opposing one or more candidates must also be regulated and disclosed, in order to avoid circumvention of the limits on political contributions. In 2004, for example, these "independent expenditures" supporting or opposing federal candidates amounted to more than \$500 million and provided conduits for corporations, unions, and wealthy individuals to circumvent limits on contributions to candidates for federal office.

(v) When campaign contribution limits were in place in Oregon's 1996 election cycle, "independent expenditures" increased from a negligible level to over \$1.85 million, as large donors evaded the contribution limits by funding non-candidate organizations that conducted express advocacy and electioneering campaigns to support or oppose candidates. These large expenditures corrupt the political process in the same manner as large contributions, with the same adverse effects noted above, because (1) candidates and elected officials are aware of the sources of the "independent expenditures" supporting or opposing their candidacies and (2) such expenditures allow the sources to exercise undue influence over the outcome of elections. These influences are even more severe than in the case of direct, publicly-reported contributions to a candidate campaign, because the connections between the candidate and those funding "independent expenditure" campaigns are known to the candidate but far less apparent to the public. Further, the candidate can publicly disavow the independent expenditures, which nevertheless remain effective in influencing voters and in helping the candidate.

(w) The effective exercise of the right to vote requires timely access to understandable information about contributions and expenditures to influence the outcome of elections. Therefore, this Act requires:

(1) More effective reporting of campaign contributions and expenditures, including so-called "independent expenditure" campaigns, which is particularly necessary in light of Oregon's distribution of vote-by-mail ballots weeks prior to election day; and

(2) Effective and prompt disclosure of the identities of large donors in communications to voters by independent expenditure campaigns (including the businesses of those donors).

(x) As all levels of government in the United States are adopting more controls on political campaign contributions and expenditures, the courts are issuing many new decisions on whether the variety of new controls are consistent with the United States Constitution. Drafting and enacting a ballot measure, and completing judicial review of its provisions through all levels of the courts, takes a minimum of several years. If any specific limitation or threshold or time period or age limit in this Act is ultimately found to conflict with the United States Constitution or with the Oregon Constitution, the public interest will best be served by (1) swiftly adjusting the conflicting provision so that the conflict is removed or, if that is not possible, then (2) severing the conflicting provision so that the remainder of this Act remains fully in effect.

(y) Under the limits in this Act, the people of Oregon will have ample opportunities to express their opinions and level of support for or opposition to candidates; to form and fund effective organizations to express political views; and to enjoy the freedoms of speech and association.

## (2) Definitions.

Except for the definitions provided in this section, the definitions in Chapter 260 of Oregon Revised Statutes shall apply to this Act.

(a) "Business entity" means any corporation, partnership, limited liability company, proprietorship, or other form of business organization which creates an entity which is legally separate from individuals.

(b) "Campaign" means any communication to voters for the purpose of influencing the outcome of any contest.

(c) "Candidate" shall have the meaning provided in Chapter 260, except that it includes a public office holder against whom a prospective recall petition has been filed and has not expired pursuant to ORS 249.875.

(d) "Candidate committee" means any entity or any combination of individuals and/or entities, that receives a contribution or makes an expenditure under the authority of a candidate. Every candidate committee shall register with the Secretary of State prior to receiving a contribution or making an expenditure. A candidate shall control only one candidate committee.

(e) "Candidate contribution" means any contribution made to support or oppose the nomination or election of any candidate or candidates.

(f) "Candidate survey" means a publication showing the positions of all candidates for a public office on selected bills, proposals, or issues; provided, that:

(1) The sponsor timely provides the survey questionnaire and a reasonable time for responding to all candidates for the office; and

# Measure 47

(2) The publication consists of the questions posed and the responses of all responding candidates and may include descriptions of the bills or proposals and the positions thereon of the organization publishing the survey.

(g) "Cash" means currency and any other means of payment that does not identify the payor on the written or electronic instrument of payment.

(h) "Contest" means any electoral contest among one or more candidates for a non-federal public office.

(i) Contributions and Expenditures.

(1) "Contribution" or "contribute" includes:

(A) The payment, loan, gift, forgiving of indebtedness, or furnishing without equivalent compensation or consideration, of money, services, supplies, equipment or any other thing of value to or on behalf of, or for reducing the debt of, a candidate, candidate committee, political committee, or political party; and

(B) Any unfulfilled pledge, subscription, agreement or promise, whether or not legally enforceable, to make a contribution.

(2) "Expenditure" or "expend" includes:

(A) The payment or furnishing to anyone of money or any thing of value in consideration for any services, supplies, equipment or other thing of value performed or furnished for any reason, or the incurring or repayment of indebtedness or obligation, including the creation of an account payable:

1) For the purpose of influencing the outcome of any contest; or

2) By or on behalf of, or for reducing the debt of, a candidate, candidate committee, political committee, political party, or independent expenditure campaign; and

(B) Any unfulfilled pledge, subscription, agreement or promise, whether or not legally enforceable, to make an expenditure.

(3) Any expenditure of personal funds by a candidate to influence the outcome of the candidate's contest constitutes both a contribution to the candidate committee and an expenditure by the candidate committee.

(4) "Contribution" and "Expenditure" do not include:

(A) Volunteer personal services (including those of the candidate) for which no compensation is asked or given, including unreimbursed travel expenses incidental thereto;

(B) Any bona fide news story, commentary or editorial distributed through the facilities of any media organization, including any television or radio station, newspaper, magazine or other regularly published periodical; provided, that the media organization:

1) Is not paid by any individual or entity for distributing the news story, commentary or editorial, apart from normal advertisers;

2) Is not owned or controlled by one or more candidates, political committees, or political parties; and

3) Does not distribute the news story, commentary, or editorial to voters by unsolicited mailings or other means of distribution not sought by the recipient, including any paid advertisement in any other medium.

(C) Nonpartisan activity solely to encourage individuals to vote or to register to vote, without expressing a preference regarding the outcome of any election;

(D) Communication to its members, and not to the public, by a membership organization not organized primarily for the purpose of influencing the outcome of contests, including communication of an officeholder scorecard or candidate survey; or

(E) Production of an officeholder scorecard or candidate survey and its distribution by paper or electronic copies (but not by paid advertising on television or radio) at a cost of less than twenty thousand dollars (\$20,000) for distribution to the public.

(F) Funds provided to candidate committees by entities of government pursuant to a system of public funding.

(j) "Coordinated Expenditure" means an expenditure coordinated with a candidate, candidate committee, political committee, or political party (hereinafter "coordinated entity"), including:

(1) An expenditure made with the cooperation or with the prior consent of, or in consultation with, or at the request or suggestion of, the coordinated entity or its agent;

(2) An expenditure for the production, dissemination, distribution, or publication of any broadcast or any written, graphic, or other form of political advertising or campaign communication prepared by or for the coordinated entity or its agent;

(3) An expenditure based on information, provided to the expender by the coordinated entity or its agent, about the coordinated entity's plans, projects, or needs; or

(4) An expenditure by a person who, in the election cycle during which the expenditure is made:

(A) Has served as a member, employee, fundraiser, agent, or advisor to the coordinated entity; or

(B) Has received any form of compensation or reimbursement from the coordinated entity or its agent;

(C) Has retained the professional services of any person who has provided campaign-related services to the coordinated entity.

(k) "Dominant contributor" means any individual or entity which contributes more than five hundred dollars (\$500) during an election period to any candidate committee, political committee, political party, or independent expenditure campaign.

(l) "Election cycle" means the period of time between one biennial general election and the next biennial general election, including any primary or other preliminary elections to select candidates. For any contest which does not occur at a biennial general election, "election cycle" means the period of time between an election at which a candidate is elected and the next election for that same office, disregarding any intervening primary or nominating election, any recall election, and any special election called to fill vacancies.

(m) "Election period" means:

(1) The period beginning the day after a biennial general election and ending on the day of the next biennial primary election; and

(2) The period beginning the day after a biennial primary election and ending on the day of the next biennial general election; and

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## (3) For any recall election:

(A) The period beginning the day that the prospective recall petition is approved for circulation and ending on the day that the completed recall petition is filed; and

(B) The period beginning the day that the recall election is called or declared and ending on the day of the recall election.

(4) For any special election called to fill a vacancy, the period beginning the day that the election is called or declared and ending on the day of the election.

(n) "Electioneering communication" means any communication (other than a tax-exempt informational communication) which:

(1) Is distributed within thirty (30) days before regular ballots are distributed to voters in a primary election or sixty (60) days before regular ballots are distributed to voters in a general election or any other election at which a public office is filled;

(2) Unambiguously refers to a candidate running in that election or to a political party with at least one candidate running in that election;

(3) Is distributed so as to include voters who are eligible to vote for the candidate or for one or more of the candidates of the political party referenced in subsection (2) above;

(4) Is distributed by means of payment to any communication medium, including television, radio, magazine, newspaper, outdoor advertising, direct mail, door-to-door delivery, or any other medium that receives actual or promised payment from the sponsor in excess of one thousand dollars (\$1,000) for distributing one or more such communications; and

(5) Either:

(A) Includes the candidate's image; or

(B) Refers to the candidate's prior or current position on a public policy issue (including votes, statements, or actions), or the position of the political party of the candidate, when such position has been raised in any public communication as distinguishing the candidate from others in the campaign; or

(C) Refers to the candidate's personal history or activities, when such subjects have been raised in any public communication distinguishing the candidate from others in the campaign; or

(D) Promotes or supports a candidate or political party or attacks or opposes a candidate or political party.

(o) "Entity" means a corporation, limited liability company, labor organization, association, firm, partnership, joint stock company, club, organization or other combination of individuals and/or organization which has collective capacity.

(p) "Express advocacy communication" means any communication to voters expressly advocating the election or defeat of one or more clearly identified candidates, including but not limited to expressions such as "vote for," "vote against," "elect," "re-elect," "retain," "return," "choose," "defeat," "reject," "send home," "support," "oppose," "should be in office," "should not be in office," or "deserves your vote."

(q) "Independent expenditure" means an expenditure, by an individual or entity other than a candidate committee, on express advocacy communication or electioneering communication that is not a "coordinated expenditure" as defined in this Section (2).

(r) "Independent expenditure campaign" means the use of independent expenditures to engage in express advocacy communication or electioneering communication.

(s) "Individual" means a citizen or resident alien of the United States entitled to vote in federal elections; however, when this Act expresses a limitation or prohibition, "individual" means any human being.

(t) "Measure committee" means any entity, or any combination of individuals and/or entities, that receives a contribution or makes an expenditure in excess of two hundred dollars (\$200) in any calendar year to support or oppose a ballot measure. A measure committee shall make no contributions or expenditures supporting or opposing any candidate for public office.

(u) "Membership organization" means a nonprofit organization having individual members who have paid dues to join or maintain membership in the organization.

(1) It can be incorporated or unincorporated but cannot be formed or operated for the purpose of commercial enterprise.

(2) It can transfer to one and only one small donor committee not more than forty percent of the dues paid by each individual member of the organization, with a limit of fifty dollars (\$50) transferred per individual member per calendar year, with such transfers treated as having been contributed by each individual dues-paying member

(3) It shall within thirty (30) days of such transfer notify each dues-paying member of the amount or percentage of dues transferred. Such notice may be provided by regular mail or electronic mail to each affected member or by posting the information on an Internet site. If the amount or percentage of dues transferred is the same for each member or category of members, the posting may state that amount or percentage and need not identify any member.

(v) "Officeholder scorecard" means a publication showing the votes on selected bills or proposals of all of the members of a government body that takes recorded votes. It can include descriptions of the bills or proposals and the positions thereon of the organization publishing the scorecard. It must include the votes of all of the members of the government body on these bills or proposals.

(w) "Political committee" means any entity or any combination of individuals and/or entities, that in any calendar year receives a contribution in excess of two hundred dollars (\$200) or makes an expenditure in excess of one thousand dollars (\$1,000) to support or oppose one or more candidates and/or political parties.

(1) It does not include a candidate committee or any committee which does not support or oppose one or more candidates or political parties, such as a measure committee or committee seeking to place a measure on the ballot (other than a recall measure).

(2) The following shall be treated as a single political committee: All political committees (except small donor committees) established, financed, maintained, or controlled by:

(A) For corporations: the same corporation (including all corporate affiliates and subsidiaries) or substantially the same group of corporations;

(B) For unions: the same labor organization unit, at any level, if the unit has authority to make an independent decision as to which candidates to support or

# Measure 47

oppose; or

(C) For others, substantially the same group of individuals or entities or combinations thereof.

(x) "Political nonprofit organization" means a nonprofit corporation or association which:

(1) Was formed for the express purpose of promoting political ideas;

(2) Was not formed by one or more business entities or labor unions;

(3) Cannot engage in business activities except those incidental to its political purpose, such as the sale of campaign buttons;

(4) Has no shareholders or other individuals or entities affiliated so as to have a claim on its assets or income;

(5) Cannot serve as a conduit for contributions or expenditures by corporations, other business entities or labor unions.

(6) Has not, directly or indirectly, accepted any donation of money or any thing of value (including discounts on products or services) from any corporation, other business entity, or labor union.

(7) Has not received any payment for providing products or services to corporations, other business entities, or labor unions.

(y) "Political party" means an assembly of electors qualified by law to nominate candidates for election to public office in Oregon. A political party or subdivision thereof shall make its contributions and expenditures by means of a political party finance committee.

(z) "Political party finance committee" means a political committee maintained by an Oregon political party or subdivision thereof.

(aa) "Prominently disclose" means that the communication states the following information about the dominant contributor or the self-funded candidate on all communications other than small campaign items: name, primary businesses engaged in, and total contributions and expenditures for the campaign at issue since the most recent biennial general election, with such statement:

(1) Current to within ten (10) days of the printing of printed material or within five (5) days of the transmitting of a video or audio communication; and

(2) Comprehensible to a person with average reading, vision, and hearing abilities, with any printed disclosure appearing in type not smaller than 8 points, any video disclosure remaining readable on the regular screen (not closed captioning) for a sufficient time to be read by a person with average vision and reading ability, and with any auditory disclosure spoken at a maximum rate of five words per second.

(ab) "Public office" means any state, county, district, city, or other non-federal governmental office or position that is filled by the votes of electors, not including any political party office.

(ac) "Small campaign items" means:

(1) Small items worn or carried by individuals, such as buttons, pins, stickers, bracelets, and pens;

(2) Signs smaller than 6 square feet;

(3) Any communication where the required prominent disclosure would violate any federal law or regulation; or

(4) A distribution of one hundred (100) or fewer substantially similar pieces of literature.

(ad) "Small donor committee" means a political committee established to accept only contributions from individuals and which cannot accept such contributions in amounts exceeding fifty dollars (\$50) per individual per calendar year. The following shall be treated as a single small donor committee: All small donor committees established, financed, maintained, or controlled by:

(A) For corporations: the same corporation (including all corporate affiliates and subsidiaries) or substantially the same group of corporations;

(B) For unions: the same labor organization unit, at any level, if the unit has authority to make an independent decision as to which candidates to support or oppose; or

(C) For others, substantially the same group of individuals or entities or combinations thereof.

(ae) "Tax-exempt informational communication" is a communication that would otherwise be an electioneering communication but which is undertaken by an organization which:

(1) Has received a determination letter from the Internal Revenue Service, designating it exempt from taxation under Internal Revenue Service Code § 501(c)(3), and which has maintained such status;

(2) Does not "participate in, or intervene in (including the publishing or distributing of statements), any political campaign on behalf of (or in opposition to) any candidate for public office," as prohibited by Internal Revenue Service Code § 501(c)(3); and

(3) Spends less than twenty thousand dollars (\$20,000) in any calendar year to distribute such communications in Oregon.

(3) Limits on Contributions relating to Candidates.

(a) No corporation or labor union shall make any contribution to a candidate committee, political committee, or political party.

(b) No individual or entity shall make a contribution to a candidate committee, political committee or political party, except as specifically allowed in this Act.

(c) No candidate committee, political committee, political party, or other entity shall accept a contribution or make a contribution, except from funds obtained from the sources and in accordance with the contribution limits set forth in this Act.

(d) An individual may make only the following contributions:

(1) During any election period, to candidate committees, not more than:

(A) Five hundred dollars (\$500) to support or oppose candidates contesting for any particular statewide public office; and

(B) One hundred dollars (\$100) to support or oppose candidates contesting for any other particular public office.

(2) During any calendar year, not more than:

(A) Fifty dollars (\$50) to any small donor committee;

(B) Five hundred dollars (\$500) to any other political committee;

(C) Two thousand dollars (\$2,000) in the aggregate to a political party, including all subdivisions thereof; and

# Measure 47

(D) Two thousand five hundred dollars (\$2,500) in the aggregate to all candidate committees, political committees (including small donor committees), political parties, and political nonprofit organizations.

(e) A political committee (other than a small donor committee or a political party finance committee) may make only the following contributions:

(1) During any election period, to candidate committees, not more than:

(A) Two thousand dollars (\$2,000) to support or oppose candidates contesting for any particular statewide public office;

(B) Four hundred dollars (\$400) to support or oppose candidates contesting for any other particular public office.

(2) During any calendar year, not more than two thousand dollars (\$2,000) in the aggregate to a political party, including all subdivisions thereof.

(f) A small donor committee may contribute to candidate committees, political committees, and political parties any amounts contributed to the small donor committee by individuals in amounts not exceeding \$50 per individual per year.

(g) A political party finance committee may contribute, during any election period, to candidate committees, not more than:

(1) Fifty thousand dollars (\$50,000) to support or oppose candidates contesting for any particular statewide public office;

(2) Ten thousand dollars (\$10,000) to support or oppose candidates contesting for any other particular public office.

(h) A contribution to a candidate shall be deemed a contribution to the candidate's candidate committee.

(i) No individual under sixteen (16) years of age shall make:

(1) A contribution in excess of fifty dollars (\$50) per election period to any candidate committee, political committee, or political party; or

(2) Aggregate contributions per election period in excess of five hundred dollars (\$500).

(j) No individual under twelve (12) years of age shall make any contributions.

(4) Candidate Personal Contributions and Expenditures.

(a) A candidate may contribute to the candidate's own committee during any election period not more than:

(1) Fifty thousand dollars (\$50,000), if a candidate for any statewide public office; or

(2) Ten thousand dollars (\$10,000), if a candidate for any other public office; and

(3) An additional fifty percent (50%) of these limits, if the candidate is not the incumbent for the public office sought.

(b) Once a candidate has contributed more than \$5,000 in the aggregate to the candidate's own committee during any election cycle:

(1) The candidate committee shall report to the appropriate filing officer pursuant to ORS Chapter 260, within three (3) business days of its receipt, every subsequent contribution by the candidate during the election cycle; and

(2) Every paid communication by the candidate committee shall prominently disclose the amount that the candidate has contributed to the candidate's committee during the election cycle.

(c) If for any reason the limits in Section (4)(a) are not in effect and a candidate contributes more than the otherwise applicable limit stated in Section (4)(a):

(1) The filing officer who receives reports under Section (4)(b) shall immediately notify all other candidates for the same particular nomination or public office; and

(2) All limits on contributions to candidate committees under Section (3)(d)-(g) shall be increased for all other candidates seeking the same particular nomination or public office by the following factor: The amount contributed by the candidate to the candidate's committee divided by the limit stated in Section (4)(a) for that candidate, but not less than a factor of two.

(d) A candidate shall make no loans to the candidate's own committee.

(e) If for any reason subsection (d) above is not in effect, then every loan by a candidate to the candidate's own committee outstanding at the close of the election period shall be considered a contribution and shall not be repaid from committee funds.

(f) All expenditures by a candidate regarding his or her candidacy shall be deemed a contribution to the candidate's committee.

(5) Expenditures by or Coordinated with Candidates, Political Committees, or Political Parties.

(a) No candidate committee, political committee, or political party shall expend funds to support or oppose a candidate, except those collected from the sources and in accordance with the contribution limits set forth in Section (3) of this Act.

(b) A coordinated expenditure shall constitute both (1) a contribution to the relevant coordinated entity by the maker of the expenditure and (2) an expenditure by the relevant coordinated entity.

(c) A candidate or political party may seek a determination that an expenditure is a coordinated expenditure benefitting an opposing candidate or political party by filing a petition with the Circuit Court of the county in which either candidate resides or in which the expenditure was made. The court shall schedule the petition for hearing not later than the third business day after its filing and service upon the benefitting candidate or party. The courts shall accord such petitions, and appeals therefrom, precedence on their dockets.

(6) Independent Expenditures regarding Candidates.

(a) No corporation or labor union shall make an independent expenditure to support or oppose any candidate or political party.

(b) No individual or entity shall make an independent expenditure to support or oppose any candidate or political party, except as specifically allowed in this Act.

(c) An individual in any calendar year shall make no independent expenditures in excess of:

(1) Ten thousand dollars (\$10,000) in the aggregate; and

(2) An additional amount not greater than twenty percent (20%) of the amount of candidate personal contributions reported by another candidate for the same public office pursuant to Section (4)(b)(1) of this Act.



# Measure 47

(d) No individual under sixteen (16) years of age in any calendar year shall make independent expenditures in excess five hundred dollars (\$500), and no individual under twelve (12) years of age shall make any independent expenditures.

(e) Political committees (including small donor committees) and political parties may make independent expenditures from amounts received in compliance with the contribution limits of Section (3)(d) of this Act.

(f) A political nonprofit organization may make independent expenditures from its organizational treasury; provided, that:

(1) It spends only funds contributed to the organization by individuals in amounts that comply with the contribution limits applicable to a political committee;

(2) It reports these expenditures in compliance with the disclosure requirements of Section (6)(g) and the reporting requirements of Section (6)(h).

(g) Every communication funded by an independent expenditure campaign which has spent more than two thousand dollars (\$2,000) since the most recent biennial general election shall prominently disclose all contributors who have contributed amounts equal to or more than the fifth largest dominant contributor to the independent expenditure campaign.

(h) In addition to the reporting requirements set forth in ORS Chapter 260, an individual or entity making independent expenditures during any election cycle in excess of the threshold amount stated in any subsection below shall report to the appropriate filing officer under ORS Chapter 260 its independent expenditures and the sources of funding for those expenditures in the same manner and format as a political committee must report contributions and expenditures pursuant to ORS Chapter 260. The reports shall identify the candidate(s) each independent expenditure sought to support or oppose.

(1) An individual or entity making or obligating such expenditures in excess of two hundred dollars (\$200) shall report to the appropriate filing officer on the same schedule applicable to a political committee under ORS Chapter 260.

(2) An individual or entity making or obligating such expenditures in excess of one thousand dollars (\$1,000) shall report to the appropriate filing officer within five (5) business days of making or obligating the independent expenditure which causes this threshold to be exceeded. Subsequent independent expenditures by the same individual or entity shall again be reported within five (5) business days after each time its unreported expenditures exceeds this threshold.

(3) If the level of unreported independent expenditures exceeds one thousand dollars (\$1,000) during the period within 45 days before an election, the individual or entity shall report to the appropriate filing officer not later than 5 p.m. on the next business day after the making or obligating of the independent expenditure which causes this threshold to be exceeded.

(7) Separate Segregated Political Committee Funds.

Nothing in this Act shall prohibit any corporation, other business entity, or labor union from establishing or administering a separate, segregated fund that operates as a political committee; provided, that:

(a) The fund consists solely of voluntary contributions from the employees, officers, shareholders, or members of the organization within the limits established by Section (3) of this Act for contributions by individuals to

a political committee;

(b) The fund is registered as a political committee with the appropriate registrar in the State of Oregon and complies with all laws pertaining to such a committee;

(c) The corporation, other business entity, or labor union uses not more than five hundred dollars (\$500) per year of treasury funds to create and administer the fund, with such expenditures reported as a specifically allowed contribution to the political committee; and

(d) Any solicitation for contributions directed to employees of a corporation or other business entity states that there is no required contribution and that the employee's response shall not affect the employee's employment, shall not be provided to the employee's supervisors or managers, and shall remain confidential to the extent allowed by law.

(8) Reporting of Contributions and Expenditures.

(a) The Secretary of State shall maintain a system of political campaign contributor handle registration.

(1) Any individual or entity may apply for a handle, which shall consist of a simple, unique combination of letters and numbers for each registrant, such as the individual's initials and a number.

(2) The handle application shall identify:

(A) An individual applicant by name, residence address, year of birth, occupation, and employer; or

(B) An entity applicant by name, type of business entity, business address, business phone number, business internet web address (if any), and all types of businesses engaged in.

(3) Any individual who makes aggregate contributions exceeding five hundred dollars (\$500) in any election cycle shall obtain a handle and provide it to the recipient of any subsequent contribution by that individual.

(4) Any individual or entity using a handle shall update the applicable information on file with the Secretary of State within thirty (30) days of any change to the information.

(b) The Secretary of State shall accept campaign contribution and expenditure reports in a simple spreadsheet, database or web-based format that identifies each contribution by date of contribution and either:

(1) Name, residence address, year of birth, occupation, and employer of the contributor, or

(2) The contributor's handle on file.

Such formats shall not require separately calculated subtotals.

(c) Within five (5) business days of receipt, the Secretary of State shall report and make available on the Internet in an interactive database format all contribution and expenditure reports and all handle registrations. The format shall enable the user to determine the sources and amounts of reported contributions:

(1) For each candidate committee, political committee, political party, and independent expenditure campaign; and

(2) From each contributor who has contributed at least five hundred dollars (\$500) during the election cycle.

(9) Other Provisions.

# Measure 47

(a) No individual or entity shall make a contribution or expenditure in any name other than that of the individual or entity which in truth provides the contribution.

(b) No corporation or other entity or employer shall, directly or indirectly:

(1) Require any employee or contractor to make any contribution or independent expenditure to support or oppose any candidate; or

(2) Provide or promise any benefit or impose or threaten any detriment due to the fact that an employee or contractor did or did not make such contributions or expenditures.

(c) Within sixty (60) days after the close of the election cycle for the office sought, the unexpended funds of a candidate committee at the close of the election cycle for the office sought shall revert to the State of Oregon to offset the cost of producing the Voters' Pamphlet, except for those funds reasonably necessary to pay the obligations of the committee and to terminate its operations. A candidate elected to the Oregon Legislature may deposit not more than ten thousand dollars (\$10,000) of the unexpended funds into the account maintained for legislative office expenses during the legislative session.

(d) If, in the absence of this Section (9)(d), there would be entered in any court any order impairing the effectiveness of any provision of this Act on the ground that any of the numeric limits or thresholds, percentage limits or thresholds, time periods, or age limits specified in this Act conflict with the United States Constitution or Oregon Constitution, then we, the electors of Oregon, acting in our legislative capacity, hereby:

(1) Increase the conflicting numeric limit or threshold by increments of one hundred dollars (\$100) as many times as necessary to render it consistent with the constitution at issue;

(2) Increase the conflicting percentage limit or threshold by increments of one percent as many times as necessary to render it consistent with the constitution at issue;

(3) Increase or decrease the conflicting time period by increments of one day as many times as necessary to render that time period consistent with the constitution at issue; and

(4) Decrease the conflicting age limit by increments of one year as many times as necessary to render it consistent with the constitution at issue;

A prohibition shall be considered a numeric limit of zero.

(e) If, in the absence of this Section (9)(e), there would be entered in any court any order impairing the effectiveness of any part of this Act on the ground that the United States Constitution or Oregon Constitution requires that any type of individual or entity be wholly or partially exempt from any of the prohibitions or limitations in this Act, then we, the electors of Oregon, acting in our legislative capacity, hereby declare that the provisions of this Act shall be given a narrowing interpretation so as to avoid invalidation of any provision of this Act and to preserve its effectiveness to the maximum degree consistent with the constitutions.

(f) If, on the effective date of this Act, the Oregon Constitution does not allow limitations on political campaign contributions or expenditures, this Act shall nevertheless be codified and shall become effective at the time that the Oregon Constitution is found to allow, or is amended to allow, such limitations.

## (10) Enforcement provisions.

(a) The provisions of this Act shall be administered and enforced by the Secretary of State and the Attorney General.

(b) Each violation of any provision in this Act shall be punishable by imposition of a civil fine which is not less than five times, nor more than twenty times, the amount of the unlawful contribution or expenditure.

(c) Any person subjected to a violation of Section (7)(d), (9)(b)(1), or (9)(b)(2) shall have a civil cause of action against the violator and shall, upon proof of violation, recover a civil penalty of not less than \$50,000 per incident of violation.

(d) Any person may file a written complaint of a violation of any of the provisions of this Act with the Secretary of State, who shall immediately refer the complaint to an administrative law judge. The administrative law judge shall hold a hearing on the complaint within fifteen (15) days and shall render a final decision within fifteen (15) days of the hearing. The decision shall include any appropriate order, sanction, or relief authorized by statute. Upon motion, the complainant or defendant shall be granted extensions of up to thirty (30) days or longer upon showing of good cause. The decision of the administrative law judge shall be final and subject to review by the Court of Appeals as an agency decision in a contested case. The decision shall be enforced by the Secretary of State or the Attorney General. If neither of them enforces the decision within thirty (30) days of the decision becoming final, the complainant may bring a civil action in a representative capacity for the collection of the applicable civil penalty, payable to the State of Oregon.

## (11) Supersession and Severability.

The provisions of this Act shall supersede any provision of law with which they may conflict. For the purpose of determining constitutionality, every section, subsection, and subdivision thereof of this Act, at any level of subdivision, shall be evaluated separately. If any section, subsection or subdivision at any level is held invalid, the remaining sections, subsections and subdivisions shall not be affected and shall remain in full force and effect. The courts shall sever those sections, subsections, and subdivisions necessary to render this Act consistent with the United States Constitution and with the Oregon Constitution. Each section, subsection, and subdivision thereof, at any level of subdivision, shall be considered severable, individually or in any combination.

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

# Measure 47

## Explanatory Statement

Ballot Measure 47 limits or prohibits certain political campaign contributions and expenditures.

The measure applies to all elections for state and local offices but not to ballot measures or candidates for federal offices.

### Under this measure:

Corporations and labor unions may not contribute to candidates, political committees or political parties.

Limits on contributions to candidates apply separately to primary and general elections. An individual may not contribute more than \$500 per election regarding candidates for any particular statewide office or more than \$100 per election regarding candidates for any non-statewide office.

Per year, an individual may not contribute more than \$50 to any single small donor committee, more than \$500 to any other single political committee, more than \$2,000 in aggregate to a political party, or more than \$2,500 in aggregate contributions.

A political committee may not contribute more than \$2,000 per election regarding candidates for any particular statewide office or more than \$400 per election regarding candidates for any non-statewide office. During a calendar year, a political committee may not contribute an aggregate amount exceeding \$2,000 to a political party.

A small donor committee accepting only contributions of \$50 or less per individual per year may contribute any amount to candidates, political committees and political parties.

A political party finance committee may not contribute more than \$50,000 per election regarding candidates for any particular statewide office or more than \$10,000 per election regarding candidates for any particular non-statewide office. A political party may have unlimited finance committees.

A candidate may not contribute to the candidate's own campaign more than \$50,000 per election for statewide office or \$10,000 per election for other office. The candidate may contribute 50% more if the candidate is not the incumbent. A candidate who contributes more than \$5,000 to the candidate's own campaign must report all subsequent candidate contributions within three business days and disclose in every paid communication the amount the candidate contributed.

A candidate may not make loans to the candidate's own campaign.

A corporation, labor union or other entity may not make independent expenditures supporting or opposing a candidate or political party.

An individual may not make independent expenditures exceeding \$10,000 per calendar year.

Advertisements funded by independent expenditures must disclose the names and businesses of persons who contributed \$1000 or more toward the expenditure.

Persons whose independent expenditures exceed \$200 per year must report the expenditures.

A corporation or labor union may establish a political committee consisting only of contributions from individuals.

An individual whose contributions exceed \$500 per year must obtain a unique identifier from the Secretary of State and list it with subsequent contributions. The Secretary of State must report these individuals' campaign contributions on the Internet, which committees and candidates must monitor to avoid penalties.

Some unobligated funds of candidate committees may forfeit to the State of Oregon, after each election cycle.

Courts are directed to modify limits if necessary to comply with federal or state Constitutions.

Civil fines and citizen actions to enforce the measure are provided.

### Committee Members:

Bryn Hazell  
Dan Meek  
Tina Calos  
Duke Shepard  
Fred Neal

### Appointed by:

Chief Petitioners  
Chief Petitioners  
Secretary of State  
Secretary of State  
Secretary of State

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

# Measure 47 Arguments

## Argument in Favor

### VOTE "YES" ON MEASURES 46 AND 47 TO TAKE A STAND AGAINST THE POWER OF SPECIAL INTERESTS IN OREGON GOVERNMENT.

We have a crisis of corruption in our government marked by scandal after scandal and criminal investigations of politicians. It is time for us to clean up this corruption and make politicians accountable to voters instead of big money campaign contributors.

#### THE PROBLEM

Right now, special interests like electric utilities, the drug giants, the insurance industry, and tobacco companies get their way in Salem by "donating" millions to elect politicians who will owe them favors. Lobbyists and special interests use campaign contributions to pass their pork barrel projects and create tax loopholes – costing us billions of dollars each year.

#### THE SOLUTION: MEASURES 46 AND 47

Your "YES" vote will level the playing field and make our elections more fair and competitive – so that candidates with the best ideas and best record of public service have a chance to win, even if they are not rich or well connected to wealthy special interest groups and lobbyists. It will ban contributions to candidates by corporations and labor unions and limit contributions by individuals to \$500 in any statewide race.

It will ban "independent expenditures" by corporations and unions, and limit individual "independent expenditures" to as low as the U.S. Constitution will allow (\$10,000 per year, total).

#### WHEN YOU HEAR THE ARGUMENTS AGAINST THE CAMPAIGN FINANCE REFORM MEASURES, REMEMBER:

- Opposition is being funded by the corporations and unions that like the present system of unlimited political spending in Oregon, one of 5 states with no limits
- Our measures were drafted and reviewed by experts in constitutional and election law and put on the ballot and backed by Democrats, Republicans, Greens, and independent voters.
- The opponents are making false claims, because they want to keep political power for themselves rather than having fair elections that make politicians accountable to the voters.**

**FairElections Oregon**  
[www.fairelections.net](http://www.fairelections.net)  
**(800) 939-8011**

*(This information furnished by Dan Meek, Harry Lonsdale, Bryn Hazell, Lloyd K. Marbet; FairElections Oregon.)*

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

## Argument in Favor

Would you like your legislator or county commissioner to care about what YOU have to say?

Would you like your elected officials to work on YOUR behalf, rather than on behalf of the special interests who "donate" enormous amounts of money to the campaigns of politicians running for office?

Would you like to create more power and influence for the people of Oregon and reduce the power of corporations, wealthy individuals and special interest organizations?

My answer to those questions is YES!

ONE MORE QUESTION: Why do corporations INVEST millions of dollars in Oregon candidate races every year? Because their investment pays off in government decisions and legislation that cost the taxpayers and citizens of Oregon but give the corporations huge benefits.

Please join me in voting **YES ON 46 AND 47, AND LET'S GET THE CORRUPTING INFLUENCE OF BIG MONEY OUT OF OREGON CANDIDATE ELECTIONS!**

*(This information furnished by Bryn Hazell.)*

**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

### End Mad Cash Disease Vote YES on 46 and 47!

Oregon has **no** restrictions on contributions to candidates. Corporations, not people, mainly fund candidates. Running for office is too expensive for the ordinary citizen. Our elections suffer from Mad Cash Disease!

Measure 47 limits contributions & independent expenditures. The measure:

- Applies to all **donors**, whether they live in Oregon or outside Oregon.
- Applies to all **candidates** running in Oregon.
- Bans **ALL** contributions from corporations and unions.
- Limits contributions from **individual people**.
- Limits **independent expenditures** made on behalf of a candidate.
- Requires that ads paid for with independent expenditures list the names of the **top five donors**.
- Permits the creation of Small Donor Committees (SDCs) allowing unions and citizen groups to fund candidates.

#### Small Donor Committees

Any group or union can form a SDC, which may contribute to candidates or use independent expenditures to advocate for or against candidates.

A SDC may not donate or spend more than \$50 per member.

A corporation cannot create a SDC, but its management can. However, they can only form one SDC, not one for each corporate subsidiary. SDC funds must come from voluntary contributions not exceeding \$50 per member. Corporate SDCs **cannot** use existing corporate funds for donations or expenditures.

A union may create a SDC for each of its separate decision-making bodies. Unions may use up to \$50 per union member from **already existing funds**. Union members wouldn't be required to donate any additional funds.

**Historically corporations have outspent unions five to one.**

**The ratio is even worse for environmental and other citizen groups.**

**Such groups will never, ever be able to raise the amount of money that corporations can.**

**Banning corporate contributions and using SDCs gives these groups a chance for real participation in the process of electing our representatives.**

Let's activate a grassroots political process! Vote YES on 47!

David Delk, Joan Horton Co-chairs  
Alliance for Democracy, Portland [www.afd-pdx.org](http://www.afd-pdx.org)

# Measure 47 Arguments

(This information furnished by David Delk, Joan Horton; Alliance for Democracy, Portland.)

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## Argument in Favor

**Citizens for the Public Good in Jackson County say CAMPAIGN FINANCE REFORM IS GOOD FOR OREGON!**

**We believe the quality of life in our state is increasingly eroded by big money influencing politics. Our health care, education, safety, and environment—are all at stake.**

**Our political system has become corrupted by endless money spent on political campaigns, especially on attack ads and information meant to deliberately mislead the public.** Especially galling are the out-of-state corporations—energy companies, pharmaceutical and chemical industry giants, HMO's, and insurance companies—that have literally spent millions of dollars on politics in Oregon. This has resulted in a state government that often caters to these and other deep-pocketed special interests, not to the needs of average citizens.

**Unless campaign finance reform Measures 46 and 47 are passed in November, this problem will only worsen. Why? Because Oregon is one of only five states with NO limits or restrictions on campaign spending.**

Measures 46 and 47 must both be passed, because they work together. They ensure:

- **A LEVEL PLAYING FIELD IN POLITICS.** Individual Oregonians will have the freedom to contribute to campaigns of their choice, but with fair limits on contributions. No donations will be allowed by corporations or labor unions.
- **OREGON'S POLITICAL ISSUES WILL BE DECIDED BY OREGONIANS.** With fair contribution limits in place, Big Money—including out-of-state—will not have an undue advantage over average citizens in our government.
- **CAMPAIGN SPENDING LIMITS WILL FOSTER DEMOCRACY,** and encourage more folks to run for office who are publicly-spirited and who don't pander to big donors.

**We deserve a better government.**

**Measures 46 and 47 are a major step to having one. JOIN US IN VOTING YES ON MEASURES 46 & 47!**

**Jackson County Citizens for the Public Good Steering Committee**

Avis Adee  
Robert Altaras  
Gerald Cavanaugh  
Michael Dawkins  
Marshall Fox  
Becky Hale  
Irene Saikevych

(This information furnished by Irene Saikevych, Avis Adee, Robert Altaras, Gerald Cavanaugh, Michael Dawkins, Marshall Fox, Becky Hale; Jackson County Citizens for the Public Good.)

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## Argument in Favor

**WHO IS BEHIND THE CAMPAIGN FINANCE REFORM MEASURES?**

**MEASURES 46 AND 47**

**It's an All-Oregon Effort of Thousands of Volunteers and Donors and Dozens of Public Interest Groups**

Measures 46 and 47 are completely home-grown.

FairElections Oregon is a coalition of Oregon groups and people working on campaign finance reform for 8 years. We spent over 18 months gathering over 280,000 signatures for these measures. We benefitted from over 1,000 volunteer, unpaid circulators and over 1,300 donors. All of our volunteer circulators were Oregonians, and 99.99% of our funding came from residents of Oregon.

**We accepted no money from any: corporations, unions, or out-of-state groups or organizations**

Our efforts were greatly assisted by contributions from these Oregonians:

Harry Lonsdale, retired President of Bend Research, Inc., a high-tech company located in Bend

Dan Meek, public interest attorney in Portland

William Boyer, retired professor of philosophy living in Sisters, who passed away earlier this year

Our "out-of-state" supporter was Public Action for Clean Elections (P.A.C.E.)

**THESE OREGON GROUPS SUPPORT MEASURES 46 AND 47:**

**Sierra Club of Oregon  
OSPIRG (Oregon State Public Interest Research Group)  
Alliance for Democracy  
Physicians for Social Responsibility  
Pacific Green Party  
Democratic Party of Clackamas County  
Oregon Gray Panthers  
Northwest Progressive Community  
Health Care for All Oregon  
Universal Health Care for Oregon  
Tim Hermach, President, Native Forest Council,  
Eugene, OR 97402, 541-688-2600  
Jackson County Citizens for the Public Good  
Lloyd K. Marbet, Don't Waste Oregon  
Women's International League for Peace and Freedom  
Utility Reform Project  
First Unitarian Church, Economic Justice Action Group  
FairElections Oregon [www.fairelections.net](http://www.fairelections.net)  
[info@fairelections.net](mailto:info@fairelections.net)**

(This information furnished by Elizabeth Trojan, FairElections Oregon.)

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## Argument in Favor

**MEASURE 47 LIMITS AND REVEALS "INDEPENDENT EXPENDITURES" BY SHADOWY GROUPS RUNNING SMEAR CAMPAIGNS**

**Stop the Negative Attack Ads That Never Identify Their Funders, Like Out-of-State Corporate Executives and Gambling Interests**

# Measure 47 Arguments

Some corporations, unions, and even individuals funnel their money into “independent expenditure” campaigns, usually attacking opponents of the candidates they like.

These negative ads are very effective, because they smear the opponent but let the candidate himself stay “above the fray” and deny any connection to the attack ads.

In Oregon’s 2006 primary, Nevada businessman Loren Parks contributed \$713,000 to the Kevin Mannix campaign for Governor. He also spent \$170,000 of “independent expenditures” to attack the other major Republican candidate, Ron Saxton. But Saxton was helped by the \$820,000 “independent expenditure” negative campaign, funded by the gambling operations of the Grand Ronde Tribes, against Mannix and against Ted Kulongoski (because they do not oppose a new casino closer to Portland than the Tribe’s casino).

## **None of these attack ads identified who was paying for them.**

**Measure 47 bans all “independent expenditures” by corporations, unions, and other entities and limits individuals to “independent expenditures” of \$10,000 per year, total, on all races for state or local public office in Oregon.** It also requires:

1. Every advertisement (TV, radio, newspaper, billboard, postcard, etc.) funded by “independent expenditures” must prominently disclose the top 5 contributors to the campaign, their businesses, and the amounts contributed; and
2. Anyone making independent expenditures over \$200 must publicly report the expenditures in the same manner and schedule as required for a registered political committee in Oregon.
3. All campaign finance information will be almost immediately available on the internet.

**Voters should know who is funding the attack ads and how much they are spending.**

**Join the Rural Organizing Project, Oregon Gray Panthers, Physicians for Social Responsibility, Health Care for All Oregon, State Senator Charlie Ringo, First Unitarian Church Economic Justice Action Group, and others to:**

**Vote YES on Measure 47**

*(This information furnished by Ruth Duemler, Universal Healthcare for Oregon; Andrew Kaza.)*

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## **Argument in Favor**

### **VOTE YES ON MEASURES 46 & 47!**

The **FACTS** on **CAMPAIGN CASH**

- Under current campaign law, Oregon is one of only five states in the nation where any special interest can contribute any amount of money (literally any amount of money), to any state or local candidate.
- It now typically costs over \$500,000 to win a contested seat in the State Senate and over \$250,000 to win such a seat in the State House of Representatives.
- As reported by *The Oregonian* “Nine of the 10 most frequent visitors to legislative leaders [in 2005] represent large campaign donors.”

The strength and genius of our system of government is the equation of “one person equals one vote”. That core principle

is now threatened by a government of, by and for a very small number of very large contributors. We believe it is time to make people and ideas more important than money in our politics. Let’s pass Measures 46 & 47 and put a stop to the “pay to play” system we have now.

**Join us in voting YES for Campaign Finance Reform.**

**YES on 46 & 47**

**[www.fairelections.net](http://www.fairelections.net)**

*(This information furnished by Norman L. Riddle, Elizabeth A. Steffensen, David Sonnichsen.)*

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## **Argument in Favor**

**WE PASSED CAMPAIGN FINANCE REFORM IN 1994**

**NOW LET’S MAKE IT STICK!**

**YES on 46 and 47**

Oregonians in 1994 adopted a statewide initiative for strict limits on political campaign contributions, by a YES vote of over 72%. But the Oregon Supreme Court in 1997 struck down that statute, deciding that the existing Oregon Constitution does not allow any limits on political spending.

**Now we can pass Measures 46 and 47 and make it stick!**

**Measure 46** is a one-sentence amendment to the Oregon Constitution to allow limits on political contributions and spending. Measure 47 then provides a comprehensive system of campaign finance reform for all state and local public offices in Oregon and restores the limits we passed in 1994.

**Measure 47** bans all corporations, labor unions, and other entities from making contributions in candidate campaigns for state or local offices. **It allows any individual (qualified United States voter only) to contribute up to \$2,500 per year to any combination of the following:**

- “Candidate Committees”:
- \$500 in any statewide primary or general election race (governor, attorney general, secretary of state, treasurer, labor commissioner, superintendent of education, Oregon Supreme Court justice, or appeals court judge);
- \$100 in any non-statewide primary or general election race (state legislature, county commission, city council, etc.);
- “Small Donor Committees” each receiving \$50 or less from the person, per year;
- “Political Committees” each receiving \$500 or less from the person, per year; and
- \$2,000 to any political party, per year.

Political committees can use these funds to support or oppose candidates but may not directly contribute more than \$2,000 to a statewide candidate or \$400 to a non-statewide candidate. Small Donor Committees and political parties can use funds contributed within these strict limits to support or oppose candidates.

**Measure 47 says that candidates should not receive big money from corporations and wealthy individuals but instead should seek smaller contributions from a broader base of supporters.**

# Measure 47 Arguments

(This information furnished by Laura Etherton, Oregon State Public Interest Research Group; Eulia Quan Mishima, FairElections Oregon.)

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## Argument in Favor

**Vote "YES" on Measures 46 and 47 and help level the playing field in Oregon politics.**

Measures 46 and 47:

The Oregon Campaign Finance Reform Initiatives

Right now we are presented with a rare opportunity to clean up government by making a positive change in the way political campaigns are run in our state.

Under current campaign law, Oregon is one of only a handful of states where any special interest can contribute any amount of money, to any state or local candidate. The current system provides no way to curb the overwhelming influence of big money donors in politics. **The result—special interests get sweetheart deals at the public's expense.**

Enough is enough. It's time for Oregon to join states like Colorado and Montana that have already enacted successful and tough campaign finance reform initiatives.

**Help level the playing field in Oregon politics.**

**Vote "YES" on Measures 46 and 47.**

(This information furnished by Tyrone Reitman, Stuart Henderson, Shaun Cook, Loring Harkness.)

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## Argument in Favor

**We Oregonians have gotten together to express our enthusiastic support for:**

**MEASURES 46 AND 47:**

**OREGON'S CAMPAIGN FINANCE REFORM INITIATIVES**

**Charlie Ringo, Oregon State Senator**

**Ronald A. Buel**

**Kenneth Lewis**

**Joan Horton, Co-Chair, Alliance for Democracy, Portland**

**Teresa Keane**

**Courtney Scott, Pacific Green Party**

**Andrew Kaza**

**FairElections Oregon**

**Edwin B. Parker**

**Ruth C. Duemler**

**Andrew Harris, MD**

**Oren Glick**

**Barbara Kemper**

**Paul & Lee Dayfield**

**Tomm H. Pickles**

**Brian C. Setzler, CPA**

**Seth E. Purdy**

**Kellee Purdy**

**Robert A. Steinegger**

**Lloyd K. Marbet**

**Dolores Hurtado**

**Gisela S. Ray**

**Don Baham**

**Michael Wilson**

By the way, if you see Measure 46 in this Voters' Pamphlet, it means that the Oregon Supreme Court has ruled that it is a valid amendment to the Oregon Constitution.

(This information furnished by Dan Meek.)

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## Argument in Favor

**OREGON WORKERS ARE VICTIMS OF SPECIAL INTEREST CAMPAIGN CONTRIBUTIONS**

Too often, the safety and welfare of Oregonians take a back seat to the wishes of corporate political contributors. For that reason

**Injured Workers' Alliance supports Ballot Measures 46 and 47.**

Since 1998, our statewide advocacy organization has fought for Oregonians on issues such as workplace safety and access to healthcare. During that time, we've witnessed the tremendous power of insurance companies and their hired hands, resulting in harm to Oregonians. During the 2002 and 2004 election cycles, insurance companies alone contributed over \$850,000 to Oregon candidates!

**Insurance companies have massive political influence! That influence has destroyed thousands of lives.**

It's been well known in Salem for at least 15 years that independent medical examinations too often are biased, fraud-ridden, and that physical harm is inflicted during exams. Known as IME's, these exams are routinely used by insurance companies to deny medical treatment. Many examiners don't even treat people; they only provide opinions. They're sometimes paid \$1,000 or more per hour with little overhead. **Attempts at warranted, meaningful reforms have been repeatedly stopped cold by special interests.** What has become law is sorely inadequate.

A few days before the 2005 legislative session began, a political committee formed by independent medical examiners gave money - a portion of the fat fees they received from insurers - to the most powerful members of the Oregon House. Their goal was to kill IME reform legislation - perhaps to even prevent a public hearing. These contributions came soon after the release of a state-conducted study that reinforced other evidence critical of the examinations. The money contributed included **\$5,000** to then-State Representative Dan Doyle (R-Salem), later **convicted of campaign finance fraud** for collecting, and then pocketing, campaign contributions.

**Join worker advocates in making democracy work in Oregon.**

**Please vote YES on Measures 46 and 47.**

Learn more about Injured Workers' Alliance at [www.InjuredWorker.org](http://www.InjuredWorker.org)

(This information furnished by Ernest Delmazzo, Injured Workers' Alliance.)

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# Measure 47 Arguments

## Argument in Favor

### DECLARE YOUR INDEPENDENCE FROM BIG MONEY PARTISAN POLITICS

#### STEP ONE: VOTE YES ON MEASURES 46 AND 47.

MONEY TALKS. BIG MONEY TALKS SO LOUDLY THAT IT SHOUTS DOWN YOUR VOICE. CORPORATE LOBBYISTS HAVE "PERSUADED" YOUR ELECTED REPRESENTATIVES TO INCREASE TAX BURDENS ON YOU--WORKING PEOPLE AND FAMILIES--WHILE CORPORATE TAXES HAVE GONE WAY DOWN.

Partisan Gridlock in Salem means we can't get campaign finance reform, affordable health care, common sense solutions for the common good. The current two-party system is neither representative nor democratic. Special interests and the politicians in power want to keep it that way.

THE FACTS: Measure 46 is a one-sentence amendment to the Oregon Constitution that allows limits on political spending. The legislature cannot overcome the will of the people by a mere majority vote. This make sense. It's the kind of common sense solution that independent-minded Oregonians want.

Measure 47 is a statute. It bans special interests from bank-rolling state and local candidates. Individual donations are capped at \$2500. Similar laws and even lower limits are in place in many states. That's fair. That's why special interests, politicians, and some secretive "groups" which do not disclose their membership or sponsors, are opposed to it.

#### STEP TWO: AN INDEPENDENT PARTY FOR OREGON.

Are you tired of partisan bickering in Salem?

Fed up with political deals instead of leadership?

Insulted by expensive media campaigns fueled by big money/out of state money?

One of the growing number of Oregon voters who says "Unaffiliated" when asked to register for a political party?

YES? THEN YOU'RE AN INDEPENDENT OREGONIAN!

Help form an Independent Party for Oregon. Not run by big bucks from the left or right, but voter owned and operated by the rest of us.

Independent Oregon  
[www.Indparty.com](http://www.Indparty.com)

*(This information furnished by Linda Williams, Independent Oregon.)*

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## Argument in Favor

\* Vote \* YES \* On \* 46 \* & \* 47 \*

### JUST DO IT!

"One of the most consistent reactions in politics is the unholy uproar that follows whenever you try to take away special privileges. Makes no difference how obvious the unfairness is, those who have been favored over others by the system invariably feel entitled to that favoritism. It is theirs by right, by heritage, tradition, and divine providence, and if you try to take it away, you are in for the fight of your life. The under privileged in this country can still raise a fair political stink on occasion, but it is nothing compared with the titanic stench that erupts when the over privileged are invited onto a level playing field." – Molly Ivins, in

*Shrub, The Short but Happy Political Life of George W. Bush, 10/2000*

**We are confronted with great challenges affecting the viability of our communities and the well being of the environment and its life support systems. To effectively address the changes that need to be made we must end the corruption of our political system.**

### Vote YES ON 46 & 47

**You can stop the corrupting influence of big money in our election process. The evidence in support of doing this is so overwhelming that it is hard to believe we have allowed ourselves to be bombarded by its public display. Like the Emperor with no clothes, corruption parades before us, compromising our government and threatening the very fabric of life. Even more tragic, in passively accepting this reality, we become accomplices in perpetuating its injustice.**

### YOU CAN END LEGALIZED BRIBERY

**You don't have to wait for the Legislature to do it!**

**Remember how they got elected!**

**Join Tim Hermach and Lloyd K. Marbet and the League Of Uncompromising Voters**

### Vote YES on 46 & 47

"None are more hopelessly enslaved than those who falsely believe they are free."

– Johan W. von Goethe, 1749-1832

[www.luvote.org](http://www.luvote.org)

*(This information furnished by Tim Hermach, Lloyd K. Marbet; League Of Uncompromising Voters (LOUV).)*

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## Argument in Favor

**Join the League Of Uncompromising Voters**

### Vote YES on Measures 46 and 47

**Now for the Joke:**

Once upon a time, God was missing for six days. Eventually, Michael the archangel, found him, resting. "Where have you been?"

God sighed a deep sigh of satisfaction and proudly pointed downwards through the clouds, "Look, Michael. Look what I've made."

Archangel Michael looked puzzled and said, "What is it?" "It's a planet," replied God, "and I've put Life on it. I'm going to call it Earth and it's going to be a great place of balance."

"Balance?" inquired Michael, still confused.

God explained, pointing to different parts of earth.

"For example, northern Europe will be a place of great opportunity and wealth while southern Europe is going to be poor.

"Over there I've placed a continent of white people and over there is a continent of black people," God continued, pointing to different countries.

"This one will be extremely hot while this one will be very cold and covered in ice."

The Archangel, impressed by God's work, then pointed to a land mass and said, "What's that one?"



# Measure 47 Arguments

"Ah," said God. "That's Oregon, the most glorious place on earth. There are beautiful beaches, deserts, streams, hills, and forests. The people from Oregon are going to be handsome, modest, intelligent and humorous and they are going to be found traveling the world. They will be extremely sociable, hardworking and high achieving, and they will be known throughout the world as diplomats and carriers of peace."

Michael gasped in wonder and admiration but then proclaimed, "What about balance, God? You said there would be balance!!!"

God smiled, "Wait until you see the legislators that I put in Salem, unless the people of Oregon have the wisdom and moral integrity to pass Measures 46 and 47."

**Escape the Wrath of God...Vote YES on 46 and 47!**

**[www.luvote.org](http://www.luvote.org)**

*(This information furnished by Tim Hermach, Lloyd K. Marbet; League Of Uncompromising Voters (LOUV).)*

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## Argument in Opposition

### WITHOUT TERM LIMITS, CAMPAIGN FINANCE REFORM COULD HELP INCUMBENTS

Measures 46 and 47, together, would put in place a system of strict limits on political campaign contributions and spending for or against candidates for state or local public office in Oregon.

Oregon is one of the few states without a limit on political contributions. Yes, corporations and unions spend way too much money on candidates with the expectation that government favors will be returned. But, while campaign finance reform may seem appealing on the surface, it would serve to prolong the domination of Oregon's government by career politicians.

When legislators remain in office for decades, they gain such an advantage in "name recognition" that require opponents, invariably, to spend more to beat them. When the ability to raise and spend money is limited, challengers suffer. It takes a lot of money to overcome incumbency advantages regardless of the issues in the race.

Measure 47 even limits how much personal money a candidate can spend on his own campaign. In limiting challengers to spending \$75,000 of their own money, Measure 47 could prevent challengers from overcoming the name recognition of long-time incumbents.

If we adopt Measure 45 in this election, which places Term Limits on state legislators, then we would not need to let challengers raise and spend large amounts to defeat the career politician incumbents – because there would not be any. Under Term Limits, no one could serve more than 6 years in the Oregon House and 8 years in the Oregon Senate or 14 years in total.

By reducing the power of incumbency and preventing lobbyists from building protected relationships, Term Limits would also alleviate many of the ills targeted by Measures 46 & 47 without limiting political speech.

*(This information furnished by Eric Winters.)*

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## Argument in Opposition

This measure was no doubt meant to control the spread of special interests and make elections only about the people and ideas. Well it doesn't do that. Measure 47 actually will decrease the amount of ideas that can be heard during an election. It will make it easier for the very rich to spread their message and it will tie the hands of membership-driven grassroots organizations.

This measure will restrict the way organizations can communicate information about elections and their support or opposition of candidates and ballot measures. Single extremely wealthy individuals can still spend as much money as they want to shove their ideas down the throat of the public with no restrictions. As a result, groups with tens of thousands of members will have their hands tied but one rich person has free reign under this measure.

This measure does much more than make it harder for candidates to raise money — it also goes after political non-profits. This measure will cripple groups from all parts of the political spectrum. This measure will also restrict how much people will be able to give to political non-profits. No one will be able to donate over \$500 to any political non-profit. It doesn't matter if you agree with an issue or not — do we really want to tie the

# Measure 47 Arguments

hands of people from supporting the causes that they care deeply about?

**Vote NO.** This measure isn't the way to limit "special interest" influence in state government. We at AFSCME support lobby reform, more stringent reporting requirements and voter-owned elections. However, we can't support a measure that will tie the hands of grassroots membership groups and let the very rich do as they please.

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

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## Argument in Opposition

### Measure 47: Misguided and Harmful

**Measure 47 unfairly restricts our ability to participate in politics.** We are 20,000 educational professionals working in our schools and colleges all over Oregon. When political proposals have an impact on education, we want to be able to tell you about it. Measure 47 would restrict our ability to speak out about the effect political proposals will have on our schools.

**Measure 47 gives an unfair advantage to rich donors and wealthy individual candidates.** Although the measure limits candidates' ability to contribute to their own campaigns and individuals' right to make contributions, those provisions will likely be struck down immediately by the courts if this measure passes. Measure 47 actually anticipates court action by including a provision that will maintain the limits on unions and other political nonprofits when the courts strike down the limits on the wealthy. Rich individuals, like the measure's sponsor, will have even greater ability to dominate Oregon politics because they will be unaffected, while organizations like OSEA will be extremely limited in our ability to participate.

**Measures 47 has little support beyond its sponsor.** Two-thirds of the money spent to get this measure on the ballot came from one wealthy individual. Real campaign finance reform should come from a broad base of organizations and individuals—not from one wealthy contributor seeking to write the laws to his liking.

**Measure 47 requires citizens to obtain an Individual Tracking Code from the government before making political contributions more than \$500.** Political contributions are already recorded and tracked by the government. We don't need more government tracking of our personal free speech choices. And the penalties for mistakes can be as much as \$50,000!

**Measure 47—the same failed approach that didn't clean up congressional elections.** We've seen how ineffective this type of campaign finance "reform" has been in cleaning up congressional elections. We need real solutions—not this!

**Vote NO on Measure 47**

**Oregon School Employees Association**

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

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## Argument in Opposition

The Oregon Association of REALTORS®  
Opposes Measure 47!

**Please join us in voting NO!**

Measure 47 is designed to impose campaign contribution limits. While this may sound attractive to you – especially during a busy campaign cycle – limiting your knowledge of a candidate's position on the issues that are important to you is dangerous at best.

Oregon has a proud history of a citizen legislature that dates back to its founding in 1859. Any citizen has had the opportunity to run for office and get elected. If Measure 47 passes, this opportunity will be lost for most of Oregon's interested citizens.

**That is why it is so important to vote NO on Measure 47!**

Measure 47 would allow wealthy candidates an unfair advantage because they would be allowed to spend as much of their own money to get elected as they like. Many qualified candidates would be locked out of political office simply because they did not have vast personal wealth. Oregon's citizen Legislature would become a Legislature of wealthy aristocrats.

And, even worse, Measure 47 would require anyone making a campaign contribution to register with the Secretary of State and get a tracking code before they could contribute to a cause or person they believe in! The penalty for failing to get this tracking code? It could be as high as \$50,000!!

Lastly, Measure 47 would restrict the ability of any organization to conduct voter education campaigns. Successful democracies depend on informed and involved voters. Restricting access to information in the name of campaign finance reform will only serve to limit your ability to make an informed decision. Please join us in rejecting Measure 47!

**Vote NO on Measure 47!**

*(This information furnished by Jeremy Starr, President, Oregon Association of REALTORS.)*

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## Argument in Opposition

**Protect our Voice  
Protect Your Freedom of Speech**

Real campaign finance reform should come from all of us working together to reduce the influence of big money in Oregon politics. Measures 46 and 47 are the wrong solution. Unfortunately, they will hurt the voice of non-profits and membership organizations, and make the problem of wealthy individuals who seek to influence our politics even worse.

**Join us in VOTING NO on Measure 47**

American Federation of Teachers-Oregon

Basic Rights Oregon

Democratic Party of Oregon

Ecumenical Ministries of Oregon

Eugene Springfield Solidarity Network

NARAL Pro-Choice Oregon

Oregon Action

Oregon AFL-CIO

Oregon Education Association

# Measure 47 Arguments

Oregon School Employees Association  
Our Oregon  
Planned Parenthood Advocates of Oregon  
SEIU Local 49  
SEIU Local 503, OPEU  
Stand for Children

and

Representative Peter Buckley, Chief Petitioner Measure 47  
www.protectourvoice.org

*(This information furnished by Christy B. Mason, Our Oregon.)*

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## Argument in Opposition

STATEMENT IN OPPOSITION BY PETER BUCKLEY,  
ORIGINAL SPONSOR FOR MEASURE 47

As a former chief petitioner for Measure 47, I am deeply committed to achieving real campaign finance reform for Oregon. In fact, I helped bring forth these proposed reforms, but I'm now asking you to join me in voting against them.

They won't work.

That's the bottom line. They will make a bad system worse, and give rich individuals a greater advantage than they already have in Oregon politics.

In crafting Measures 46 and 47, we tried to come up with a way to level the playing field to end the overwhelming and destructive influence of big money in Oregon politics.

Unfortunately, I have learned in the months since the proposed reforms were first set out that several provisions will undoubtedly be overturned by the courts. This includes the proposed limit on personal contributions to a candidate's own campaign, and the proposed limit on individual independent expenditures.

Think for just a minute on what kind of system this would leave in place. It would give wealthy candidates and wealthy individuals even more of a leg up than they currently have in our woefully unfair campaign finance system. It would strengthen the voice of the richest Oregonians, taking the vast majority of Oregon citizens almost entirely out of the picture.

The intentions behind this measure are the best, but the results will not be. The wealthiest 1% of Oregonians don't need any more help getting their views heard politically. That is what Measure 47 is likely to result in, once the courts rule and the dust settles.

Please vote NO on Measure 47, and let's keep working to find a system to fund campaigns that is straightforward, fair, and will work for Oregon.

Representative Peter Buckley  
Oregon House District Five

*(This information furnished by Representative Peter Buckley.)*

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## Argument in Opposition

**Planned Parenthood Advocates of Oregon  
Asks you to vote NO on Measure 47**

**PROTECT OUR VOICE**

**Measure 47 is too extreme.**

Campaign finance reform should focus on reducing the influence of big money in politics, not on placing severe limits on how non-profit organizations can conduct voter education campaigns. This act would even require Oregonians to obtain a tracking code from the Secretary of State. Measure 47 goes too far, and will create an unfair and unnecessary limitation on the voice of non-profit organizations.

**Measure 47 is unconstitutional.**

The sponsors of Measure 47 admit that many of its provisions violate our freedom of speech protection under the Oregon Constitution. That's why they have written Measure 46, which eliminates those constitutional rights. Both measures go too far in violating our freedom of speech under the Bill of Rights in both the Oregon and United States Constitution.

**Measure 47 will have unintended consequences.**

Because sponsors of Measure 46 and 47 can do nothing to change federal law, their attempts to limit what wealthy candidates and individuals can spend on politics will likely be declared unconstitutional by federal courts, as have similar attempts in other states. This will leave Oregon with unfair limitations on what non-profit organizations can do and say, but no limits on what wealthy candidates can spend or what rich individuals can do politically.

**Planned Parenthood Advocates of Oregon  
ask you to vote NO to Measure 47**

*(This information furnished by Bill Sheppard, Planned Parenthood Advocates of Oregon.)*

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## Argument in Opposition

**Stand for Children Urges You  
To Vote NO on Measure 47**

**Measure 47 is the wrong answer to a real problem.** Every day, Stand for Children fights for a better future for our children. We support sensible, meaningful campaign finance reform. But this measure is the wrong answer:

- It imposes unnecessary burdens and dangerous restrictions on non-profit organizations like Stand for Children.
- It makes the problem of wealthy individuals exerting undue influence on politics even worse.

**This measure is primarily sponsored by one wealthy individual.** According to *The Oregonian*, two-thirds of the money for this measure has come from one wealthy person. Real campaign finance reform should come from public interest groups working together, not one person seeking to change state law with his own checkbook.

**Measure 47 will have unintended consequences.**

Measure 47's attempt to limit individual independent expenditures and to restrict the ability of candidates to contribute to their own campaigns will likely be struck down under federal law. This will result in wealthy, self-funded candidates having even more power than they do now.

**Measure 47 will hurt our ability to effectively advocate for children.** This measure muzzles the voice of grassroots organizations like Stand for Children while allowing wealthy individuals with special interests to have an unfair advantage in

47

# Measure 47 Arguments

Oregon politics. It will make a real problem worse.

## **Stand for Children asks you to please vote NO on Measure 47**

Our children's future depends on what we do now.  
Protect our voice.

*(This information furnished by Holly Pruett, Stand for Children.)*

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## Argument in Opposition

### **OREGON TEACHERS ASK YOU TO VOTE NO ON MEASURE 47**

#### **Measure 47 is unconstitutional.**

Even its sponsors admit that Measure 47 violates your existing free speech rights. That's why they also are asking for you to surrender those rights by constitutional amendment (Measure 46).

#### **Measure 47 goes too far.**

Measure 47 goes far beyond limiting campaign contributions. The act contains nearly 20 pages of requirements which regulate which issues can be discussed in politics, when, how, and by whom. It affects all individual donors, political parties, political action committees, candidates, unions, corporations, and non-profits.

Some of the more extreme requirements of this measure include:

- Political contributors in Oregon will be required to obtain a "handle" or individual code from the Secretary of State;
- No political non-profit can accept more than \$500 per year from any person;
- Individual donors are responsible for knowing which non-profits, candidates, political action committees and organizations they can give to and how much is legally acceptable;
- Fines for violating the measure are up to 20 times the amount of violation; and,
- Any person can allege violation of the act, which automatically triggers a court hearing on the accusation within 15 days.

**"In short, the measure would impose a Kafka-esque or even Soviet-style web of restrictions, requirements and penalties on what Oregon citizens could spend, write, say or do in connection with elections."**

*("Measure would squelch speech," Albany Democrat-Herald, Dec. 3, 2005)*

#### **Measure 47 is brought to you by one wealthy man.**

Two-thirds of the money to qualify this measure (and Measure 46) came from just one wealthy individual seeking to change Oregon's constitutional political free speech protections. Real campaign finance reform should come from all of us working together to reduce the influence of big money in Oregon politics.

### **Vote NO on Measure 47**

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

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## Argument in Opposition

### **American Federation of Teachers-Oregon Urges You to VOTE NO on Measure 47 Protect Our Voice**

#### **Measure 47 restricts the ability of educators to speak out for education.**

Measure 47 imposes unreasonable limits on the expression of non-profits and membership organizations. Campaign finance reform should focus on reducing the influence of big money in politics, not putting a muzzle on the real voices we need to hear the most.

#### **Measure 47 is brought to you by one wealthy man seeking to change Oregon's Constitution.**

According to *The Oregonian*, two-thirds of the money behind Measure 47 comes from one wealthy individual. He went forward despite concerns expressed by many other campaign finance advocates and progressive organizations. Real campaign finance reform should come from all of us working together in the public interest, not one person with a big checkbook.

#### **Measure 47 will give wealthy individuals a huge advantage.**

This measure's attempt to limit individual independent expenditures and the ability of candidates to contribute to their own campaigns will likely be struck down under federal law. This will create a campaign finance system that lets rich individuals do what they want, but sets strict limits on non-profit organizations.

### **American Federation of Teachers-Oregon Urges You to VOTE NO on Measure 47**

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

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## Argument in Opposition

### **THE OREGON AFL-CIO WORKS TO MAKE SURE OREGON FAMILIES HAVE GOOD JOBS AND STRONG COMMUNITIES**

Our 90,000 members -- including firefighters, teachers, steelworkers, nurses, construction workers, longshoremen, and more -- work together to make sure that Oregon families have good jobs and strong communities. For us, that means campaign finance laws must provide a level playing field and empower ordinary citizens to be heard in the political debate.

Our member representatives have studied the ballot measures and voted to say "NO on Measure 47."

#### **Oregon needs campaign finance reform. Measure 47 isn't it.**

Measure 47 has good intentions, but it won't get big money out of politics. If it did, we'd support it: Corporations spent 24 times more than unions nationally in 2004. But Measure 47 will only create more problems.

#### **Measure 47 is overly complex and poorly written.**

Because it's based on a convoluted and tricky process, key elements of this measure are likely unconstitutional. The way it's written, when some parts are thrown out, others may remain in force.

# Measure 47 Arguments

## **Measure 47 will favor big corporate interests.**

When Measure 47 is challenged in court, the special interests with the most expensive lawyers will come out on top. Then, they alone will operate outside this law – without limits. We don't need the pharmaceutical, tobacco and health insurance companies having even more power in our elections. Oregon deserves better reform.

## **Measure 47 is a mess. See for yourself.**

This measure is so long, dense and confusing that people have a hard time figuring out what goes where. See for yourself what the sponsors have created to help you “understand:”

[www.CanYouFollowTheMoneyIn47.com](http://www.CanYouFollowTheMoneyIn47.com)

## **Volunteering should be encouraged, not punished**

Like Measure 48, the flawed spending formula, Measure 47 is based on a bad Colorado experiment. A judge recently found that union members who volunteered only their time to help a candidate, were breaking the law!

## **Please vote “No” on Measure 47.**

Tom Chamberlain, President  
Oregon AFL-CIO

*(This information furnished by Tom Chamberlain, President, Oregon AFL-CIO.)*

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## **Argument in Opposition**

### **THE WORKING PEOPLE OF SEIU LOCAL 49 and SEIU Local 503, OPEU Urge you to VOTE NO on Measure 47**

#### **Don't give up your constitutional rights.**

Measure 47 is an unconstitutional attempt to limit our freedom of speech. In fact, you have to surrender your existing constitutional rights through Measure 46 for Measure 47 to even be able to take effect.

#### **Measure 47 goes too far**

Working people understand the corrupting influence of big money and the power of corporate lobbyists to influence politics. What we don't understand is why non-profits and membership organizations are being lumped in with the big corporations under this act. We need campaign finance reform to limit the influence of big money in Oregon politics. Measure 47 simply goes too far. Oregonians would have to obtain their own individual code with the Secretary of State before making political contributions under this measure. No one could give more than \$500 a year to a political non-profit in Oregon if it passes.

#### **Working people deserve a voice**

In the last year, the working people of SEIU local 503 have used our political voice to fight out-of-control health care costs, preserve the minimum wage and help stop predatory lenders. Measure 47 would limit how, when, and to whom we could speak about politics. Under existing Oregon law, that's unconstitutional. Let's keep it that way.

#### **Don't let wealthy people dominate Oregon politics.**

Measure 47 is brought to you primarily by one wealthy individual seeking to change Oregon's constitutional free speech protections. The problem of wealthy individuals and candi-

dates will get even worse when key parts of Measure 47 are struck down under federal law, and the rest of us still have our voices limited.

## **Vote NO on Measure 47 Protect our Voice**

*(This information furnished by Megan Sweeney, SEIU Local 49 and SEIU Local 503, OPEU.)*

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## **Argument in Opposition**

### **Basic Rights Oregon Urges You to VOTE NO On Measure 47**

**Measure 47 will help extremists rule Oregon politics.**  
Basic Rights Oregon has been fighting against discrimination for over a decade. Measure 47 will limit what we can say, and when and to whom we can talk politics. Our basic right to fully participate in the political process is at stake, and so is yours.

#### **Measure 47 will do nothing to stop rich people from buying elections.**

In actuality, this measure is designed to muzzle the free expression of non-profit groups, while allowing a handful of wealthy individuals to continue to dominate political speech.

#### **This measure made the ballot with help from the extreme right wing.**

This so-called reform measure was approved by and circulated on the street with the signature gatherers for Bill Sizemore, Don McIntire, and Howard Rich – extremists whose agenda Oregonians have rejected time and time again, and has nothing to do with campaign finance reform. Ask yourself why they might want this measure, and decide where you stand.

### **STAND UP FOR YOUR BASIC RIGHTS. VOTE NO ON MEASURE 47.**

*(This information furnished by Frank Dixon, Basic Rights Oregon.)*

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## **Argument in Opposition**

### **NARAL Pro-Choice Oregon Urges You to VOTE NO on Measure 47**

#### **Measure 47 violates the Oregon Constitution.**

By its supporters' own admission, many of the provisions of Measure 47 violate our freedom of speech protections under Oregon's Bill of Rights. Unless Oregonians willingly part with those freedoms under Measure 46, most of Measure 47 will remain what it is today – an unconstitutional attempt to limit the free speech rights of Oregon non-profits, membership organizations, and individuals.

#### **Measure 47 violates the United States Constitution.**

This act contains several provisions that Constitutional experts expect will be struck down immediately under federal law, especially how much money candidates and wealthy individuals can spend from their own personal funds. This will leave Oregon with an even greater imbalance than we have now – wealthy individuals and candidates will get to say and spend whatever they want, but non-profits like NARAL Pro-Choice Oregon will be forced to operate under severe limitations on what we can say and do politically to defend our rights.

# Measure 47 Arguments

## Measure 47 will hurt freedom of choice.

This measure will restrict how the choice community can educate voters, what issues we can talk about when, and how much we can accept from donors. In fact, Measure 47 would restrict any organizations ability to conduct voter education campaigns on political issues.

### **Vote NO on Measure 47 FREEDOM OF CHOICE DEPENDS ON FREEDOM OF SPEECH**

*(This information furnished by Treasure Mackley, NARAL Pro-Choice Oregon.)*

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## Argument in Opposition

### **The Oregon Family Council Urges Voters to Reject Measures 46 & 47 They May Be the Worst Idea Ever For Oregon Voters**

Admittedly, most Oregonians have grown weary of negative campaign tactics. So measures promising "campaign finance reform" come as a welcome relief. But the remedies proposed in Ballot Measures 46 and 47 are far worse than the ailment.

#### **Voters are the Big Losers**

If passed, all public policy organizations—pro-family, conservative and liberal alike—would lose much of their ability to educate voters or support candidates. More importantly, voters would be far less educated about candidate philosophies and positions on issues at election time.

#### **Measures 46 & 47 Impose Severe Limitations on All Public Policy Organizations**

- All public policy organizations would face dramatic limitations in publishing Voter's Guides and candidate position information.
- All public policy organizations would face dramatic limitations in their ability to help candidates.
- All public policy organizations would have severe limitations placed on their ability to receive contributions.
- All public policy organizations would be severely limited in their ability to partner with other organizations.

(These limitations would be imposed on all public policy organizations, political parties, business groups and unions.)

#### **Measures 46 & 47 Impose Severe Limitations on All Voters**

- Voters would be severely limited in supporting candidates, organizations or political parties.
- Voters making even modest contributions to political causes would be assigned a tracking number and have their personal information broadcast online.
- Candidates would be severely limited in their ability to contribute to their own campaign.
- Candidates would be limited in paying off campaign debts and any campaign balance would go to the government.

Measures 46 and 47 are dangerous assaults on our citizenship rights to influence public policy, elect men and women of integrity and be informed on Election Day.

#### **Please Vote NO on Measure 46 & Measure 47**

*(This information furnished by Michael P. White, Executive Director, Oregon Family Council.)*

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## Argument in Opposition

### **Oregon Right to Life Urges a No Vote on Measure 47**

**Measure 47 ensnares Oregonians in a web of limitations that will severely restrict – and possibly erode – the free speech right to join together around an idea and support office holders that share their values.**

For example, pro-life Oregonians trust Oregon Right to Life PAC to bring them timely and accurate information about candidates and ballot measures. Ballot Measure 47's contribution and spending limits are so restrictive that we will be unable to continue to provide the level of information our membership expects and deserves.

Not a pro-life voter? Guess what -- **these limits will apply across the board and affect all Oregonians who want to join with others to forward ideas in the political arena.**

Measure 47 squelches the voices of Oregonians and the organizations they support.

#### **Please VOTE NO on 47**

*(This information furnished by Gayle Atteberry, Oregon Right to Life.)*

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## Argument in Opposition

### **THE DEMOCRATIC PARTY OF OREGON URGES YOU TO VOTE NO ON MEASURE 47**

#### **Wealthy People Shouldn't Dominate Our Politics**

Too often, rich individuals open their checkbooks to push their opinions on the rest of us. Loren Parks has been doing this to Oregonians for years. New York Developer Howard Rich is doing it by funding the flawed Colorado TABOR formula in Oregon. And now Harry Lonsdale is drawing from his wealth to impose Measure 47 on our political system – despite overwhelming concerns from Oregon Democrats and other campaign finance advocates.

#### **Measure 47 Will Make Problems Worse**

Measure 47 will make things worse because it puts severe restrictions on progressive organizations including the Democratic Party while leaving wealthy individuals to circumvent limits and dominate our political process.

Our free speech will be limited, but no limits will exist for rich people – an unfair and dangerous situation for democracy.

#### **The Democratic Party of Oregon Supports Real Campaign Finance Reform**

Real reform to fix a broken campaign finance system should come from all of us working together – not a single wealthy individual.

Measure 47 puts unfair limits on the Democratic Party, but fails to address the costs of campaigning. Without making public airwaves more accessible and affordable to candidates voters lose out because they'll hear less from candidates and more from wealthy interests.

Many organizations including the DPO who advocate for clean money, increased disclosure and campaign finance reforms see Measure 47 as the wrong solution.

# Measure 47 Arguments

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Measure 47 is unconstitutional. Rather than fixing constitutional problems, sponsors instead inserted a dangerous severability clause. This means some limits will remain in effect when the courts inevitably throw out the others.

The effect will be a “Swiss Cheese” finance system that will impair progressive organizations’ ability to raise and spend money to defend Oregon, but leaves wealthy individuals and big special interests to dominate.

We urge all Democrats to vote NO on Measure 47.

## **DON'T LET WEALTHY INDIVIDUALS DOMINATE OREGON POLITICS**

*(This information furnished by Jim Edmunson, Democratic Party of Oregon.)*

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# Measure 48

Proposed by initiative petition to be voted on at the General Election, November 7, 2006. The information in the shaded area below will appear on your ballot.

## Ballot Title

# 48

### **AMENDS CONSTITUTION: LIMITS BIENNIAL PERCENTAGE INCREASE IN STATE SPENDING TO PERCENTAGE INCREASE IN STATE POPULATION, PLUS INFLATION**

**RESULT OF "YES" VOTE:** "Yes" vote amends constitution to limit the percentage increase in state spending from biennium to biennium to the percentage increase in state population plus inflation.

**RESULT OF "NO" VOTE:** "No" vote retains existing statute capping appropriations on basis of personal income in Oregon; rejects adding constitutional provision limiting spending increases to population increase, inflation.

**SUMMARY:** Amends constitution. Oregon statute currently limits state appropriations to 8% of projected personal income in Oregon (with certain exceptions). If Governor declares emergency, legislature may exceed current statutory appropriations limit by 60% vote of each house. Measure adds constitutional provision limiting increase in state spending from one biennium to next biennium to percentage increase in state population, plus inflation, over previous two years. Certain exceptions to limit, including spending of: federal, donated funds; proceeds from selling certain bonds, real property; money to fund emergency funds; money to fund tax, "kicker," other refunds. Measure provides that spending limit may be exceeded by amount approved by two-thirds of each house of legislature and approved by majority of voters voting in general election. Other provisions.

**ESTIMATE OF FINANCIAL IMPACT:** The measure puts a new limit on state budget spending for each two-year budget.

It is unclear when the measure would first apply. If it first applies to the 2007-2009 budget, the measure would reduce money available to fund state services by \$2.2 billion. If it first applies to the current budget, state spending must be reduced by \$2.5 billion by July 2007, and expected spending must be reduced by \$4.9 billion for 2007-2009.

The state budget now pays for public schools, health care, prisons, roads, bridges, forest fire protection and other services. In addition, the state transfers approximately 2/3 of its funds to cities, counties, school districts, and health care providers. The measure does not specify which programs would be affected by the spending limit.

The measure will limit state bond programs and will have a negative impact on the state's credit rating.

The measure does not directly limit local government spending.

**(See the Voters' Pamphlet for explanation of this financial estimate)**

## Explanation of Estimate of Financial Impact

The measure creates a new limit on state budget spending. It would cap state government spending to increases in state population, plus inflation. The cap can be overridden by the approval of two-thirds of each house of the Oregon Legislature and the approval of a majority of voters in a general election.

### **Financial Impact**

The measure is silent as to when it first applies. Constitutional amendments become effective 30 days after being approved by the voters, but it is unclear from the language of the measure when it would first apply. If the measure applies to the current state budget, an estimated state spending reduction of \$2.5 billion must be made within seven months by July 2007 (with no opportunity for the Legislature and the voters to override this reduction). Expected spending for the 2007-2009 budget must be reduced by \$4.9 billion.

If the measure first applies to the 2007-2009 budget, the measure would reduce money available to fund state services by an estimated \$2.2 billion.

The measure does not directly reduce state revenue.

### **State Budget Spending**

The state budget pays for a variety of public services such as public schools, health care, prisons, roads, bridges, forest fire protection and other services. State dollars are used to repay debt, make contract payments, and pay for services required by federal law. The measure does not specify which government services will be affected by the spending limit. That decision must be made by the Legislature. Historically, spending on state government services has grown faster than the new limits that would be in place with the passage of this measure. The difference between the amount of money available to pay for state services and the amount that can actually be spent on these services will grow over time.

### **Federal Funding**

The federal government pays part of the cost of many social service programs such as healthcare, by matching the amount of money spent by the state each year. A reduction in state spending for those programs would also reduce the amount of money the state receives from the federal government.

### **State Bonds and Credit Rating**

The measure will restrict the amount of bonds the state can sell in the future by including the expenditure of bond proceeds and repayment of bonds under the spending limit. The state sold \$1.4 billion in bonds last year to pay for things like roads, bridges, veteran's home loans, and local economic development projects.

Oregon bonds are rated for quality. The higher the credit rating, the lower the interest costs on the bonds the state sells. This measure will have a negative impact on the state's credit rating by greatly reducing its financial flexibility.

### **Financial Impact on Local Governments**

The measure has no direct effect on local governments. It may have the indirect effect of reducing the amount of money local governments receive from the state. The state transfers 2/3 of its funds to others, including public schools, cities, counties, and health care providers.

### **Committee Members:**

Secretary of State Bill Bradbury  
State Treasurer Randall Edwards  
Lindsay Ball, 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.)*



# Measure 48

## Text of Measure

The Constitution of the State of Oregon is amended by creating a new section to read:

(1) The purpose of this section is to limit the rate of growth of total spending by the state government. Notwithstanding any other limitation on state spending, except as provided in subsection (3), any increase in total spending by the state from one biennium to the next shall be no greater than the percentage increase in state population, if any, plus inflation, if any, over the two calendar years immediately preceding the start of the biennium.

(2) For purposes of this section:

(a) "Total spending" means all disbursements pursuant to all acts by the Legislative Assembly authorizing the expenditure of public funds, except disbursements of: 1) money to fund emergency or "rainy day" funds; 2) federal funds; 3) money pursuant to Article IX, section 14 of this Constitution, commonly referred to as "The Kicker"; 4) money to fund tax and other refunds; 5) money voluntarily donated to a state agency; 6) proceeds from the sale of bonds specifically approved by voters; and 7) proceeds from the sale of real property at real market value to non-governmental entities.

(b) "Inflation" means the percentage change in the United States Bureau of Labor Statistics Consumer Price Index for Portland - Salem, all items, all urban consumers, or its successor index.

(c) "Population" means the annual federal census estimates of the state population, adjusted every decade to match the federal census.

(3) The limit on total spending established by this section for each biennium may be exceeded for that biennium by an amount approved by two-thirds of each house of the Legislative Assembly and referred to and approved by a majority of electors voting on the issue in a general election.

## Explanatory Statement

### BACKGROUND

The State of Oregon budgets for two-year periods, beginning July 1 of odd-numbered years. Oregon's Constitution requires the Legislature to adopt budgets that do not exceed the revenue predicted for that same two-year period.

A state law also limits general fund spending to eight percent of personal income for that same two-year period but has not affected spending to date. The "kicker" law that refunds taxes that exceed a revenue forecast made prior to the legislative session limits revenue available for state services. That constitutional amendment has refunded collected revenue to individuals seven times and corporations six times.

### DESCRIPTION OF THE MEASURE

Ballot Measure 48 proposes to limit state spending by amending the Oregon Constitution to provide that, unless approved by a 2/3 vote of both the Oregon House and Senate and a subsequent approval by a majority of the voters, spending for state services in a two-year period cannot exceed the amount spent in the previous two-year period plus the combined rate of the increase of the state's population and inflation in that same, previous, two-year period.

### REVENUE

The Constitutional amendment would apply to spending of aggregate revenues collected from a variety of sources including but not limited to: income tax, lottery receipts, tuition, professional licensing and other taxes and fees. The measure would not apply to revenues from the following sources: federal funds, voluntary donations to state agencies, proceeds from the sale of bonds specifically approved by the voters and proceeds from the sale of real property at real market value to non-government entities.

### SPENDING

The measure would not apply to money spent for the following purposes: tax and "kicker" refunds or money placed in an emergency fund or a "rainy day" reserve fund. (Money placed into an emergency or "rainy day" fund would not be available for state spending in excess of the spending limit without a 2/3 vote of the House and Senate and approval by the voters.)

### EXAMPLE

The Legislative Fiscal Office estimates that the measure's effect in the upcoming biennium would restrict spending of approximately \$2.2 billion out of approximately \$35.6 billion in revenues estimated to be subject to the limit.

The Legislature could refund the restricted funds to taxpayers, place them in the funds noted above, leave them in the treasury and/or, with a 2/3 vote of each house of the legislature refer to voters a plan to spend them on state services.

### Committee Members:

Don McIntire  
Eric Winters  
Tim Nesbitt  
Margaret Olney  
Mike Greenfield

### 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 48 Arguments

## Argument in Favor

It's time to tell our politicians to: "Save it for a Rainy Day."

It's indisputable. Our state government suffers from a serious lack of discipline. The record shows that no matter how much money the state extracts from taxpayers, in good times or bad, the politicians will write a budget that spends every last dime, every time.

Over the last ten years, the rate of inflation and growth in population rose by 42.9%, while at the same time the State of Oregon grew spending by 86.7%!\* Sadly, even though our legislators increased spending by twice the rate of inflation, they set none of it aside for, well, a "rainy day."

### Ending irresponsibility

By a vote of the people, Measure 48, ends that particular legislative irresponsibility and it does not, as the big spenders claim, strangle the growth of state spending. In fact the standard for growth is still generous (perhaps not for the spending class). During the next budget cycle, this measure will allow spending to grow by 8% over the current budget!\*\*

### Here's the best part.

Even though our politicians will still be able to spend almost all the money the state collects, and \$2 billion of rainy-day-funds will be available in just the first budget, future budgets will accumulate even more as spending expands at the rate of inflation and the growth of population.

Not only will Measure 48 institute some much needed legislative spending discipline, but those surplus funds can gain interest and remain available, to keep the state comfortable during those inevitable future "rainy days."

Don McIntire  
Taxpayer Association of Oregon, President

\*2006 Oregon Public Finance: Basic Facts. Research Report 1-06, Oregon Legislative Revenue Office.

\*\*Fiscal Impact Statement, this pamphlet, population + inflation growth, 8.24%

*(This information furnished by Don McIntire.)*

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## Argument in Favor

Measure 48 hands Citizens the Power to Stop Overspending

The Rainy Day Amendment is more than "just a spending limit that creates a rainy day fund."

It returns power to the people by granting us a "Voters' Veto" whenever the legislature wants to exceed the spending limit.

Normally, our legislators spend every dollar the state brings in, whatever the amount.

Somehow, they never run out of ideas for new spending.

The Rainy Day Amendment changes that dynamic by tying spending increases to reasonable, objective factors: inflation and population growth.

When politicians can't spend everything, the leftover money (the rainy-day-funds) can be socked away for lean times down the road.

But what happens if the legislators want to spend more?

It's not impossible, but they do have to accomplish two simple things.

First, legislators need to work together to craft a spending proposal garnering the support of two-thirds of their members.

Then, they need to present the excess spending proposal to the voters.

By making legislators forge broad, bipartisan support before asking the voters' permission, we ensure that they will not seek this authority lightly.

Oregon desperately needs citizen oversight to restore common sense to our budget.

Vote for the Rainy Day Amendment!

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

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## Argument in Favor

### Frequently Asked Questions

Q. What is the Rainy Day Amendment?

A spending limit that allows state government to grow from budget cycle to budget cycle, based on objective growth factors.

Q. How does the spending limit operate?

It combines the inflation rate for Oregon with the growth in state population during the two years preceding a budget cycle. That sum becomes the growth factor used to determine the ceiling on spending for the next budget cycle.

Q. What kind of growth will it allow?

Over the last eight budget cycles, the growth factor averaged about 10% per two-year cycle. For the next budget cycle, the growth factor will be about 8.24%.

Q. How much does the state usually spend?

Over the last eight budget cycles, growth in spending averaged about 14% per budget cycle.

Q. How much is the difference between the limit and possible spending?

For the next budget cycle, the spending limit would create surplus funds amounting to somewhere between \$1.4 - 2.2 billion out of an all-funds budget of about \$44 billion.

Q. What will happen to the surplus funds?

Surplus funds would automatically carry forward in the state treasury until such time that they are capable of being spent (such as during a recession when revenues fall below the spending limit).

Q. Could the legislature give them back to taxpayers?

Yes, but they would have to pass a law.

Q. Does the Rainy Day Amendment affect the "Kicker" tax rebates?

No. That is a separate function unrelated to the spending limit.

Q. What happens if the legislature wants to spend more?

In order to spend above the limit, two-thirds of legislators must propose a spending question before the voters. If voters approve, the spending limit is adjusted higher.

Q. Are there any exceptions to the spending limit?

# Measure 48 Arguments

Yes. Federal funds, voter-approved bonds, sales of government property and money set aside in a Rainy Day Fund do not count against the limit.

*(This information furnished by Eric Winters.)*

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## Argument in Favor

Keep your legislator honest, vote for the Rainy Day Amendment

Every election voters wade through stacks of mail from politicians promising to:

“Hold the line on spending,”

“Set budget priorities,”

“Root out waste,”

“Save for a rainy day,” and, of course,

“Lower your taxes....”

Each would have us believe that he or she can deliver on these promises -- that if you will only give them your vote it would make the difference in Salem.

They'll talk on and on about their “vision” but what have you really seen?

It's almost too depressing to discuss, but this year we can help those candidates keep their word by passing the Rainy Day Amendment.

This measure will serve as a collective conscience for our Legislature. It will allow the state budget to grow, but no faster than the rate of inflation and population.

Legislators will have to “hold the line on spending” because the “line” will hold them.

Legislators will have to “set budget priorities” because there is no reason to wait around for a larger revenue projection once a ceiling for spending is established.

Legislators will have to “root out waste” because the spending limit will create pressure to locate inefficiencies. They may keep proposing new spending ideas, but they'll have to scrap the ones that don't work in order to fund the new ones.

Legislators will have to “save for a rainy day”. When they can't spend everything every budget cycle, the money left over becomes a surplus to set aside for lean times.

Two or three percent per year out of a \$40+ billion budget will add up quickly. In a few years, the Rainy Day Fund will fill up to the point where legislators will actually want to “lower your taxes.”

Vote for the Rainy Day Amendment (you just might save a politician's soul).

*(This information furnished by Eric Winters.)*

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## Argument in Favor

For years Oregon experts have been highlighting the powerful positive effects of a spending limit....

“[a]n Oregon with a functional tax system would need an adjustable state-government spending limit....A spending limit

would create incentives for the kinds of tough decisions legislators are making with PERS in this session and weigh against the creation of future boondoggles. It also would work against the bureaucratic tendency to build costs in, and up.”  
**The Oregonian Editorial Board**  
March 3rd 2003.

“A strong spending limitation in the 1990s could have kicked Oregon's economy into overdrive.”

**Cascade Policy Institute**  
2003 Report: “Blame politicians, not Measure 5”.

“Passage of a constitutional spending limit would cause a setting of priorities for state spending. OTR has advocated priority setting as one way to deal with the perceived cash crunch in Salem.”

**Oregon Tax Research**  
“Your Taxes” Newsletter, March 2000

Let's put these good ideas into action!

Yes on 48

Stop Government Overspending

Vote Yes on 48

*(This information furnished by Wayne Brady.)*

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## Argument in Favor

**Are you concerned that wasteful government overspending threatens Oregon's economic future?**

In Oregon we care about sustainability. We want a sustainable environment with sustainable usage practices to secure a sustainable future.

But we have a problem in our state: irresponsible state government overspending by our Legislature. Unchecked, this problem undermines the sustainability of Oregon's economic future.

Oregon has missed out. Around the country, many states have taken advantage of innovations in spending practices that have secured their states' competitiveness to attract investment and create jobs – while delivering better value to taxpayers.

These states have learned from the private sector, where competition is a natural way of life.

While allowing for a reasonable automatic budget growth, The Rainy Day Amendment will provide our state government the rule it needs to begin to prioritize spending and wring out duplication, excess, and inefficiency.

We know it's all there, the examples could fill the Voters' Pamphlet. Savings and efficiencies are desperately needed in order to allow Oregon to move forward. Unsustainable overspending must be curbed.

Vote Yes on 48 – to secure a sustainable economic future for Oregon.

**The Rainy Day Amendment: A state spending limit that puts the voters in charge of overspending decisions.**

*(This information furnished by Paul Farago.)*

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# Measure 48 Arguments

## Argument in Favor

### OREGON IS A BIG, BIG, BIG SPENDING STATE!

- **Oregon was rated the 9th biggest spending state in the nation.** Oregon spends more tax dollars per capita than 41 other states.

(*Governing Magazine*: annual *Government Source Book* 2005)

- **For 25 years, Oregon state budget grew on average 13% per budget cycle.** Taxpayers can't afford non-stop 13% government growth.

(Based on biennial basis. *Oregon Office of Economic Analysis Forecast Report*. Dept. of Administrative Services 12/03).

- **Oregon was the fastest growing state government in the nation in 2000!**

(Association of State Budget Officers, *Fiscal Survey of States*, December-2000)

- **USA Today stated that Oregon has been spending beyond population and inflation (almost twice the amount).** (*USA Today*, June 23, 2003)

Oregon's nationally embarrassing spending record is hurting taxpayer families and our economy!

Oregon's spendthrift legislature was completely unprepared for the last recession

With a spending limit we will instill the discipline to build a rainy day fund.

YES on 48!

For more information on state spending go to  
RainydayAmendment.com  
and  
oregonwatchdog.com

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

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## Argument in Favor

### Oregon's Big Government is Bad for Business

Big Problem! Many businesses have left Oregon, taking jobs, wages and families with them:

- K-line container shipping, moved Tacoma, 2004
- Hyundai Merchant Marine, moved in 2004
- Albertson's NW Headquarters moved to Idaho, 2004
- Wells Fargo Financial moved Vancouver, 2003
- Kuni Automotive moved Vancouver, 2003
- Albina Fuel moved to Vancouver, 2003
- Gardenburger moved to Utah, 2003
- Louisiana Pacific moved to Nashville, 2003
- Meier & Frank moved to Los Angeles, 2002
- Willamette Industries moved to Washington, 2002

When jobs leave our state, those workers are no longer employing the rest of us...to sell them insurance, groceries, gasoline, clothing or anything else. Our whole economy shrinks!

To create a business friendly environment, we must stop overspending by government.

A government with reasonable growth limits is business friendly.

A government without spending limits is a government that spends too much, regulates too much, and taxes too much.

Small businesses and taxpayer families have to live within a budget and limits – shouldn't government do the same? Measure 48 provides for common sense growth limits that will produce good government and a good climate for business to thrive.

### Yes on 48

Jim Haynes  
Small Business Coordinator  
Oregon Business Roundtable Committee

(*This information furnished by Jim Haynes.*)

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## Argument in Favor

### The Rainy Day Amendment: No Better Port in a Storm

Some thoughtful people have heard stories that the Rainy Day Amendment could hamper the state's ability to cope with a natural disaster.

Obviously, hurricanes or tsunamis are some of the ultimate "rainy days," so opponents are using them to scare voters.

Opponents claim, to spend money on a disaster would require a vote of the people, and that might take too much time in an emergency.

This is a scare tactic, not reality.

The fact is, after the passage of Measure 48, if we did experience a disaster, we would be better suited to confront it than we are now.

First of all, under Measure 48, the state retains ready access to the funds already and always set aside for the Legislature's Emergency Board. The Emergency Board has the power to transfer funds and amend appropriations under predetermined guidelines in immediate response to a crisis.

Second, under a sustained disaster, the legislature could access all additional unspent funds in the current budget and spend whatever is reasonable and necessary for emergency services. The legislature would likely follow that up with a vote to tap the rainy day funds and spend beyond the limit. With a reserve of funds set aside and growing with compound interest, Oregon voters would naturally be amenable to releasing those funds in an emergency.

Let's be honest, if we have an emergency now, with no Rainy Day Fund, we would face a big tax increase, guaranteed.

Most importantly, if a disaster hobbled Oregon, we would be better prepared to rebuild and provide for basic needs if surpluses had been saved in advance. The Rainy Day Amendment will set aside and safeguard those surpluses.

Measure 48 is a prudent spending limit for all seasons...especially the rainy ones.

(*This information furnished by Kurt Weber.*)

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## Argument in Favor

### Oregon needs a Rainy Day Fund

Because politicians can't bring themselves to stop spending every last cent the state collects each budget cycle, there should be some sort of constitutional restraint on the impulse

# Measure 48 Arguments

to spend everything.

In fact, many of those same politicians actually agree with this sentiment. However, when the subject comes up, they often say they need a limit, but they also want to have it coupled with a "Rainy Day Fund." That would give them a cushion for those occasional, but inevitable, economic downturns when the tax cash flow slows down.

## Give them what they want.

Measure 48 does exactly what our elected officials say they want. It gives them a prudent "growth allowance" by tying state spending to population and inflation growth.

Since state tax and fee collections have historically exceeded the Measure 48 "popuflation" growth allowance, surpluses will be there for the state to set aside and safeguard for any future hard times.

## Measure 48 still allows billions in new spending.

Government officials predict that Measure 48 will allow the next budget to grow by at least 8.2% (\$2.6 billion in new spending) while generating \$2.2 billion in surplus funds, a natural rainy day fund. Over time the fund could grow and collect interest, and then when tax revenues in some future period came up short, we would not have to make the ugly choice of cutting services or raising taxes as we have had to do in the past.

## No more broken vows.

Like many other broken vows, politicians have promised a Rainy Day Fund for years, but never delivered. The voters are tired of waiting - 45 other states are protected by a rainy day fund - Oregon needs to join them. Let us not pass up this opportunity to put the politicians promises into action. We can't afford to wait around for more promises.

Please vote Yes on Measure 48,  
**"The Rainy Day Amendment."**

*(This information furnished by Richard Leonetti.)*

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## Argument in Favor

### Oregonians Benefit Equally from the Rainy Day Amendment

Opponents of Measure 48 have made a big fuss about the people who helped bring this question to the ballot. However, there has been very little scrutiny of who is funding the opposition.

Neither the chief petitioners, nor any campaign volunteers, nor any donors, nor any of the 162,000 people who signed the Rainy Day Amendment petition will benefit more from its passage than the average Oregonian.

This measure does not pit one class of taxpayers against another, instead, it safeguards the interests of all taxpaying citizens by:

- 1) Granting reasonable growth allowances while preventing government overspending;
- 2) Generating billions of dollars in surplus revenues for a Rainy Day Fund; and,
- 3) Giving voters the authority to approve or disapprove proposals to bust the budget limits.

The benefits of reasonable government growth, building a rainy day fund and shifting power to the voters translates equal benefits, across the board, to every Oregonian.

Our opponents, on the other hand, have a direct long-term

financial stake in the outcome. They are the government employee unions and the other special interests who long for larger government subsidies. Therefore, they absolutely disfavor ANY limit on government growth. They benefit much more than the average Oregonian under the status quo and will invest millions of dollars (gleaned from taxpayers) to oppose the Rainy Day Amendment.

When you read through ballot measure arguments, it's a good idea to ask yourself who is benefiting on each side.

In the case of the Rainy Day Amendment, its benefits flow evenly to all Oregonians.

Only those who dream of an unlimited state government stand to lose.

*(This information furnished by Don McIntire, Chief Petitioner.)*

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# Measure 48 Arguments

## Argument in Opposition

### Measure 48 Creates “Rainy Day Fund” that Cannot be Spent

#### NO on 48

Supporters of Measure 48 call it a “Rainy Day Amendment,” because it would cap any increase in state spending to inflation and population growth only. That would withhold about \$2.2 billion from the next 2-year (“biennium”) budget – almost 6% of expected state revenues. They argue this \$2.2 billion surplus (and future ones) will create a “rainy day” fund.

#### We should not set aside a “rainy day” fund, until the state invests enough in providing public infrastructure and services.

The state is currently doing too little to provide education and health care for Oregonians, sufficient public transportation or parks, or even food for hungry children or rehabilitation for the homeless. **For many Oregonians, it is already raining, hard.** Measure 48 would cap the increase in state spending in the 2007-09 biennium to about 8% over the previous biennium, no matter that the additional \$2.2 billion in revenue is available and needed.

#### Measure 48 makes it too difficult to spend the “rainy day” surplus.

These surplus funds can be spent, under the cap, only if state revenues grow slower than inflation plus population growth, which happens in only recessions. Even then, state spending would remain capped, despite the need for higher unemployment benefit payments (\$1.3 billion more in the 2001 recession). The surplus funds could be spent, above the cap, only after a 2/3 vote of both houses of the Oregon Legislature and a statewide majority vote in a November general election—which happens in the 17th month of the 24-month biennium. This will leave public services in grave risk.

#### Use Corporate Kicker for a “Rainy Day Fund”

The corporate share of Oregon income taxes has declined from 18% to about 4%. The “kicker” cut \$133 million from these taxes in 2005 and is expected to cut \$205 million in 2007. The top 4% of corporations get 93% of this money.

*(This information furnished by Dan Meek.)*

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## Argument in Opposition

### Measure 48 is a False Promise

#### I know, because I saw what it did to my home state of Colorado.

I’m a mom, a small business owner and a member of the Colorado PTA. I have first-hand experience with a constitutional amendment like Measure 48.

Measure 48 is modeled on Colorado’s constitutional amendment called TABOR, which was enacted 13 years ago. It has been a complete failure. Measure 48 has the same core provisions as Colorado’s TABOR.

#### Measure 48 inserts the Colorado flawed formula, “population + inflation,” into Oregon’s Constitution.

We learned the hard way. TABOR, like Measure 48, was sold to us with promises and sound bites that it did not live up to.

TABOR did not give control to the voters. It did not increase government accountability.

Instead, it has been complicated, unwieldy, and has had many unintended consequences.

### Under the flawed formula in the Measure 48 Constitutional Amendment, Colorado went backwards.

#### K-12 education:

- Average teacher salary compared to average pay in other occupations declined from 30th to 50th in the nation.
- Spending on K-12 education dropped from 35th to 49th in the nation.

#### Higher education:

- Higher education funding dropped from 35th to 48th in the nation.
- Under TABOR, higher education funding per resident student dropped by 31 percent.

#### Health care:

- The proportion of low-income children without health insurance doubled. Colorado now ranks last in the nation.
- Access to prenatal care plummeted from 23rd to 48th in the nation.

Finally, last November, we Colorado voters said, “enough.” We passed a referendum to suspend TABOR so that our state could start to dig out of our TABOR mess. We still have a ways to go.

#### Measure 48 is flawed and will hurt Oregon. Just like it hurt Colorado.

#### For more information: [www.defendoregon.org](http://www.defendoregon.org)

Kristi Hargrove  
Member of the Colorado PTA and small business owner

*(This information furnished by Kristi Hargrove.)*

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## Argument in Opposition

### Oregon Teachers Urge You to Vote NO on Ballot Measure 48

We are teachers from across Oregon and we work in school districts large and small, urban and rural. We believe that Ballot Measure 48 will harm Oregon’s schools.

#### Ballot Measure 48 would mean deep and painful cuts to our public schools.

Our public school children cannot learn in larger classrooms or with shortened school years. But that’s exactly what Measure 48 will mean.

**This Measure will amend the state Constitution and will force painful and untargeted cuts to Oregon’s K-12 education system.** We’ve learned the lesson from the Colorado version of this measure.

Here’s what happened in Colorado:

- K-12 spending under this measure dropped from 35th to 49th in the country
- Colorado fell to 41st in the nation in student to teacher ratio

Oregon’s children are our state’s greatest resource. Every Oregon child deserves a classroom where he or she can learn, not one that is over-crowded and chaotic. Every Oregon child deserves the educational programs that will prepare him or her for the future.

The state’s economy is just now recovering and we’re beginning to see reinvestments in our public schools. We don’t want to go back to the days where school doors closed early.

# Measure 48 Arguments

## Measure 48 will take us backwards and has unintended consequences.

Oregon's kids are counting on us not to backslide. The time to invest in Oregon's future is now.

### Please Vote No on Ballot Measure 48

Caryn Connolly, Coquille High School Social Studies Teacher  
Dennis Storey, Second Grade Teacher, Kelly Creek Elementary School, Gresham  
Rebecca Levison, Sixth Grade Teacher, Clarendon Elementary, Portland  
David Wilkinson, English Teacher, Westview High School, Beaverton  
Steve Anderson, Hermiston High School English Teacher  
Cheryl Lashley, Third Grade Teacher, Howard Elementary School, Medford

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

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## Argument in Opposition

### AARP Oregon urges "NO" vote on Measure 48

AARP Oregon strongly supports accountable government and effective programs that help not only older residents but their children, grandchildren and all Oregonians.

#### With Measure 48, the devil is in the details.

**Measure 48 will not make government more accountable** and will have serious and eventually devastating consequences on crucial state services and the overall economy.

Measure 48 uses an extremely flawed formula that fails to account for:

- the real cost of sustaining critical services to children and seniors, like the rising costs of health care and energy bills; and
- our state's changing demographics with the aging of Oregon boomers.

Each greatly magnifies the impact on state revenues and expenses and the vital services that Oregonians rely on.

**Ballot Measure 48 will cut \$1.1 billion a year from the budget.** The measure is a budgetary straitjacket that will gut critical services and cut at the heart of the things all Oregonians need and rely on, including public safety, schools and health care - cuts that we know lead to even greater costs down the road.

#### Measure 48 is so confusing and poorly written that it may even be retroactive.

The measure is part of a nationwide effort led by special interests to import to our state the flawed "Taxpayer Bill of Rights" (TABOR) initiative that failed in Colorado.

The results:

- Colorado businesses and economy stagnated with negative job growth; and
- K-12 and higher education systems were gutted, roads and bridges crumbled, and the number of uninsured nearly doubled.

The response: a broad and diverse coalition of Colorado's business, community, education, government and labor leaders - along with the state's voters - banded together to suspend TABOR.

**Let's learn from another state's mistake, instead of**

## making the same one. Let's not write Measure 48's flawed formula into Oregon's Constitution.

### Vote "NO" on Measure 48.

*(This information furnished by Jerry Cohen, State Director, Ray Miao, State President; AARP Oregon.)*

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## Argument in Opposition

### The Oregon PTA urges a NO vote on Measure 48

**Measure 48 is a constitutional amendment that will send Oregon backwards at exactly the wrong time.** The state recession hit Oregon's K-12 schools hard. We won't soon forget the drastic funding cuts that left our kids with crowded classrooms, outdated textbooks, and shortened school years.

**A wealthy New York developer named Howard Rich has put Measure 48 on the Oregon ballot.** He has spent more than \$1 million to pay for signature gathering in Oregon and paid for 85% of Measure 48. Howard Rich doesn't live here. His children do not go to our schools. He will not face the consequences of Measure 48. We will.

**Education funding and the quality of education plummeted in Colorado under a Measure 48 style law.** Colorado's education funding got stuck in the recession and they were unable to move forward. Spending on K-12 dropped from 35th in the nation to 49th

**Measure 48 is even more extreme than Colorado's version and will hit Oregon harder.** The Oregon version of Measure 48 is more limiting than Colorado's and local schools in Oregon will be even more vulnerable to deep funding cuts.

**Measure 48 is so poorly written that it could be retroactive.** This will be up to the courts to decide. If it goes into effect immediately, it means that Oregon's schools will be forced to cut their budgets for the 2007 school year.

### We need a plan for Oregon's schools that will bring certainty, not chaos.

The Oregon PTA says vote NO on Measure 48

For more information on how Measure 48 will hurt K-12 education:

**www.DefendOregon.Org**

Anita Olsen,  
Oregon PTA, President-elect  
Portland, Oregon

Diana Oberbarnscheidt,  
Oregon PTA, Past president  
Bend, Oregon

Michael Thirkill,  
Oregon PTA member  
Talent, Oregon

Corinne Stonier,  
Oregon PTA Member  
Hillsboro, Oregon

*(This information furnished by Anita Olsen, President-elect, Oregon PTA.)*

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## Argument in Opposition

### Measure 48 Would Devastate Oregon Schools

#### Oregon Education Association Urges You to Vote "NO" on Measure 48

Measure 48 is a Flawed Formula that didn't work for Colorado public schools. The measure will significantly reduce revenue

# Measure 48 Arguments

available for schools, health care and public safety.

**After 13 years under the same Constitutional amendment, Colorado's public education system declined.** High school graduation rates plummeted and:

- Spending on K-12: Dropped from 35th in the nation to 49th
- Teacher salaries: Dropped from 30th in the nation to 50th

The best way to predict how Measure 48 would affect our future is to look to the past. If Oregon had been operating under Measure 48's Flawed Formula since 1990, we'd have 25 percent less funding than we do today for education, health care and other basic services.

Here is how four districts across the state would look today, after 16 years of Measure 48:

- **Beaverton School District:** a cut of \$38.02 million – the equivalent of reducing the school year 36 days or eliminating 551 teachers;
- **Salem-Keizer School District:** a cut of \$41.3 million – the equivalent of increasing class size 13 students in every class;
- **Bend-La Pine School District:** a \$15.2 million cut – the equivalent of eliminating 201 teachers and,
- **Roseburg Public Schools:** a \$7 million cut – the equivalent of reducing the school year 31 days and cutting 98 teachers.

Measure 48 is so complicated and poorly written that it may be **retroactive** – cutting more than \$2.5 billion from the current budget. This would force school districts around the state to make painful choices to balance their budgets – like reducing school days, cutting teachers and increasing class size.

More than 85% of the funding to get Measure 48 on the ballot came from New York developer, Howard Rich. [Don't let out-of-state special interests harm Oregon's schools.](#)

**Support Your Local School  
Join 45,000 teachers and education professionals  
in voting "No"**

Larry Wolf, President  
Oregon Education Association

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

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## Argument in Opposition

**Measure 48 is a false promise  
and a political statement**

**Just ask the measure sponsor**

Proponents of Measure 48 are playing fast and loose with the truth in their campaign propaganda. They are making big claims about what Measure 48 will do.

But the measure sponsor had to admit the truth in an official letter to the Secretary of State:

**"Notice, in and of itself, the amendment does not create a rainy day fund. That is the province of the legislative assembly."**

**Measure 48 Chief Sponsor Don McIntire  
Letter to the Secretary of State, Elections Division  
August 9, 2004**

When asked to explain why the campaign is calling their measure something it's not, Mr. McIntire said, "It's a political statement." (Source: KATU, July 3, 2006.)

Get the facts  
Get the truth  
Defend Oregon

[www.DefendOregon.Org](http://www.DefendOregon.Org)

*(This information furnished by Phil Donovan, Campaign Manager, Defend Oregon Coalition.)*

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## Argument in Opposition

**Oregon Fire Fighters Urge a No Vote on  
Ballot Measure 48**

If Oregon experienced a devastating earthquake, forest fire, chemical spill or other type of disaster, we would need additional resources to adequately respond. Ballot Measure 48 requires a two-thirds vote of the legislature and a vote of the people in a November election to approve necessary emergency funds.

**We can't wait for an election.**

**First responders need immediate access to the state resources necessary to protect Oregonians.**

As fire fighters working across the state to keep communities safe, we need the ability to respond immediately to emergencies.

**Ballot Measure 48 would make it harder to respond to emergencies.**

Ballot Measure 48 eliminates \$1.1 billion a year from the state budget. This would result in decreased funding for local public safety, emergency responders and the state police - the very people Oregonians depend on for rapid responses to emergencies.

We live in a time where we have to be constantly vigilant and prepared for emergencies and natural disasters.

**Ballot Measure 48 not only cuts funding for critical public safety services, it also puts up unnecessary and dangerous hurdles to our emergency response efforts.**

Measure 48 is being promoted by out-of-state special interests who have no stake in the safety of our communities. More than 85% of the funding to get Ballot Measure 48 on the ballot came from New York developer, Howard Rich.

[Don't get burned by out-of-state, special interests.](#)

As fire fighters, we work on the front lines and we have seen firsthand the damaging results of budget cuts to our critical public safety system. We can't afford cuts to vital public services. And we need flexibility in our emergency response efforts.

**Ballot Measure 48 harms our ability to keep communities around Oregon safe.**

**Join Your Local Fire Fighters in Voting "No"  
on Ballot Measure 48.**

**For more information visit: [www.defendoregon.org](http://www.defendoregon.org)**

Kelly Bach, President  
Oregon State Fire Fighters Council

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

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# Measure 48 Arguments

## Argument in Opposition

### Measure 48 will make Oregon less safe

Sheriffs from around Oregon urge you to vote NO on Measure 48

One thing we learn early in law enforcement is to look at the evidence. We have looked at Measure 48, and here's what it shows:

#### Look at the evidence from Colorado:

- Colorado has eliminated the mental health program in youth corrections
- Deep budget cuts have meant that in Colorado, court hearings are delayed and criminals stay on the street.
- Colorado public safety was pitted against schools, health care, transportation and other services.

It's no surprise that Colorado voters suspended their state's version of Measure 48 last year so they could fund public safety and other vital services.

**Measure 48 will make it harder to protect our local communities.** In every corner of Oregon, people count on local law enforcement. Measure 48 will force deep cuts in state and local government. That means longer response times, fewer officers on the road and insecurity in our communities.

**Measure 48 puts bureaucratic roadblocks in the way of first responders.** If disaster strikes Oregon, first responders have to move fast. But Measure 48 is so poorly written that the fine print says it would take a two-thirds vote of the state legislature and a vote of the people in November to approve necessary emergency funds.

**Measure 48 is so poorly written that it could be retroactive.** Read the fiscal impact statement for this measure – it could go into effect immediately, which means that the state will have to cut more than \$2.5 billion out of the budget that has already been passed. Our safety programs cannot sustain those kinds of cuts and protect the public.

Look at the evidence and vote NO on Measure 48.

For more information on Measure 48  
go to  
[www.DefendOregon.Org](http://www.DefendOregon.Org)

**Chris Brown**  
Douglas County Sheriff

**Dennis Dotson**  
Lincoln County Sheriff

**John Trumbo**  
Umatilla County Sheriff

**Rick Eiesland**  
Wasco County Sheriff

*(This information furnished by Becca Uherbelau, Defend Oregon Coalition.)*

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## Argument in Opposition

### Measure 48 Would Mean Fewer State Police On Duty

that's good news for  
Meth traffickers  
&  
Drunk drivers

**Oregon is in the middle of a methamphetamine epidemic that has cut a swath of misery through too many Oregon families and communities.**

The Oregon State Police are on the front lines against the war on meth. Oregon's highways and interstates are the main

source of trafficking from out-of-state and Mexican meth labs. Without troops on the road to intercept the carriers, Oregon's meth epidemic has a constant and uninterrupted source.

### Because of severe budget cuts, the Oregon State Police has the fewest troopers per capita of any state.

We have the best chance in years to restore some of our lost funding when the state legislature reconvenes in January. We are ready to turn the corner.

**Measure 48 would mean even fewer state troopers. This means less response when there is trouble on the road, less ability to catch drunk drivers, more criminals on the loose, and more meth in Oregon.**

Measure 48 would mean that the gains the Oregon State Police are making would be immediately blocked. Measure 48 is so poorly written that it could go into effect immediately—cutting the already skeleton crew we have now.

**Our budget is so tight there are times in the middle of the night where there are no troopers on the road and the meth traffickers know it.**

### The Oregon State Police Officers' Association says vote NO on Measure 48.

For more information on the Measure 48 impact to public safety in Oregon  
go to

[www.DefendOregon.Org](http://www.DefendOregon.Org)

Jeff Leighty  
President, Oregon State Police Officers' Association

*(This information furnished by Jeff Leighty, President, Oregon State Police Officers' Association.)*

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## Argument in Opposition

### Oregon's University Presidents ask you to join them in voting NO on Measure 48

Measure 48 is nearly identical to a constitutional amendment that Colorado operated under for more than a decade. It forced deep and untargeted cuts to education, health care and public safety.

Colorado's version of Measure 48 resulted in its decline from 35th place to 48th place nationally in the funding it provided to its public colleges and universities.

If Measure 48 had been in effect in Oregon over this same period we would be operating today with 25% less funding for our students and for our extension services to farmers, ranchers and foresters.

-- That is \$300 million less than we have today.

In Oregon, Measure 48 will have an immediate effect. More than \$2 billion will be taken from the 2007-09 budget. Nearly \$5 billion will be taken from the next biennium.

### We've learned a lesson from Colorado: Vote NO on Measure 48.

Daniel O. Bernstine\*  
President, Portland State University

Edward J. Ray\*  
President, Oregon State University

Dave Frohnmayer\*  
President, University of Oregon

# Measure 48 Arguments

Martha Anne Dow\*  
President, Oregon Institute of Technology

Dr. Khosrow Fatemi\*  
President, Eastern Oregon University

John Minahan\*  
President, Western Oregon University

Elisabeth Zinser\*  
President, Southern Oregon 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 Lisa Zavala.)

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## Argument in Opposition

### Read the Fine Print

#### The Oregon Consumer League Urges a NO Vote on Measure 48

**Measure 48 was paid for by a wealthy New York developer who does not have the best interests of Oregon at heart.** Howard Rich, a powerful New York businessman has spent more than \$7 million on ballot measures across the country. Rich has spent more than \$1 million on ballot measures in Oregon and provided 85% of the funding to put Measure 48 on the ballot. (Source: *The Oregonian*. "New York money colors Oregon ballot." August 4, 2006)

**Even the Measure Sponsors Admit it Will Not do What They are Promising.** In a legal explanation to the state about Measure 48, here's what the measure sponsor said:

"Notice, in and of itself, the amendment does not create a rainy day fund. That is the province of the legislative assembly."  
Measure 48 Chief Sponsor Don McIntire  
Letter to the Secretary of State, Elections Division  
August 9, 2004

**This measure is so vague, confusing and poorly written that the official fiscal impact committee was unable to determine when it will go into effect.** Measure 48 could be retroactive, which means it would cut \$2.5 billion from the budget already passed and \$4.9 from the 2007-2009 budget.

**Read the fine print: Measure 48 will do nothing to solve the real problems with Oregon government.** The biggest problem with Oregon's budget is the influence of special interests. We need ethics laws that will hold lobbyists and lawmakers accountable and keep influence peddling in check.

#### Measure 48 is not what it seems Vote NO on Measure 48

Oregon Consumer League

(This information furnished by Jason Reynolds, Oregon Consumer League.)

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## Argument in Opposition

**League of Women Voters of Oregon urges you to vote "No" on Measure 48.**

**Measure 48's proposed constitutional amendment would be a fiscal policy nightmare for Oregon.**

Unavoidable cost increases for healthcare, senior services and prisons would mean cuts to other programs like schools and public safety. This proposal ignores the fact that government spending does not keep pace with population and inflation during a recession; therefore, state spending would fall farther and farther behind with each economic cycle.

**Measure 48 is poorly written.** With no effective date for implementation, it could require retroactive cuts in the current General Fund budget. Because of this defect, the Voters' Pamphlet fiscal impact statement has two scenarios to indicate the decreased revenues for both 2005-07 and subsequent biennial budgets.

**Oregonians should be concerned about these facts about Measure 48:**

1. It is an amendment to the Oregon Constitution, so its problems and unintended consequences would be difficult to change.
2. It has no guidelines for accountability or spending priorities.
3. 85% of the funding for the initiative came from just one person, New York developer Howard Rich, not from Oregonians.
4. Coloradans voted to suspend a similar spending cap last November. The cuts to state schools, healthcare and public safety were so devastating that the former governor, a previous supporter of the limits, led the campaign for its suspension.

The League of Women Voters of Oregon, a nonpartisan political organization that encourages informed participation in government, opposes Measure 48 because of its dire consequences for Oregon's future.

**Please join the Oregon League of Women Voters in voting "No" on Measure 48.**

**Margaret Noel  
President,  
League of Women Voters of Oregon**

(This information furnished by Margaret Noel, President, League of Women Voters of Oregon.)

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## Argument in Opposition

Governor Kulongoski Urges a No Vote on Measure 48

I ask all Oregonians to join me in rejecting Measure 48.

Now that our economy is improving, we are moving forward again – to make our schools better for our children, to make health care more affordable and accessible for our working families and to update the infrastructure that our businesses need to create and sustain good jobs.

We have worked hard to get our economy back on track and to repair the damage done to our schools, human services and public safety programs from the revenue losses we suffered during the last recession.

**Measure 48 will derail these efforts.** Just when our economy is recovering, Measure 48 will take us back to the days when schools had to close early, courts were cut back to four days a week, and we couldn't afford to maintain coverage for

# Measure 48 Arguments

thousands of low-income working families in the Oregon Health Plan.

The citizens of Colorado learned a tough lesson under a measure very similar to this one – their roads deteriorated, high school graduation rates declined and fewer children received needed vaccinations. That’s why the governor of Colorado led the successful effort to suspend this measure in that state.

We should learn from our experience in Oregon and from the experience of other states that have adopted arbitrary limits on public services.

We cannot afford to cut billions of dollars from a budget that is barely adequate to support our schools, senior services, health care and public safety. But that is exactly what Measure 48 will force us to do.

Please join me in voting No on Measure 48.

Ted Kulongoski  
Governor

*(This information furnished by Governor Ted Kulongoski.)*

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## Argument in Opposition

Regarding the practical impacts of Ballot Measure 48, we can’t speak for everyone and everything, but we’d like to talk about public safety.

“We” are AFSCME — the American Federation of State, County and Municipal Employees. We have a vested interest in public safety, as we represent the corrections officers and other staff at most state prisons. And we can tell you things that the Department of Corrections, as a state agency, isn’t allowed to do in a political campaign.

There’s no argument that Measure 48 would reduce available revenue by \$1.1 billion — it’s (mostly out-of-state) supporters are hanging their hats on that number. The \$1.1 billion “saved” by Measure 48 would all come from the General Fund, and in Oregon, most of the General Fund goes to K-12 education and public safety.

Unfortunately, our prison population is growing more rapidly than our general population rate. Consequently, we’re building more state prisons. The newest one is the Deer Ridge prison in Madras, which will house 1,884 inmates.

So here’s the question: Do we want the same debacle at the state level we’ve seen in Multnomah County with the Wapato Jail? Do we want to build Deer Ridge and then have it sit there empty, because there’s no money to staff it? Give almost 2,000 potential state inmates a free pass? Because that’s the kind of impact Measure 48 could have. Deer Ridge will be built, because construction comes primarily from state bonds. But running the prison once it’s built is a General Fund function, and Measure 48 will pull that \$1.1 billion right out of the General Fund.

Is this a scare tactic? Yes! **Because it’s a scary fact that people who should be in prison won’t be in prison if Measure 48 passes.** If you’re not scared, you should be.

Measure 48 is a bad idea for lots of reasons. Its impact on public safety is one of them.

**Vote NO! on Ballot Measure 48.**

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

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## Argument in Opposition

### The Oregon Medical Association Urges You to Vote NO on Measure 48

Measure 48 would impose a mandatory limit on state spending for critical services. The Oregon Medical Association asks you to vote NO because:

1. **M48 would force deep cuts to public services.** The measure would remove \$1.1 billion from the budget, and schools are already in serious trouble. Children, seniors and the poor would be particularly at risk because education, the Oregon Health Plan and other services would be on the budget chopping block.
2. **M48 formula is flawed.** The formula assumes that increases in the state’s population and inflation are the only reasons a state may need to increase spending. However, we know our population is aging and as such, will require more expensive health care. The TABOR formula ignores the real cost of sustaining state services.
3. **Learn from Colorado’s mistakes.** Colorado passed a similar measure, but it had such a dramatic and negative impact on education, health and road repair that they suspended the law.

**Please Vote NO on Measure 48.**

Andris Antoniskis, M.D.,  
President, Oregon Medical Association

*(This information furnished by Andris Antoniskis, M.D., President, Oregon Medical Association.)*

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## Argument in Opposition

### The Oregon Library Association urges a NO vote on Ballot Measure 48

The Oregon Library Association believes that every Oregonian – from children to senior citizens- should have access to a library.

### Ballot Measure 48 would limit students’ access to libraries.

Measure 48 will reduce available funds by up to \$1.1 billion a year for education, health care and other important priorities. Oregon’s school libraries have already been hurt by cuts to education funding. The number of school librarians has plummeted from over 800 in 1980 to less than 400 today. Measure 48 is a threat to Oregon’s remaining school libraries.

### Ballot Measure 48 has unintended consequences for local libraries.

Public libraries would feel the pinch as local governments struggle with dramatic cuts in state funding as a result of Measure 48. Faced with funding vital health care and public safety programs, local governments may be forced to reduce library budgets, closing branch libraries, reducing hours, and cutting programs that help children learn to read.

### Ballot Measure 48 would cut community college and university libraries.

The flawed formula that Measure 48 would write into Oregon’s Constitution has been and tried, and it failed. After 13 years

# Measure 48 Arguments

under this formula, Colorado's education systems have been decimated with its university system dropping to 48th in funding. Measure would force deep cuts to our state's university system. This would mean that students would see cuts to campus libraries which are essential to a quality education.

**Please join members of the Oregon Library Association in voting No on Ballot Measure 48.**

*(This information furnished by Janet Webster, The Oregon Library Association.)*

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## Argument in Opposition

The Chalkboard Project ([www.chalkboardproject.org](http://www.chalkboardproject.org)) is working to improve Oregon's K-12 public schools.

Chalkboard has developed a package of proven reforms to significantly raise student achievement. Our recommendations include specific changes to improve efficiency and save money, and key investments to improve student learning. Our proposals will ensure more high-quality teachers and administrators in every school, provide more learning support for young children, increase school system financial accountability, and strengthen school funding.

We are a non-profit, non-partisan organization, led by Oregon's largest charitable foundations. Our only agenda is to strengthen Oregon's public schools. It is highly unusual for Chalkboard to take a position on any ballot measure.

However, our independent view of Ballot Measure 48 is that it is an extraordinary proposal that will harm Oregon's public schools. If enacted, Measure 48 will require dramatic cuts to school budgets. In this diminished condition, our schools could not make the educational reforms necessary to improve student learning and success.

If Measure 48 passes, we won't be able to afford educational reforms such as providing strong mentors to all beginning teachers and administrators, or helping schools find ways to save money through better purchasing practices and performance audits. And extra support young children need, such as smaller class sizes and one-on-one reading tutoring, will be out of reach.

We count on our public schools to provide each child with a quality education and a chance at a successful future. Schools also must be accountable to taxpayers, and we know they're trying to do just that. Chalkboard is helping with that effort through our OpenBook\$ project, which provides Oregonians with information about how school dollars are spent in each local district ([www.openbooksproject.org](http://www.openbooksproject.org)).

We oppose Ballot Measure 48 because it would undermine our public schools' ability to do their job, and make it even more difficult to implement proven educational reforms that can dramatically improve our schools and better prepare our students for college, work and life.

*(This information furnished by Charlie Walker, Chairman, Chalkboard Project Board of Directors.)*

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## Argument in Opposition

**We are Oregon businesses.  
We believe in Oregon's future.  
That's why we ask you to vote no on Measure 48.**

## Let's stop Measure 48 before it starts

Colorado businesses led the charge to suspend a Measure 48 style constitutional amendment in their state because it was undermining their economy. We cannot allow Oregon to make that same mistake.

**Measure 48 is vague, complicated and could be retroactive.** Measure 48 imposes at least \$2.2 billion worth of cuts from the next state budget with no direction as to where those cuts will be made. And according to the fiscal impact statement, the cuts could be even deeper and more extreme if Measure 48 is retroactive.

Here's what happened in Colorado under that state's version of Measure 48:

### Transportation:

Businesses need good roads and infrastructure to compete in today's global economy. But in Colorado, things got worse.

- In Colorado, road conditions worsened. By 2001, 73% of Colorado's roads ranked as being in poor condition.
- Colorado spends far less than other states to improve road conditions. It ranks 44th in the country.

### Education:

Oregon companies need an educated, world-class workforce. But in Colorado education from kindergarten to the higher education system suffered under their version of Measure 48.

- Spending on K-12 education dropped from 35th to 49th in the nation.
- Average teacher salary compared to average pay in other occupations declined from 30th to 50th in the nation
- Higher education funding dropped from 35th to 48th in the nation
- Higher education funding per resident student dropped by 31 percent after adjusting for inflation

**Cutting vital services is not the way to increase accountability.**

**We cannot allow Oregon to go backwards.**

**We ask you to join us in voting NO on Measure 48.**

Deschutes Medical Products, Inc.  
Bend

Blackledge Furniture  
Corvallis

Intel Corporation  
Hillsboro

Medford Fabrication  
Medford

Hewlett-Packard Company  
Corvallis

*(This information furnished by Jill Eiland, Intel Corporation.)*

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## Argument in Opposition

**Measure 48  
will not increase government accountability  
or efficiency**

**It will mean deep, untargeted cuts that undermine  
Oregon's economy**

The Beaverton and Hillsboro Chambers of Commerce expect accountability, efficiency and sound fiscal management at all levels of government and believe leadership and elected officials bear the responsibility for this management.

\$2.2 billion worth of cuts in education, health care and public safety funding will not make Oregon's government more accountable.

# Measure 48 Arguments

Instead, it will hurt the things that Oregon's businesses count on – a strong public education system, adequate transportation systems, and a health care system that does not shift costs to employers.

Under Measure 48 in Colorado:

- Colorado's job rate lagged behind the other mountain states;
- Colorado's transportation system declined;
- Colorado's K-12 funding dropped to among the lowest in the country; and
- Colorado's tuition rates increased as state support dropped dramatically.

**That's why in Colorado the Chambers of Commerce led the effort to suspend the state's version of Measure 48.**

We have carefully reviewed Measure 48. There is nothing in the language that will add much-needed accountability to our state government. Instead, Measure 48 will push Oregon backwards.

**The unintended consequences of Measure 48 are serious.**

**Measure 48 is the wrong solution.**

**The Beaverton and Hillsboro Chambers of Commerce Urge you to Vote NO on Measure 48**

*(This information furnished by Lorraine Clarno, President, Beaverton Area Chamber of Commerce; Deanna Palm, Hillsboro Chamber of Commerce.)*

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## Argument in Opposition

A SPECIAL MESSAGE FROM PETE SORENSON

Dear Oregon Voter,

Hello, I'm Pete Sorenson, Lane County Commissioner, former Oregon State Senator and former Democratic candidate for Governor. I'm writing to urge you to vote against Measure 48, the proposed state spending limit.

I grew up in Coos County, Oregon, graduated from North Bend High School and Southwestern Oregon Community College, and earned three degrees at the University of Oregon. I worked in Congress and for the Carter Administration before practicing law in Eugene for 15 years. I served in the Oregon State Senate for four years and I've been a Lane County Commissioner for the past ten years. I also have two children attending college and both are graduates of South Eugene High School.

Measure 48 attacks Oregon's public schools, the Oregon State Police, the Oregon Health Plan and the senior and disabled among us. The state spending cap proposed by Measure 48 would drastically cut funding to these already under-funded and essential services by capping state spending based upon misleading estimates of population growth and rate of inflation. Measure 48 is such a disaster in the making, prominent leaders from both parties have spoken out against it. Voters passed a similar measure in Colorado only to repeal it ten years later after witnessing its devastating impact. Oregonians cannot afford to make this same mistake.

Measure 48 is supported by out-of-state money, funded by people who don't live here and who don't need these services, but Measure 48 is devastating for the people in our state who need or will need the services.

Make no mistake: there's a culture war here and Measure 48's backers see a goldmine, except they get the gold and we get the shaft.

Thanks,

Pete Sorenson  
PO Box 10836  
Eugene, Oregon 97440  
[www.petesorenson.com](http://www.petesorenson.com)

PS. If you're opposing this measure, please email me at [info@petesorenson.com](mailto:info@petesorenson.com) or write me to let me know. We've got to work together to defeat this measure!

*(This information furnished by Pete Sorenson.)*

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## Argument in Opposition

Mayors and city leaders from throughout Oregon, urban and rural, Democrat and Republican **strongly oppose Measure 48.**

**Measure 48 is bad for cities.** It will ultimately limit your city's ability to provide essential services.

Measure 48, another ill conceived initiative, will rip billions from the state's budget, crippling education, health care, corrections, and other essential state services. Furthermore, state shared revenues, essential to cities of all sizes will dry up. These cuts to state programs and shared revenues will hinder each of our cities efforts at economic development, job creation, public safety services, etc. This measure, in some cases, will force the state to turn away federal money.

**Protect your city. Support our state.**

**Vote NO on Measure 48.**

A list of Mayors opposed to Measure 48:

Mary Schamehorn, **Mayor of Bandon**  
Rob Drake, **Mayor of Beaverton**  
Pat Sherman, **Mayor of Brookings**  
Tony A. Paulson, **Mayor of Cave Junction**  
Cheryl Young, **Mayor of Columbia City**  
Jim Fairchild, **Mayor of Dallas**  
Jackie Brons, **Mayor of Dayton**  
C. Diane Ragsdale, **Mayor of Dundee**  
Irving E. Nuss Jr., **Mayor of Enterprise**  
Robert J. Austin, **Mayor of Estacada**  
Mike Weatherby, **Mayor of Fairview**  
Charles J. Becker, **Mayor of Gresham**  
Bob Severson, **Mayor of Hermiston**  
John McArdle, **Mayor of Independence**  
Dale De Long, **Mayor of Island City**  
Michael D. Myers, **Mayor of Jefferson**  
Lori Hollingsworth, **Mayor of Lincoln City**  
Gary R. Zieg, **Mayor of Malin**  
Dennis Ross, **Mayor of Maupin**  
Thomas C. Bauman, **Mayor of Mt. Angel**  
Shirley Kalkhoven, **Mayor of Newhalem**  
Robert V. Stewart, **Mayor of Newberg**  
Alice Norris, **Mayor of Oregon City**  
Janet Taylor, **Mayor of Salem**  
Craig E. Dirksen, **Mayor of Tigard**

*(This information furnished by John McArdle, City Leaders of Oregon PAC.)*

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# Measure 48 Arguments

## Argument in Opposition

THE OREGON ASSOCIATION OF REALTORS® OPPOSES  
MEASURE 48

### **The Oregon Association of REALTORS®, asks you to please vote NO on Measure 48.**

The Oregon Association of REALTORS® is the trade association for Oregon's REALTORS®, real estate professionals who help Oregonians achieve the American Dream of homeownership.

As REALTORS®, we have a strong and vested interest in Oregon's quality of life. Strong communities invest in an infrastructure, such as roads and schools, that support the needs of its citizens. Measure 48 would amend the Oregon Constitution by arbitrarily limiting state spending to a pre-set formula without regard to what citizens' needs would be in the future.

Top priority among our members is to help Oregonians achieve the dream of homeownership. State programs, such as the Oregon Bond program, have already been suspended in the event Measure 48 passes. This program has a long history of helping low and moderate income people buy their first home by providing them with low interest financing and cash assistance. Oregon REALTORS® support this program because it helps over 1,000 families a year achieve the American Dream. Measure 48 would jeopardize the future of this program.

Measure 48 will have negative impacts on Oregon's economy. A large portion of the state budget goes toward transportation infrastructure such as roads, bridges, waterways, railroads and airports. This infrastructure is essential to transporting goods and services, a necessary requirement for future business development in our State. Measure 48 will significantly reduce the funds that are used to maintain this infrastructure, putting our future at risk.

Finally, Measure 48 will cause drastic cuts to schools and higher education, undermining our public education system. Skilled workers and a strong educational system are essential to attracting business investment in Oregon. As Oregon's economy begins to rebound, don't risk our future with this approach.

**Please vote NO on Measure 48.**

*(This information furnished by Jeremy Starr, President, Oregon Association of REALTORS.)*

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## Argument in Opposition

### **The Real Estate Community says "No on 48"**

The challenges faced by low- and moderate-income homebuyers in today's real estate market are significant.

Since 1977, homebuyers in Oregon have been able to turn to the Oregon Housing and Community Services Department Residential Home Loan Program (AKA the Oregon Bond loan) to make the dream of homeownership a reality. Through this program, in partnership with the State, participating lenders have been able to offer low- and moderate-income homebuyers an affordable fixed interest rate home loan. In the last 2 years alone, the Oregon Bond program has helped 2,500 individuals and families purchase their homes.

**Taking not a penny from the State's General Fund—this program entirely self-funds.** The interest paid by borrowers on the loans made covers all interest payments on the bonds issued to fund the program as well as the administrative costs for promoting and running the program plus paying for home buyer education.

**The mere specter of the uncertainty generated by Measure 48 was enough for the State Treasurer to suspend issuing bonds for the Oregon Bond program,** pending the outcome of this election. It will be a tragedy if this worthy program cannot be reinstated.

Whatever else Measure 48 may or may not do, it will certainly pull the rug out from under thousands of deserving low- and moderate-income Oregonians dreaming of owning a small piece of Oregon to call "home".

### **Homeownership is a good thing for Oregon—for our economy, for our communities, for our families.**

The **over 200 members** of the Oregon real estate community—lenders, Realtors, homebuyers and their friends, families and advocates—wished to sign this statement but due to limitations of space their names cannot be shown.

**Please join all of us and vote "No" on Measure 48.**

*(This information furnished by Julee Felsman.)*

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## Argument in Opposition

### **Oregon Food Bank Opposes Measure 48**

#### **Don't Let Oregon Slide Backwards**

#### **Measure 48 Hurts Families Struggling to Make Ends Meet by Cutting Vital Services**

About 90% of Oregon's budget goes to fund schools, senior services, health care and public safety. Measure 48 will cut \$1.1 billion a year from the state budget, which will mean cuts and reductions. The families who experience hunger and poverty are the same families that are in most need of the vital public services our state provides.

Cutting vital services will not force government to be more accountable. Instead, it punishes low-income Oregonians and seniors on a fixed income.

#### **Measure 48 Hurts Our Most Vulnerable Citizens with Unintended Consequences**

The unintended consequence of Measure 48 is that government will be forced to reduce services for our most vulnerable citizens: low-income families, children and senior citizens on fixed incomes.

But all segments of society will suffer – particularly our children as schools are forced to make devastating cuts.

#### **Measure 48 Takes the State Backward**

Last year, the Oregon Food Bank Statewide Network distributed more than 750,000 emergency food boxes through emergency food pantries. More than 50% of the households receiving emergency food boxes have at least one child in the household and more than 40% of these households have at least one working adult.

We are starting to turn the corner on the hunger crisis in Oregon, but Measure 48 is a huge step in the wrong direction. Oregon's economy is just now recovering from the recession. We are just starting to fund our vital services at adequate levels. Let's not go back to the days when Oregon led the nation in hunger.

#### **Join Oregon Food Bank in Voting No on Measure 48**

#### **Because No One Should Be Hungry**

Ronald W. Johnson, Chair  
Oregon Food Bank Board of Directors

# Measure 48 Arguments

(This information furnished by Ron Johnson, Board Chair, Oregon Food Bank Board of Directors.)

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## Argument in Opposition

### **Measure 48 Constitutional Amendment Will Cost Us More in the End**

#### **Measure 48:**

- **85% funded by a special interest from outside of Oregon**
- **Got to the ballot using fraud**
- **A gift to special interests**
- **Retroactive and complicated**
- **Deep cuts to education, health care and public safety**

#### **Measure 48: Forced on Oregon by New York Developer Howard Rich**

Howard Rich is a wealthy developer from New York who paid for 85% of the funding to amend Oregon's Constitution.

#### **Measure 48: Out-of-state interest used fraud to put it on the ballot**

Circulators are under investigation for violating Oregon's ban on payment-per-signature and misleading voters. If this measure lied and cheated its way onto the ballot, it can't be good for Oregon.

#### **Measure 48: A gift to special interests**

The biggest problem with Oregon's budget is the influence that powerful special interests have. We need tough new ethics laws that ban gifts and perks to weaken their influence.

#### **Measure 48 is retroactive and complicated**

This measure is so poorly written that it could be retroactive, meaning that it would force immediate cuts to Oregon's schools, public safety, health care and other public services. It will be up to the courts to decide.

#### **Measure 48 hurts education, public safety and health care**

Our kids deserve classrooms and teachers that will help them learn and prepare them for the future. Measure 48 means deep and arbitrary cuts to services with no guidelines or plans in place. Continuing to cut vital services will not force government to be more accountable.

#### **Measure 48 will cost us more in the end**

Measure 48 would have a boomerang effect—one way or another, working people will end up paying for cut services. Whether it's for more fees or for higher costs out-of-pocket, we are going to pay.

#### **Oregon's Union Movement urges you to vote NO on Measure 48**

Tom Chamberlain  
President  
Oregon AFL-CIO

Barbara Byrd  
Secretary-Treasurer  
Oregon AFL-CIO

(This information furnished by Tom Chamberlain, President, Oregon AFL-CIO.)

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## Argument in Opposition

### **Oregon Nurses Association Urges a "NO" vote on Measure 48**

#### **We Can't Afford to Take a Step Backward When it Comes to Health Care**

Over the last few years, Oregon has experienced deep cuts to its public health system. Thousands of Oregon families have lost health coverage.

Nurses on the front lines of our health care system have seen:

- Illnesses like the flu going untreated and spreading unchecked
- Patients unable to afford routine check-ups who end up in the emergency room
- Cuts to nursing programs at our universities and community colleges
- Cuts to School Based Health Centers that provide care to low-income children

#### **Ballot Measure 48 Means Vital Health Programs and Services Will Be Cut Again**

Oregon needs to focus our health care resources on prevention. The cuts to public health programs caused by TABOR will result in many Oregon families losing basic health services. In fact, under TABOR, Colorado lost the ability to adequately provide even the most basic prevention services like immunizations to children.

#### **Ballot Measure 48 Guarantees We'll Pay More For Health Care in Hidden Costs**

Private employers are already experiencing premium increases of 14% or more. As a matter of fact, about \$1200 of every family's health insurance premium already goes to pay the costs of uninsured patients.

These increases will be even more dramatic as unreimbursed health care costs get passed along to businesses. As more small businesses can't provide health insurance, the number of employees without health care coverage will grow.

One way or another, we all end up paying for the cuts to health care.

#### **Measure 48 builds in a blueprint for failure from the start.**

As nurses, employers and as Oregonians, we care about our state and urge you to vote NO on this measure.

Susan King, RN, Executive Director, Oregon Nurses Association  
Board of Directors

Virginia Pecora, RN Eugene      Susanna Rhodes, RN Aloha  
Patricia DeShazer, RN Lakeview      Nancy McGrath, RN Medford

(This information furnished by Martin Taylor, Oregon Nurses Association.)

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## Argument in Opposition

As school board members from around the state, we serve communities large and small. Our kids go to school in urban and rural districts. They come from families from all walks of life.

But one thing that all Oregon kids have in common - They deserve a quality education with small class sizes and full school years.

# Measure 48 Arguments

**Measure 48 will make it harder for kids to learn and succeed in school.**

**Measure 48 cuts \$2.2 billion from the state budget,** resulting in drastic cuts to schools all around Oregon. This Constitutional Amendment is so confusing that it may even be retroactive – schools and other important services may lose money they’ve already budgeted for.

**Measure 48 is a Flawed Formula that would make Oregon’s classrooms unrecognizable.** It happened in Colorado, where under the same flawed formula, K-12 education funding dropped to 49th in the nation.

Under Measure 48’s Flawed Formula, what would this mean for your local school?

- Portland loses \$51.9 million – equal to 645 teachers
- Bend-La Pine loses \$15.2 million- equal to 201 teachers
- Corvallis loses \$7.35 million – equal to 43 days or 107 to 140 teachers
- Beaverton loses \$38.02 million – equal to 36 days or 551 teachers
- North Clackamas loses \$17.6 million – equal 43 days or 239 teachers
- Medford loses \$13.737 million – equal 43 days or 174 teachers
- Pendleton loses \$3.53 million - 39 days or 59 teachers

## Support Our Schools Join us in Voting No on Measure 48

Bill Smith, School Board Member  
Bend-LaPine Public Schools

Scott Reynolds, School Board Chair  
Bend-LaPine Public Schools

Karen Cunningham, Member  
Beaverton School Board

Elizabeth Scheeler, School Board Member  
Pendleton Public Schools

Bobbie Regan, School Board Member  
Portland Public Schools

David Wynde, School Board Member  
Portland Public Schools

Craig Smith, School Board Member  
Eugene Public Schools

Beth Gerot, School Board Member  
Eugene Public Schools

Amy Amrhein, School Board Member  
Ashland Public Schools

Heidi Parker, School Board Chair  
Ashland Public Schools

*(This information furnished by Morgan Allen, Defend Oregon Coalition.)*

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## Argument in Opposition

As Oregonians, we have a deep respect for our State Constitution. I believe that we should give very careful consideration to any ballot measure that would amend or change this important document. I am urging my fellow Oregonians to vote “No” on this poorly written, ill-conceived Constitutional Amendment.

Measure 48 is yet another complicated, confusing Constitutional Amendment which will have grave results for every Oregonian. The citizens of Colorado lived under this measure

for 13 years. They became so frustrated with the devastating impacts on their schools, their roads, their health care system and their ability to provide safe communities that they voted to suspend the so-called TABOR measure last November.

Measure 48 is part of a campaign by out-of-state special interests. Oregon is part of a multi-state ideological campaign to cut vital public services. These out-of state special interests seem to have no regard for the health and welfare of Oregonians.

Measure 48 would insert a flawed formula into Oregon’s Constitution. It creates an artificial spending limit that is simply bad math and poor accounting. Measure 48 ignores the real costs of sustaining vital public services like public schools, health care programs for children and seniors, infrastructure like roads and bridges and public safety.

Measure 48 has serious, unintended consequences. This measure is so poorly written, that it could apply retroactively and force immediate cuts to programs that have already been budgeted for. Oregon’s most vulnerable and at-risk citizens would be put in harm’s way immediately.

Measure 48 moves Oregon in the wrong direction. Our state economy is recovering from one of Oregon’s worst recessions. Measure 48 would take us back to a time when seniors were denied access to life-saving medication and school doors closed early.

Let’s keep Oregon moving forward. I urge you to read your Voters’ Pamphlet closely and consider the facts.

Please join me in voting “No” on Ballot Measure 48

Ron Wyden  
United States Senator

*(This information furnished by Becca Uherbelau, Communications Director, Defend Oregon Coalition.)*

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## Argument in Opposition

### Oregon’s Leading Senior Groups Urge a “No” Vote on Ballot Measure 48

In Oregon, we care about seniors and our most vulnerable citizens. We know the importance of providing life-saving health care and quality in-home care to seniors and the disabled.

### Ballot Measure 48 inserts a flawed formula into Oregon’s Constitution

Measure 48’s flawed formula poses a special threat to health and senior care. Health care costs are rising at a faster rate than Measure 48 accounts for. Over the next twenty years, the senior population will rise at three times the rate of the general population. Measure 48 prohibits the state from adjusting to these realities, leading to drastic cuts to health and senior care – just one of the many unintended consequences of Measure 48.

### Measure 48 would leave Oregon seniors, disabled and low-income children behind

Measure 48 cuts at least \$2.2 billion from next year’s budget. This would force cuts in education, health care, and public safety.

What would it mean for Oregon’s children and seniors?

- Elimination of long-term care for 6,800 seniors and people with disabilities, including 1,200 people in nursing homes and 3,000 people receiving in-home care or;
- Elimination of health care services for over 100,000 Oregonians - including 60,000 children or;
- Elimination of paying Medicare premiums for over 19,000 seniors.



# Measure 48 Arguments

## Ballot Measure 48 is a complicated, Constitutional amendment that failed in Colorado

Under the same flawed formula, Colorado experienced a devastating impact on education and health care services.

- The percentage of low-income children without health insurance nearly doubled.
- Colorado was 50th – dead last - in vaccinations for children.
- Colorado's dropped to 48th in access to prenatal care.

### Let's Learn from Colorado's Mistake. Vote "No" on Measure 48

Oregon Alliance for Retired Americans  
Save Oregon Seniors Coalition (SOS)  
Advocacy Coalition of Seniors and People with Disabilities  
Oregon Alliance of Senior and Health Services  
Gray Panthers  
United Seniors of Oregon  
Oregon State Council for Retired Citizens

*(This information furnished by Jim Davis, Oregon State Council For Retired Citizens.)*

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## Argument in Opposition

### Help Keep Higher Education Affordable for Oregonians Vote No on Ballot Measure 48

Community colleges and our state universities have traditionally provided an affordable educational option for many working Oregonians.

### But Ballot Measure 48's flawed formula would gut the community college and higher education system.

Ballot Measure 48 would force deep cuts in higher education in Oregon – just like it did in Colorado.

After 13 years under the same flawed formula, Colorado saw a steep decline in investments in higher education.

- College and university funding declined from 35th to 48th in the nation
- Higher education funding dropped by 31 percent
- Community College tuitions increased by 21 percent

Oregon has already seen a dramatic disinvestment in higher education – with funds for higher education cut in half in the past decade. Oregonians have seen tuition skyrocket.

### Measure 48 would make a bad situation worse.

And if the measure were to pass, there isn't anything our colleges and universities could do to make the situation better. Ballot Measure 48's flawed formula would punish all colleges if they chose to raise tuition to support programs. This means that colleges would be forced to make hurtful program cuts.

Eliminate programs. Deny students. Close campuses.

Ballot Measure 48 would make it impossible to reinvest in higher education.

Measure 48 would **cut \$1.1 billion a year** from the state's budget which would devastate education, health care and public safety. The Constitutional amendment is so poorly written and confusing that it may even be retroactive – meaning that schools and other vital services may lose money they've already budgeted for.

The 11,000 education and health care professionals of the American Federation of Teachers-Oregon believe that every Oregonian should have access to quality educational opportunities at a price they can afford.

## One thing is clear - Oregon can't afford Ballot Measure 48.

### Please join us in Voting No on Ballot Measure 48

Mark Schwebke, President  
American Federation of Teachers - Oregon

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

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## Argument in Opposition

### Keep Oregon Moving Forward Vote "No" on Ballot Measure 48

**Measure 48 would take Oregon in the wrong direction by cutting funding for Oregon's schools and other vital public services.** Our communities are just beginning to recover and continued economic progress depends on stability in our schools.

**Putting Measure 48 in Oregon's Constitution would create a permanent revenue shortfall for public schools.** As Oregonians who are proudly educating our children in public schools across our state, we have seen the damage done by the recent cuts to education, and by the impact of uncertain funding. Our schools are just beginning to recover.

**Measure 48 would cut more than \$1.1 billion a year from the state budget.** That would ensure that Oregon couldn't invest in education.

**Everyone knows that if our kids don't get a high quality education, and our workforce isn't highly trained, our economy can't compete in the global markets.** We need more investment in the future of our state not less -- unless we want our economy to move backward rather than forward.

**Our kids don't deserve an education that ranks 49th in the nation.** We saw it happen in Colorado. Under the same flawed formula as Measure 48, Colorado saw investments in education plummet – dropping funding levels for K-12 education to 49th in the nation. Our kids and our economy can't afford it.

**Oregon's continued economic recovery depends on a stable education system and good schools.** We have not yet recovered from the cuts to programs and services caused by the recent recession. Measure 48 would assure that our kids continue to struggle in overcrowded classrooms and suffer through shortened school years.

The 20,000 educational employees of the Oregon School Employees Association urge you to join us in our efforts to keep Oregon moving in the right direction.

### Vote No on Ballot Measure 48

Merlene Martin, President, Oregon School Employees Association

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

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# Measure 48 Arguments

## Argument in Opposition

### Keep Criminals in Jail Vote "No" on Ballot Measure 48

Across Oregon, District Attorneys work hard to put violent offenders in jail. Oregonians want to be assured that once a criminal is convicted, they will serve their time and be off the streets.

#### Measure 48 threatens our ability to keep our neighborhoods safe.

This Constitutional Amendment creates huge holes in the state budget. Measure 48 will cut at least \$2.2 billion from next year's budget cycle.

If Oregon had been operating under Measure 48's flawed formula since 1990, what would this mean for the safety of your community?

- Identity theft and drug crimes wouldn't be prosecuted
- In Multnomah County alone, we would lose more than 32 parole and probation officers – making it harder to supervise sex offenders and meth dealers and producing a 10% increase in felony crime - 700 more county residents would be victims of a crime

#### Measure 48 is a flawed formula that will increase crime and guarantee a revolving door for criminals.

One of the most frustrating parts of our job is when we see the same faces over and over again in our court rooms. Under Measure 48, convicted criminals would continue to cycle through the system and not have to pay for their crimes because we wouldn't have enough money to keep them in prison.

What would Measure 48 do to our state prisons?

- It may force closure of eight institutions - impacting nearly 5,000 inmates; or,
- Cut alcohol and drug treatment, job training, religious services, administration and other support services by 25%

#### Ballot Measure 48 has dangerous unintended consequences.

If prisons close and treatment programs are eliminated we'll see more crime in our communities.

### Keep Oregon Safe Vote "No" on Measure 48

Tim Colahan  
Harney County District Attorney

Mark Huddleston  
Jackson County District Attorney

Eric J. Nisley  
Wasco County District Attorney

Doug Harclerod  
Lane County District Attorney

Michael Schrunk  
Multnomah County District Attorney

*(This information furnished by Becca Uherbelau, Communications Director, Defend Oregon Coalition.)*

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## Argument in Opposition

### Vote NO on Measure 48

#### Ecumenical Ministries of Oregon Opposes Measure 48

As a voice for many in the faith community and as a social service provider, we add our opposition to Measure 48. Without partnerships with the private sector and government, churches and faith-based charities would not have enough resources to serve all of society's most vulnerable populations. We all have a solemn responsibility to care for those who cannot do so for themselves.

**Ballot Measure 48's formula is faulty.** Population + general inflation aren't accurate predictors of social needs. The formula does not factor the actual inflation rates of many state services, like health care. The state would not be able to serve the record number of retiring baby boomers with specific health needs. Services like residential care, Oregon Project Independence, and the Oregon Health Plan would be cut in spite of the reality that the elderly population is growing faster than the general population.

#### What Happened In Colorado:

Colorado lived under the same measure for 13 years, and it forced deep cuts to public services. For example:

- Colorado ranks last (50th) in the nation in the share of children receiving vaccinations
- Colorado ranks 50th when it comes to low income children lacking health insurance
- Colorado ranks 49th in K-12 education funding
- Colorado ranks 48th in higher education funding

#### Even the best charitable efforts would not be enough if Measure 48 passes.

#### Signed by the Executive Committee of EMO

Rev. Alcena Boozer, St. Philip the Deacon Episcopal Church, Portland

Rev. Kent Harrop, First Baptist Church, McMinnville

Rev. Dr. Dan E. H. Bryant, (Disciples of Christ) First Christian Church, Eugene

Rev. Stephen Schafroth, St. Paul's Episcopal Church, The Dalles

Rev. Mark Knutson, Augustana Lutheran Church, Portland  
Trudy Bradley, (Disciples of Christ) First Christian Church, Portland

### Join with faith leaders in voting NO on Ballot Measure 48.

For more information on EMO's positions on ballot measures, go to [www.emoregon.org](http://www.emoregon.org).

*(This information furnished by Reverend Alcena Boozer, Board President, Ecumenical Ministries of Oregon.)*

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## Argument in Opposition

### The Oregon Business Association and Oregon Businesses OPPOSE

#### The Colorado Type of Spending Cap

### Vote NO on Measure 48

Under the same flawed formula, Colorado saw a sharp decline in the services businesses depend on:

Education  
Transportation  
Health care services

# Measure 48 Arguments

Oregon's businesses count on a well-education workforce, safe and expedient transportation systems, and a health care system that protects workers without unfairly shifting costs to employers.

The state of Colorado has firsthand experience with a Measure 48 type of constitutional amendment. Here is what happened:

## **K-12 Education Declined**

Spending on K-12 education dropped from 35th to 49th in the nation and the average teacher salaries compared to the average pay in other occupations, declined from 30th to 50th in the nation.

## **Higher Education Declined:**

Higher education funding dropped from 35th to 48th in the nation; and higher education funding per resident student dropped by 31%.

## **Transportation Infrastructure Declined:**

By 2001, 73% of Colorado's roads ranked as being in poor condition and Colorado spends far less than other states to improve road conditions. It ranks 44th in the country.

## **Health Care Declined:**

Colorado ranks dead last in childhood vaccination rates in the country and the number of uninsured children has increased dramatically.

## **Measure 48 is bad for businesses and for Oregon**

### **Please join us in voting NO on Measure 48**

James C. Carter, Nike Inc.  
Executive Committee  
Oregon Business Association

Wade Mosby, The Collins Companies  
Executive Committee  
Oregon Business Association

Lynn Lundquist  
President  
Oregon Business Association

Brian Gard, Gard & Gerber  
Executive Committee  
Oregon Business Association

*(This information furnished by Lynn Lundquist, President, Oregon Business Association.)*

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## **Argument in Opposition**

### **Hey, Howard Rich, what's your agenda for Oregon?**

Measure 48 is based on the constitutional amendment that hurt the state of Colorado. There, voters learned the hard way that cutting vital services is not the way to make government more accountable. Coloradoans voted to repeal this arbitrary spending formula earlier this year.

**Now, the same amendment has been exported to Oregon, thanks to one rich individual.** Howard Rich has provided 85% of the funding for the Measure 48 campaign. He paid to put it on the ballot and now Oregon voters have to deal with it.

**Measure 48 brought to Oregon by  
Howard Rich, who is a  
wealthy New York Developer:**

**Whose kids don't go to Oregon schools.  
Whose parents don't count on Oregon's senior services.**

## **Whose families do not need Oregon's public safety protection.**

But our kids do go to Oregon's schools.  
Our parents do count on Oregon's senior services.  
Our families do need Oregon's public safety protections.

## **That's why we are voting NO on Measure 48**

**Measure 48 will cut \$2.2 billion from the 2007-2009 budget.** Health care, senior programs, public safety and education cannot sustain those kinds of cuts without reducing services. Gutting vital services is not the way to hold government more accountable

**Measure 48 is the wrong solution.** We are the front-line workers who help deliver the vital public services we all count on every day. The real problem in Oregon is the influence that rich lobbyists have. We need tough new ethics laws that ban gifts and perks to weaken their influence. That's reform that will work.

## **The 40,000 members of SEIU, Local 503 urge you to vote NO on Measure 48**

Linda Burgin, Secretary-Treasurer  
SEIU Local 503, OPEU

*(This information furnished by Linda Burgin, Secretary-Treasurer, SEIU Local 503, OPEU.)*

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## **Argument in Opposition**

### **Oregon's Leading Health Care Advocates Say NO on Measure 48**

#### • **Measure 48 Has Unintended Consequences for Health Care in Oregon**

Measure 48's flawed formula is a threat to the health care of every Oregonian. Health care costs like prescription drugs and hospital visits are rising much faster than the measure will allow for. Factor in the needs of the baby boom generation and this flawed formula is a recipe for health care cuts.

Measure 48 also forces Oregon to give up billions of dollars in Federal funds to pay for health care programs children, seniors and low-income families count on.

#### • **Measure 48 Will Force Cuts to Health Care—Just Like it did in Colorado**

For 13 years, the citizens of Colorado lived under Measure 48's flawed formula. The results were disastrous:

- Colorado dropped to 48th in the nation in the percentage of pregnant women receiving adequate prenatal care
- Colorado ranks 50th in the share of children receiving full immunizations
- Colorado ranks 50th in the number of low-income children lacking health insurance

#### • **Measure 48 will increase Health Care Costs**

When health care is unaffordable for Oregonians, serious disease often goes undetected until someone is rushed to the emergency room or becomes so sick they have to see a doctor. Oregonians end up paying for this care through increased premiums—\$1258.00 is added to the average family health insurance premium to pay for uninsured care.

#### • **Measure 48 Will Hurt Rural Clinics and Hospitals**

Increases in the number of uninsured Oregonians put a real strain on our rural clinics and hospitals. We already have a nursing shortage in rural Oregon and Measure 48 will push many of these health care providers to the breaking point.

# Measure 48 Arguments

## Vote NO on Measure 48

American Cancer Society  
American Heart Association  
American Lung Association of Oregon  
National Association of Social Workers-Oregon  
Oregon Developmental Disabilities Coalition  
Oregon Rehabilitation Association  
Oregonians For Health Security  
Parkinson's Resources of Oregon

*(This information furnished by Morgan Allen, Defend Oregon Coalition.)*

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## Argument in Opposition

### Vote No on Measure 48

#### Measure 48's Flawed Formula Will Hurt Oregon Children

#### Join Stand for Children in Voting No on Measure 48 to prevent harm to Oregon's schools and our school children.

In Colorado, the same flawed formula proposed in Measure 48 devastated public schools.

- Colorado spending on K-12 dropped from 35th to 49th.
- Damage to their schools is just one reason Colorado voters recently chose to suspend the measure in their state.

Measure 48's flawed formula would create a **permanent revenue shortfall** that would **force schools to close their doors early, increase class size and lay off teachers.** Measure 48 could cut \$372 million from schools in 2007-09 alone.

#### The devastating long-term impact of this constitutional amendment only gets worse over time.

If Oregon had been operating under Ballot Measure 48's flawed formula since 1990, Oregon support for schools would have been reduced by more than \$600 million per year in the 2005-07 biennium, equal to **40 days of school for a typical district.**

In order to learn well, children must come to school well-nourished and healthy.

**If Measure 48 passes, more Oregon children will go without health insurance** – making it impossible for them to come to school ready to learn and forcing them to go to the Emergency Room for care.

Stand for Children believes strongly in accountability for spending of public school dollars.

#### But Measure 48 does nothing to hold government accountable.

The measure will create huge holes in the state's budget without directing the legislature to prioritize spending.

#### Our children, our economy, and our quality of life depend on strong public schools.

**Please join Stand for Children in Voting No on Ballot Measure 48 to protect our schools and other programs that help children.**

*(This information furnished by Jonah Edelman, Executive Director, Stand For Children.)*

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## Argument in Opposition

### Vote NO on Measure 48 to

#### give everyone in Oregon a chance at a better future

Measure 48's flawed formula has been tried before and it didn't work. In Colorado, a similar constitutional amendment failed to deliver on its promises and instead meant deep cuts to higher education.

#### In Colorado, Measure 48 meant:

- **Skyrocketing tuition:** Community College tuition increased 21%
- **Reduced funding for higher education:** Higher Ed support dropped by 31% and declined from 35th to 48th in the nation

#### Less opportunity for Oregonians

**Community colleges provide opportunity in all corners of Oregon for people to get the training and skills they need to succeed in today's information age.** Our community colleges offer programs in everything from accounting to nursing to web site development. Without local, quality education programs, Oregon will go backward.

**Measure 48 will cut \$2.2 billion from the state budget in 2007-2009.** Our community colleges cannot endure those kinds of revenue cuts without reducing or eliminating programs or increasing tuition.

**The unintended consequences of Measure 48 are serious.** For many Oregonians, their local community college is the only ticket to a better future. If programs are cut or tuition goes too high, they will have no where else to turn. We've built a community college system that provides a chance at a new start for more than 350,000 Oregonians every year. Measure 48 will move us backwards.

#### Protect Oregon's Community Colleges Vote NO on Measure 48

For more information:  
[www.DefendOregon.org](http://www.DefendOregon.org)

Chuck Clemans, Board Member,  
Clackamas Community College

Dean Wendle, Board Member  
Rogue Community College

Rosemary Baker-Monaghan, Board Chair  
Clatsop Community College

David Bridgham, Board Member  
Southwestern Oregon Community College

Ernie Keller, Board Member, '05-'06 Board Chair  
Columbia Gorge Community College

*(This information furnished by Chuck Clemans, Board Member, Clackamas Community College.)*

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## Argument in Opposition

### Measure 48 would put up a roadblock on Oregon's transportation system just like it did in Colorado.

Associated General Contractors Oregon-Columbia Chapter and Oregon State Building and Construction Trades Council say NO on Measure 48

# Measure 48 Arguments

Our contractors and their employees build and repair Oregon's roads and bridges. We keep the roads safe and efficient for everyone, whether it's a minivan full of kids on their way to a soccer game or semi-truck full of nursery stock headed to market in another state.

**Measure 48 will permanently change transportation in Oregon for the worse.** In Colorado, this constitutional amendment forced such deep cuts that the state could not afford to keep up with even basic repairs, let alone new construction.

- After a decade of a Measure 48-style constitutional amendment, 73% of Colorado's roads were ranked as being in poor condition.
- Colorado spends far less than other states to improve road conditions. It ranks 44th in the country.

**Measure 48 is so flawed, the fine print would squelch the transportation projects the public is asking for.** In 2003, the state legislature passed a \$2.5 million transportation improvement package that was long overdue and much needed. In communities around the state construction on bridge repair and road upgrades has greatly improved transportation access and safety. But under Measure 48, the state legislature would not have been able to launch such a project, even though the funding did not come from tax dollars.

**Measure 48 will make it impossible to do even basic bridge and road repair in Oregon.**

We keep Oregon's roads and bridges safe  
We ask you to vote NO on Measure 48

Bob Shiprack  
Executive Secretary  
Oregon State Building and  
Construction Trades Council

Jessica Adamson  
Government Affairs Manager  
Associated General  
Contractors Oregon -  
Columbia Chapter

*(This information furnished by Bob Shiprack, Executive Secretary, Oregon State Building and Construction Trades Council.)*

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## Argument in Opposition

**Measure 48 will  
make our communities less safe**

We are deeply concerned about the impact Measure 48 will have on our ability to adequately supervise parolees in Oregon.

Parole and probation officers are responsible for supervising released prisoners, including sex offenders. Corrections employees are on the front lines in Oregon's prison system. We know that Measure 48 will mean increased caseloads, less supervision for parolees and more felons on the street under early release programs.

**Measure 48 is too extreme.** Measure 48 will cut \$2.2 billion from state spending with no guidelines on where those cuts should come from.

**In Colorado, Measure 48 meant that parolees went unsupervised.** Measure 48 in Colorado meant fewer probation officers on the job. In Colorado, officers have to supervise an average of 217 adult offenders, well above the national average of 130.

**Oregon's prison population is scheduled to grow more than 20% over the next 10 years.** That's nearly double the general population rate. Ballot Measure 48's flawed formula would force the State to release 1,200 inmates – or cut other programs like education more deeply - in order to free up the resources to keep those inmates incarcerated.

**Measure 48 has unintended consequences.** Because of Oregon's fast-growing prison population, Measure 48 sets up a scenario where prisons will be pitted against schools for funding and everyone will lose.

**Keep prisoners in prison  
Keep sex offenders supervised  
Vote NO on Measure 48**

Lisa Settell, President  
Federation of Oregon Parole and Probation Officers

Bryan Goodman, President  
Association of Oregon Correctional Employees

*(This information furnished by Lisa Settell, President, Federation of Oregon Parole and Probation Officers; Bryan Goodman, President, Association of Oregon Corrections Employees.)*

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

**Vote NO on Measure 48**

**The Human Services Coalition of Oregon  
Opposes Measure 48**

**Measure 48 is a Complicated, Confusing, Constitutional Amendment**

The Human Services Coalition of Oregon represents hundreds of social service providers, hospitals, health associations and individuals who work on the frontlines for Oregon's elderly, neediest and medically fragile residents. Many of our members do this work on a shoe string budget. They do it because they are committed to helping people in need.

Measure 48 undermines the state's partnership with private non-profits that make up the social safety net. Caring for the state's neediest residents is very expensive. There are not enough charities to take care for all of Oregon's neediest residents. Without a strong partnership with the state, our clients would be at risk to diminished care and our agencies at risk to closing down.

**Measure 48 will force deep cuts to public services, just like it did in Colorado**

Measure 48 would reduce budgets for vital public services by \$1.1 billion a year. This would have a dramatic effect on funding health care for seniors. Oregonians can't afford to repeat the mistakes of Colorado.

**Measure 48 is more complicated than it seems**

Measure 48 uses the wrong formula to fund vital services. It uses a spending limit based on generic accounting—general population growth + general inflation. This ignores the faster rising costs of health care and the fastest growing segment of our population, retiring baby boomers.

**Measure 48 has unintended consequences**

The fiscal impact statement says that the measure could be interpreted to apply retroactively. Seniors and Oregon's most medically fragile residents can't afford that kind of uncertainty for programs that they depend on every day.

We all must depend on each other to care for Oregon.

**Join HSCO in opposing Measure 48**

**Vote NO on 48**

**For More Information log onto: [www.DefendOregon.org](http://www.DefendOregon.org)**

*(This information furnished by Phillip Kennedy-Wong, Co-Chair, Human Services Coalition of Oregon.)*

# Measure 48 Arguments

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## Argument in Opposition

### Get the facts:

#### Measure 48 sponsors say Measure 48 is based on Colorado's flawed formula.

"We used the same standards as Colorado's spending limit – population and inflation."

Measure 48 sponsor, Don McIntire  
*The Oregonian*  
April 14, 2005

#### Measure 48 is funded 85% from Howard Rich, a wealthy New York real estate magnate

"When you have almost all the money coming from out of state, it raises questions voters might want to think about, like, 'Is this really going to do what it says it's going to do?'"

John Matsusaka, president  
Initiative & Referendum Institute  
"New York cash colors Oregon ballot,"  
*The Oregonian*, August 5th, 2006

#### Measure 48 is under investigation for violating state election laws

"Misrepresentation of spending cap criticized"  
KATU News  
July 3, 2006

#### Our Oregon urges you to vote NO on Measure 48

[www.OurOregon.org](http://www.OurOregon.org)

*(This information furnished by Christy B. Mason, Deputy Director, Our Oregon.)*

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## Argument in Opposition

#### Measure 48 Puts Our Kids in Jeopardy – Just Ask Colorado!

#### Support Healthy Kids – Vote NO on 48

The Healthy Kids Learn Better Coalition is a partnership of organizations and individuals committed to eliminating physical, social and emotional barriers to learning.

#### Measure 48 will hurt the programs that keep our children healthy, safe and ready to learn.

Measure 48, the so called TABOR measure, failed the children of Colorado for 13 years. Children in Colorado suffered under this constitutional amendment:

- Colorado fell to 49th in the nation in K-12 spending.
- Colorado fell to 48th in the nation in access to pre-natal care.
- Colorado fell to 50th (dead last) in the nation when it comes to immunizing their children.

#### Measure 48 will force deep cuts to vital services Oregon kids count on:

- More than 14,000 children could lose health care services.
- Prevention and intervention programs for children and youth will be in jeopardy.
- School districts from Portland to Pendleton will have to cut

teachers or eliminate school days.

#### Out-of-state special interests are hurting the health and well-being of Oregon kids:

- Measure 48 is part of a campaign by national special interest groups.
- Measure 48 has so many unintended consequences that the fiscal impact statement says it could be retroactive – health and safety programs we've already funded may be cut right away.

#### These members of the Healthy Kids Learn Better Coalition Urge a NO Vote on 48:

Children First for Oregon  
CareOregon  
Community Health Partnership  
Oregon Alliance for Health, Physical Education,  
Recreation and Dance  
Upstream Public Health

#### For More Information Log On To: [www.DefendOregon.org](http://www.DefendOregon.org)

*(This information furnished by Tina Kotek, Children First for Oregon.)*

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## Argument in Opposition

### The Defend Oregon Coalition OPPOSES Measure 48!

Here are just some of the groups who OPPOSE Measure 48:

AARP Oregon  
Advocacy Coalition of Seniors and People with Disabilities  
American Association of University Professors – PSU Chapter  
American Cancer Society  
American Federation of Teachers-Oregon  
American Heart Association  
American Lung Association of Oregon  
Associated General Contractors Oregon-Columbia Chapter  
Association of Oregon Corrections Employees  
Association of Oregon Facilities  
CareOregon  
Children First for Oregon  
Clackamas Community College Board  
Clatsop Community College Board  
Community Action Directors of Oregon  
Confederation of Oregon School Administrators  
Democratic Party of Oregon  
Federation of Oregon Parole and Probation Officers  
Gray Panthers  
League of Women Voters of Oregon  
National Association Of Social Workers - Oregon  
Oregon AFL-CIO  
Oregon Alliance For Retired Americans  
Oregon Alliance of Senior and Health Services  
Oregon Business Association  
Oregon Center for Public Policy  
Oregon Developmental Disabilities Coalition  
Oregon Education Association  
Oregon Head Start Association  
Oregon League of Conservation Voters  
Oregon PTA  
Oregon Rehabilitation Association  
Oregon School Employees Association  
Oregon State Building Trades Council  
Oregon State Council For Retired Citizens  
Oregon State Fire Fighters Council  
Oregon State Police Officers' Association  
Oregonians For Health Security

# Measure 48 Arguments

Our Oregon  
Parkinson's Resources of Oregon  
Rural Organizing Project  
Save Oregon Seniors Coalition (SOS)  
SEIU Local 49  
SEIU Local 503, OPEU  
SEIU Oregon State Council  
Stand For Children  
United Food and Commercial Workers, Local 555  
United Seniors of Oregon

For more information:  
[www.DefendOregon.org](http://www.DefendOregon.org)

*(This information furnished by Becca Uherbelau, Communications Director, Defend Oregon Coalition.)*

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## Argument in Opposition

### Oregon's Business Leaders Oppose Measure 48

The Oregon Business Council is comprised of executives from some of Oregon's leading companies who work together in support of Oregon's economy and quality of life. The Council rarely takes positions on ballot measures. However, Measure 48 is an extreme proposal that would severely damage Oregon's economy and quality of life. Oregonians should reject this measure.

### Measure 48 will force cuts in education, transportation and other vital public services

A strong economy depends on quality education, efficient transportation systems, and a healthy population. During the recent recession, Oregon cut back on public services as tax revenues plummeted. Measure 48 would lock in public expenditures at this low point and force even more service cuts in the future. As the economy rebounds, we have the opportunity to invest in schools, health care and public safety that will stimulate further economic growth and improve our quality of life. Measure 48 would put these plans on hold — damaging Oregon's ability to create jobs and strengthen our economy over the long haul.

### Measure 48 unnecessarily pits programs against each other

In Oregon certain areas of the budget, such as transportation, are funded through separate resources, such as the gas tax. This means that advocates for transportation projects aren't asking for the same resources as advocates for public schools. Under Measure 48, however, these services would be pitted against one another since the spending limit applies to **all state government spending**. Imagine a situation where the legislature had to choose between funding schools and fixing our roads—even if there were adequate resources for both. It doesn't make any sense.

### Join Oregon business leaders in rejecting this poorly crafted measure. Vote "NO" on Measure 48

[www.orbusinesscouncil.org](http://www.orbusinesscouncil.org)

*(This information furnished by Duncan Wyse, Oregon Business Council.)*

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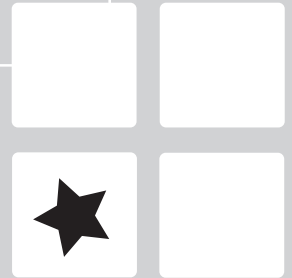
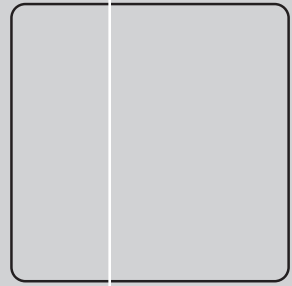
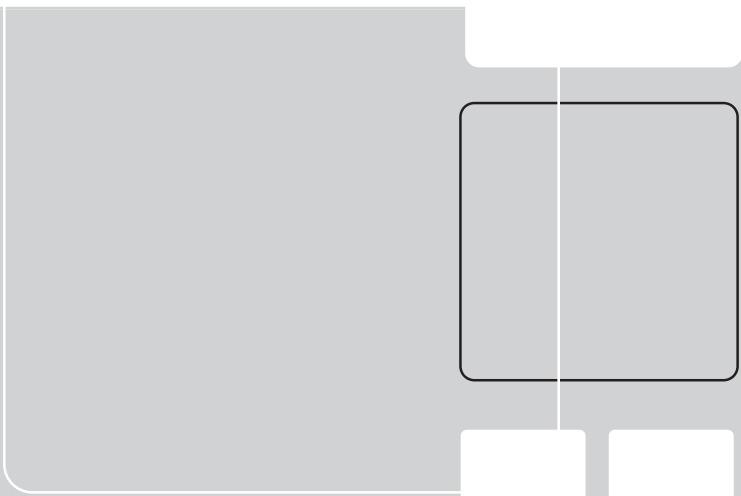
# County Elections Offices

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|------------------|---|-------------------|--|
| <b>Baker</b>     | Tamara J. Green<br>Baker County Clerk<br>1995 3rd St., Suite 150<br>Baker City, OR 97814-3398<br>541-523-8207 TTY 541-523-9538<br>e-mail: tgreen@bakercounty.org  | <b>Douglas</b>    | Barbara E. Nielsen<br>Douglas County Clerk<br>PO Box 10<br>Roseburg, OR 97470-0004<br>541-440-4252 TTY 1-800-735-2900<br>Fax 541-440-4408<br>e-mail: dbshaver@co.douglas.or.us   |
| <b>Benton</b>    | James Morales<br>Benton County Clerk<br>Elections Division<br>120 NW 4th St., Room 13<br>Corvallis, OR 97330<br>541-766-6756 TTY 541-766-6080<br>Fax 541-766-6757   | <b>Gilliam</b>    | Rena Kennedy<br>Gilliam County Clerk<br>PO Box 427<br>Condon, OR 97823-0427<br>541-384-2311  |
| <b>Clackamas</b> | Sherry Hall<br>Clackamas County Clerk<br>Elections Division<br>825 Portland Ave.<br>Gladstone, OR 97027<br>503-655-8510 TTY 503-655-1685<br>Fax 503-655-8461<br>e-mail: elections@co.clackamas.or.us<br><a href="http://www.co.clackamas.or.us/elections">http://www.co.clackamas.or.us/elections</a> | <b>Grant</b>      | Kathy McKinnon<br>Grant County Clerk<br>201 S. Humbolt, Suite 290<br>Canyon City, OR 97820-0039<br>541-575-1675 TTY 541-575-1675<br>Fax 541-575-2248<br>e-mail: mckinnonk@grantcounty-or.gov   |
| <b>Clatsop</b>   | Nicole Williams<br>Clatsop County Clerk<br>Elections Division<br>PO Box 178<br>Astoria, OR 97103-0178<br>503-325-8511 TTY 503-325-9307<br>Fax 503-325-9307<br>e-mail: nwilliams@co.clatsop.or.us<br><a href="http://www.co.clatsop.or.us">http://www.co.clatsop.or.us</a>                             | <b>Harney</b>     | Maria Iturriaga<br>Harney County Clerk<br>Courthouse, 450 N. Buena Vista<br>Burns, OR 97720<br>541-573-6641 Fax 541-573-8370<br>e-mail: clerk@co.harney.or.us<br><a href="http://www.co.harney.or.us">http://www.co.harney.or.us</a>                               |
| <b>Columbia</b>  | Elizabeth (Betty) Huser<br>Columbia County Clerk<br>Courthouse, 230 Strand St.<br>St. Helens, OR 97051-2089<br>503-397-7214 TTY 503-397-7246<br>Fax 503-397-7266<br>e-mail: huserb@co.columbia.or.us<br><a href="http://www.co.columbia.or.us">http://www.co.columbia.or.us</a>                       | <b>Hood River</b> | Sandra Berry<br>Director, Records/Assessment<br>601 State St.<br>Hood River, OR 97031-1871<br>541-386-1442 Fax 541-387-6864  |
| <b>Coos</b>      | Terri L. Turi, CCC<br>Coos County Clerk<br>Courthouse, 250 N. Baxter<br>Coquille, OR 97423-1899<br>541-396-3121, Ext. 301<br>TTY 1-800-735-2900 Fax 541-396-6551<br>e-mail: elections@co.coos.or.us<br><a href="http://www.co.coos.or.us">http://www.co.coos.or.us</a>                                | <b>Jackson</b>    | Kathy Beckett<br>Jackson County Clerk<br>1101 W. Main St., Suite 201<br>Medford, OR 97501-2369<br>541-774-6148 TTY 541-774-6719<br>Fax 541-774-6140<br>e-mail: becketks@jacksoncounty.org<br><a href="http://www.co.jackson.or.us">http://www.co.jackson.or.us</a> |
| <b>Crook</b>     | Deanna (Dee) Berman<br>Crook County Clerk<br>300 NE Third, Room 23<br>Prineville, OR 97754-1919<br>541-447-6553 TTY 541-416-4963  | <b>Jefferson</b>  | Kathy Marston<br>Jefferson County Clerk<br>66 SE "D" St., Suite C<br>Madras, OR 97741<br>541-475-4451 Fax 541-325-5018<br>e-mail: kathy.marston@co.jefferson.or.us   |
| <b>Curry</b>     | Renee Kolen<br>Curry County Clerk<br>PO Box 746<br>Gold Beach, OR 97444<br>541-247-3297 or 1-877-739-4218<br>TTY 1-800-735-2900 Fax 541-247-6440  | <b>Josephine</b>  | Georgette Brown<br>Josephine County Clerk<br>PO Box 69<br>Grants Pass, OR 97528-0203<br>541-474-5243 TTY 1-800-735-2900<br>Fax 541-474-5246<br>e-mail: gbrown@co.josephine.or.us   |
| <b>Deschutes</b> | Nancy Blankenship<br>Deschutes County Clerk<br>1300 NW Wall St., Suite 200<br>Bend, OR 97701<br>541-388-6546 Fax 541-383-4424<br>e-mail: elections@deschutes.org<br><a href="http://www.deschutes.org">http://www.deschutes.org</a>   | <b>Klamath</b>    | Linda Smith<br>Klamath County Clerk<br>305 Main St.<br>Klamath Falls, OR 97601<br>541-883-5157 or 1-800-377-6094<br>Fax 541-885-6757<br>e-mail: pharris@co.klamath.or.us<br><a href="http://www.co.klamath.or.us">http://www.co.klamath.or.us</a>                  |



# County Elections Offices

|                  |   |                   |   |
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| <b>Lake</b>      | Stacie Geaney<br>Lake County Clerk<br>513 Center St.<br>Lakeview, OR 97630-1539<br>541-947-6006   | <b>Sherman</b>    | Linda Cornie<br>Sherman County Clerk<br>PO Box 365<br>Moro, OR 97039-0365<br>541-565-3606 Fax 541-565-3312<br>e-mail: lcornie@sherman.k12.or.us   |
| <b>Lane</b>      | Annette Newingham<br>Chief Deputy County Clerk<br>275 W. 10th Ave.<br>Eugene, OR 97401-3008<br>541-682-4234 TTY 541-682-4320<br>Fax 541-682-2303<br><a href="http://www.co.lane.or.us/elections">http://www.co.lane.or.us/elections</a>                           | <b>Tillamook</b>  | Tassi O'Neil<br>Tillamook County Clerk<br>201 Laurel Ave.<br>Tillamook, OR 97141<br>503-842-3402 or 1-800-488-8280, Ext. 4000<br>Fax 503-842-1599<br>e-mail: toneil@co.tillamook.or.us<br><a href="http://www.co.tillamook.or.us">http://www.co.tillamook.or.us</a>                         |
| <b>Lincoln</b>   | Dana Jenkins<br>Lincoln County Clerk<br>225 W. Olive St., Room 201<br>Newport, OR 97365<br>541-265-4131 TTY 541-265-4193<br>Fax 541-265-4950<br><a href="http://www.co.lincoln.or.us/clerk">http://www.co.lincoln.or.us/clerk</a>                                 | <b>Umatilla</b>   | Patti Chapman<br>Director of Elections<br>PO Box 1227<br>Pendleton, OR 97801<br>541-278-6254 Fax 541-278-5467<br>e-mail: pattic@co.umatilla.or.us<br><a href="http://www.co.umatilla.or.us">http://www.co.umatilla.or.us</a>  |
| <b>Linn</b>      | Steve Druckenmiller<br>Linn County Clerk<br>300 SW 4th Ave.<br>Albany, OR 97321<br>541-967-3831 TTY 541-967-3833<br>Fax 541-926-5109<br>e-mail: sdruckenmiller@co.linn.or.us  | <b>Union</b>      | R. Nellie Bogue-Hibbert<br>Union County Clerk<br>1001 4th St., Suite D<br>LaGrande, OR 97850<br>541-963-1006 Fax 541-963-1013<br>e-mail: nhibbert@union-county.org<br><a href="http://www.union-county.org">http://www.union-county.org</a>   |
| <b>Malheur</b>   | Deborah R. DeLong<br>Malheur County Clerk<br>251 "B" St. West, Suite 4<br>Vale, OR 97918<br>541-473-5151 TTY 541-473-5157<br>Fax 541-473-5523<br>e-mail: ddelong@malheurco.org<br><a href="http://www.malheurco.org">http://www.malheurco.org</a>                 | <b>Wallowa</b>    | Dana Roberts<br>Wallowa County Clerk<br>101 S. River St., Room 100<br>Enterprise, OR 97828-1335<br>541-426-4543, Ext. 17 Fax 541-426-5901<br>e-mail: wcclerk@co.wallowa.or.us<br><a href="http://www.co.wallowa.or.us">http://www.co.wallowa.or.us</a>                                      |
| <b>Marion</b>    | Bill Burgess<br>Marion County Clerk<br>4263 Commercial St. SE, #300<br>Salem, OR 97302-3987<br>503-588-5041 or 1-800-655-5388<br>TTY 503-588-5610<br>e-mail: elections@co.marion.or.us<br><a href="http://clerk.co.marion.or.us">http://clerk.co.marion.or.us</a> | <b>Wasco</b>      | Karen LeBreton Coats<br>Wasco County Clerk<br>511 Washington St., Room 201<br>The Dalles, OR 97058<br>541-506-2530 TTY 541-506-2530<br>Fax 541-506-2531<br>e-mail: karenl@co.wasco.or.us  |
| <b>Morrow</b>    | Bobbi Childers<br>Morrow County Clerk<br>PO Box 338<br>Heppner, OR 97836-0338<br>541-676-5604 TTY 541-676-9061<br>Fax 541-676-9876<br>e-mail: bchilders@co.morrow.or.us   | <b>Washington</b> | Mickie Kawai<br>Elections Division<br>3700 SW Murray Blvd., Suite 101<br>Beaverton, OR 97005<br>503-846-5800 TTY 503-846-4598<br>e-mail: election@co.washington.or.us<br><a href="http://www.co.washington.or.us">http://www.co.washington.or.us</a>  |
| <b>Multnomah</b> | John Kauffman<br>Director of Elections<br>1040 SE Morrison St.<br>Portland, OR 97214-2495<br>503-988-3720 Fax 503-988-3719<br>e-mail: john.kauffman@co.multnomah.or.us<br><a href="http://www.mcelections.org">http://www.mcelections.org</a>                     | <b>Wheeler</b>    | Barbara S. Sitton<br>Wheeler County Clerk<br>PO Box 327<br>Fossil, OR 97830-0327<br>541-763-2400 TTY 541-763-2401<br>Fax 541-763-2026<br>e-mail: bsitton@ncesd.k12.or.us  |
| <b>Polk</b>      | Valerie Unger<br>Polk County Clerk<br>850 Main St.<br>Dallas, OR 97338-3179<br>503-623-9217 TTY 503-623-7557<br>Fax 503-623-0717<br>e-mail: unger.valerie@co.polk.or.us<br><a href="http://www.co.polk.or.us">http://www.co.polk.or.us</a>                        | <b>Yamhill</b>    | Jan Coleman<br>Yamhill County Clerk<br>414 NE Evans St.<br>McMinnville, OR 97128-4607<br>503-434-7518 TTY 1-800-735-2900<br>Fax 503-434-7520<br>e-mail: elections@co.yamhill.or.us<br><a href="http://www.co.yamhill.or.us/clerk/elections">http://www.co.yamhill.or.us/clerk/elections</a> |



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**tty**        **1 866 350 0596**  
*for the hearing impaired*

**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  no  
Will you be 18 years of age on or before election day?  yes  no

**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
- Pacific Green
- Other \_\_\_\_\_
- Democratic
- Republican
- Libertarian
- Not a member of a party

**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.*

**x x x - x x -**      
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.*

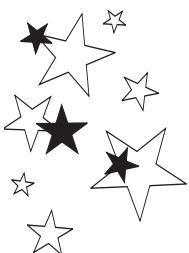
previous registration name \_\_\_\_\_ previous county and state \_\_\_\_\_  
home address on previous registration \_\_\_\_\_ date of birth (month/day/year) \_\_\_\_\_

**If you have any questions, or if you would like more information on voting in Oregon:**

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

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

**tty 1 866 350 0596**  
*for the hearing impaired*

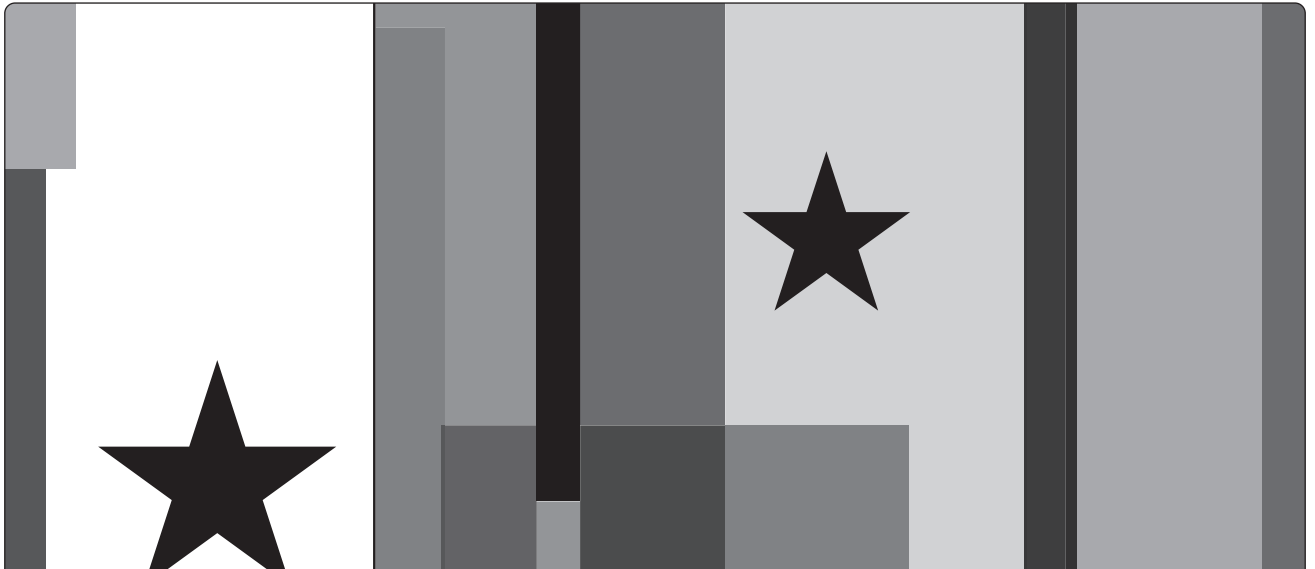


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**November 7, 2006**

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