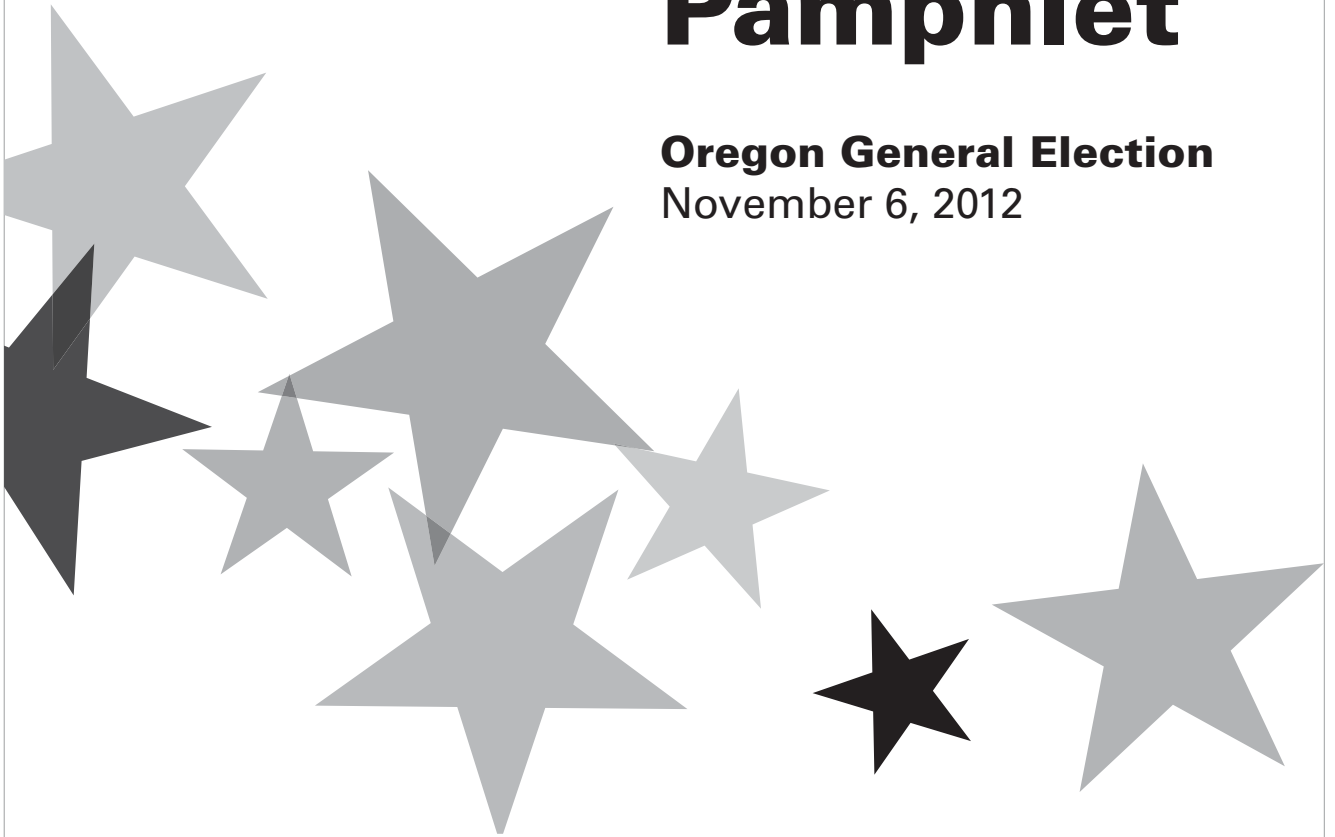


# Voters' Pamphlet

**Oregon General Election**  
November 6, 2012



**vote!**



A handwritten signature in black ink, appearing to read "Kate Brown".

Kate Brown  
Oregon Secretary of State

This voters' pamphlet is provided for assistance  
in casting your vote by mail ballot.

**KATE BROWN**  
SECRETARY OF STATE

BARRY PACK  
DEPUTY SECRETARY OF STATE



ELECTIONS DIVISION  
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DIRECTOR  
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Dear Oregon Voters,

Welcome to the 2012 General Election Voters' Pamphlet. Enclosed you will find valuable information about candidates and issues. If you are not yet registered to vote, you have until October 16, 2012 to do so. Here in Oregon we have made it easy for eligible Oregonians to register, update your registration and track your ballot. Simply visit [www.oregonvotes.gov](http://www.oregonvotes.gov).

Over the past four years, my office has made a number of improvements to Oregon's elections process in order to increase access to the ballot. In addition to introducing online voter registration in our state, my Elections Division replaced the old, cumbersome voting machines formerly used by disabled voters with handheld tablet devices like Apple's iPad. Oregon is the first state in the nation to use tablet technology to help voters with disabilities mark their ballots.

Also, Oregon was recently recognized as an All-Star state by the national Military Voter Protection Project for our extraordinary efforts to promote and protect the voting rights of America's military service members and their families. The Secretary of State's Office now offers electronic and web-based services ensuring those who put their lives on the line can have their voice heard in every election.

As your Secretary of State, my goal is to engage all eligible Oregonians in the elections process and encourage them to exercise their most fundamental right to vote. If you're questioning how much of a difference your one vote can make, then consider this: I won my first race for the state House by a mere seven votes. Every vote does count. Your vote is your voice and every voice matters.

Please remember all ballots must be received by your county elections office by 8 p.m. on November 6, 2012. Postmarks do not count. If you have questions please call our toll free hotline at 1-866-ORE-VOTE, or visit our website at [www.oregonvotes.gov](http://www.oregonvotes.gov).

Sincerely,

A handwritten signature in black ink, appearing to read "Kate Brown".

Kate Brown  
Oregon Secretary of State



# Voters' Pamphlet

General Election

November 6, 2012

## Table of Contents

General Information	
<b>Voters' Pamphlet Information</b>	<b>4</b>
<b>List of Candidates &amp; Measures</b>	<b>6</b>
<b>Oregon Voter Bill of Rights</b>	<b>11</b>
<b>Voters with Disabilities</b>	<b>128</b>
<b>Voter Registration Information</b>	<b>130</b>
Candidates	
<b>Partisan Candidates</b>	<b>8</b>
<b>Nonpartisan Candidates</b>	<b>24</b>
Political Party Statements	
<b>Constitution Party</b>	<b>28</b>
<b>Independent Party</b>	<b>29</b>
<b>Libertarian Party</b>	<b>30</b>
<b>Pacific Green Party</b>	<b>31</b>
<b>Progressive Party</b>	<b>32</b>
Measures	
<b>Measure 77</b>	<b>34</b>
<b>Measure 78</b>	<b>38</b>
<b>Measure 79</b>	<b>40</b>
<b>Measure 80</b>	<b>51</b>
<b>Measure 81</b>	<b>61</b>
<b>Measure 82</b>	<b>78</b>
<b>Measure 83</b>	<b>89</b>
<b>Measure 84</b>	<b>104</b>
<b>Measure 85</b>	<b>119</b>
Voting Information	
<b>Absentee Ballot Information</b>	<b>17</b>
<b>County Elections Officials</b>	<b>132</b>
<b>Vote by Mail</b>	<b>134</b>
Additional Information Pages	
<b>Online Resources</b>	<b>5</b>
<b>Online Voters' Guide</b>	<b>13</b>
<b>Voting &amp; Ballot Prohibitions</b>	<b>27</b>
<b>Election Results</b>	<b>33</b>
Index	
<b>Index of Candidates</b>	<b>135</b>

## Voters' Pamphlet

Your official 2012 General Election Voters' Pamphlet provides you with information about candidates who will appear on your ballot.

It includes instructions for marking your ballot, a complete list of federal and state candidates, as well as other information to assist you through the voting process.

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

The voters' pamphlet has been compiled by the Secretary of State since 1903, when Oregon became one of the first states to provide for the printing and distribution of such a publication. One copy of the voters' pamphlet is mailed to every household in the state. Additional copies are available at the Secretary of State's office, local post offices, courthouses and all county elections offices. It can also be viewed at [oregonvotes.gov](http://oregonvotes.gov).

## Candidates

In the general election, candidates are divided into two sections: partisan candidates and nonpartisan candidates. Partisan candidates appear before nonpartisan candidates. Candidates pay a fee, or submit signatures in lieu of paying the fee, for space in the voters' pamphlet. The information required by law—pertaining to occupation, occupational background, educational background and prior governmental experience—has been certified as true by each candidate.

## Measures

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

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

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

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

The explanatory statement is an impartial statement explaining the measure. Each measure's explanatory statement is written by a committee of five members, including two proponents

of the measure, two opponents of the measure and a fifth member appointed by the first four committee members, or, if they fail to agree on a fifth member, appointed by the Secretary of State. Explanatory statements can be appealed and may be changed by the Oregon Supreme Court.

Citizens or organizations may file arguments in favor of, or in opposition to, measures by purchasing space for \$1,200 or by submitting a petition signed by 500 voters. Arguments in favor of a measure appear first, followed by arguments in opposition to the measure, and are printed in a random order within each category.

## Random Alphabet

Oregon statute (ORS 254.155) requires the Secretary of State to complete a random order of the letters of the alphabet to determine the order in which the names of candidates appear on the ballot.

The alphabet for the 2012 General Election is:

E, O, Y, S, I, N, W, D, K, A, P, H, F, J, T, M, B, L, V, R, X, U, Q, C, Z, G

## Website

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

## 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 May 10. After that, you may pick it up at the elections office. If you have already mailed your original ballot before you realize you made a mistake, you have cast your vote and will not be eligible for a replacement ballot.

Your voted ballot must be returned to your county elections office by 8pm election day, Tuesday, November 6, 2012.

## Postmarks do not count!

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

## Voter Information

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

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

# vote!

[www.oregonvotes.gov](http://www.oregonvotes.gov)



## Register to vote

You must be registered by October 16 to vote in the 2012 General Election



## Find a dropsite

Your ballot must be received by 8 pm on November 6, 2012



## My Vote

Use this new online tool to check or update your registration status and track your ballot.

for more information about voting in Oregon



**oregonvotes.gov**



**1 866 673 VOTE / 1 866 673 8683**

*se habla español*

**TTY 1 800 735 2900**

*for the hearing impaired*

**Partisan Candidates****United States President**

Barack Obama / Joe Biden\*  
Democrat

Jill Stein / Cheri Honkala\*  
Pacific Green

Ross C (Rocky) Anderson\* /  
Luis J Rodriguez\*  
Progressive

Gary Johnson / James P Gray\*  
Libertarian

Mitt Romney / Paul Ryan\*  
Republican

Will Christensen\* / Kenneth L Gibbs\*  
Constitution

**Representative in Congress****4th District**

Peter A DeFazio  
Democrat, Progressive, Working Families

Chuck Huntting\*  
Libertarian

Art Robinson  
Republican, Constitution

**5th District**

Kurt Schrader  
Democrat

Fred Thompson  
Republican

Raymond Baldwin\*  
Constitution

Christina Jean Lugo  
Pacific Green

**Secretary of State**

Seth Woolley  
Pacific Green

Robert Wolfe  
Progressive

Bruce Alexander Knight\*  
Libertarian

Kate Brown  
Democrat, Working Families

Knute Buehler  
Republican, Independent

**State Treasurer**

Ted Wheeler  
Democrat, Working Families

Cameron Whitten  
Progressive

John F Mahler\*  
Libertarian

Michael Paul Marsh\*  
Constitution

Tom Cox  
Republican

**Attorney General**

Chris Henry\*  
Progressive

James L Buchal  
Republican

James E Leuenberger\*  
Constitution, Libertarian

Ellen Rosenblum  
Democrat

**State Senator****12th District**

Annette Frank  
Democrat

Brian J Boquist  
Republican, Working Families

**State Representative****15th District**

Andy Olson  
Republican, Independent

Ron Green  
Democrat

**16th District**

Andrew Decker  
Republican

Rachel J Feigner\*  
Libertarian

Sara A Gelser  
Democrat

**23rd District**

Ross Swartzendruber  
Democrat

Alex Polikoff  
Pacific Green, Working Families

Jim Thompson  
Republican

**Nonpartisan Candidates****Commissioner of the Bureau of Labor and Industries**

Bruce Starr  
Brad Avakian

**Judge of the Supreme Court****Position 3**

Richard C Baldwin  
Nena Cook

**Judge of the Court of Appeals****Position 6**

James C Egan  
Tim Volpert

\*Candidate chose not to submit a voters' pamphlet statement.

This is a complete listing of the federal and state candidates for the General Election, November 6, 2012, as prepared by the Secretary of State, for the counties covered in this pamphlet. On election day, your ballot may also include measures and candidates from your county and local governments.

## Measures

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### 77

Amends Constitution: Governor may declare "catastrophic disaster" (defined); requires legislative session; authorizes suspending specified constitutional spending restrictions

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### 78

Amends Constitution: Changes constitutional language describing governmental system of separation of powers; makes grammatical and spelling changes

---

### 79

Amends Constitution: Prohibits real estate transfer taxes, fees, other assessments, except those operative on December 31, 2009

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### 80

Allows personal marijuana, hemp cultivation/use without license; commission to regulate commercial marijuana cultivation/sale

---

### 81

Prohibits commercial non-tribal fishing with gillnets in Oregon "inland waters;" allows use of seine nets

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### 82

Amends Constitution: Authorizes establishment of privately-owned casinos; mandates percentage of revenues payable to dedicated state fund

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### 83

Authorizes privately-owned Wood Village casino; mandates percentage of revenues payable to dedicated state fund

---

### 84

Phases out existing inheritance taxes on large estates, and all taxes on intra-family property transfers

---

### 85

Amends Constitution: Allocates corporate income/excise tax "kicker" refund to additionally fund K through 12 public education

## United States President



# Barack Obama

Democrat

**Occupation:** President of the United States

**Occupational Background:** Civil rights lawyer; constitutional law professor; community organizer.

**Educational Background:** Harvard Law School, J.D.; Columbia University, B.A.

**Prior Governmental Experience:** State Senator (1997-2004); U.S. Senator (2005-2008)

As President, I have dedicated myself to putting Americans back to work and restoring economic security to middle-class families. I have been driven by the basic values that make our country great: America prospers when we're all in it together, when hard work pays off and responsibility is rewarded, and when everyone—from Main Street to Wall Street—does their fair share and plays by the same rules.

Think about the America within our reach: A country that leads the world in educating its people. An America that attracts a new generation of high-tech manufacturing and high-paying jobs. A future where we're in control of our own energy, and our security and prosperity aren't so tied to unstable parts of the world. An economy built to last, where hard work pays off, and responsibility is rewarded.

We will not settle for a country where a few people do really well, and everyone else struggles to get by. We will not go back to an economy weakened by outsourcing, bad debt, and phony profits. We're fighting for an economy that's built to last — one built on things like education, energy, manufacturing things the rest of the world wants to buy, and restoring the values that made this country great: Hard work. Fair play. The opportunity to make it if you try. And the responsibility to reach back and help someone else make it, too.

And we're going to keep fighting, right now, to make our economy stronger; to put our friends and neighbors back to work faster; to give our children opportunity even greater than what we knew; to make sure the United States of America remains the greatest nation on Earth.

*(This information furnished by Obama for America.)*

## United States President



# Jill Stein

Pacific Green

**Occupation:** Physician

**Occupational Background:** Physician

**Educational Background:** Harvard Medical School, MD

**Prior Governmental Experience:** Lexington, MA Town Meeting Representative

### We must act to save our planet

The course we are on leads to irreversible climate change. Yet the politicians in Washington are still doling out subsidies to oil companies while much of our country burns.

### We must change our economy

Almost half of Americans are living in or near poverty. The rich are getting richer while wages are stagnating. Nothing is being done because the financial elite that collapsed the economy in 2008 are still calling the shots.

**With your vote, I will implement an emergency program called the Green New Deal.**

**The Green New Deal will create 25 million jobs, end unemployment, and transition our country to a green economy.**

It will guarantee public higher education and Medicare for all, and offer debt relief to our college students. It will break up the big banks and end corporate domination of elections.

### I represent an end to business-as-usual in Washington.

I am a mother, physician, and teacher of internal medicine. As an environmental health advocate in the 1990s, I saw how corporate money stopped essential reforms from becoming law. In response, I led the effort for publicly financed elections in Massachusetts. After it passed, the Democratic legislature repealed our clean elections law. That's when I decided it was time to go Green.

**My running mate, Cheri Honkala, is one of America's leading advocates for the poor.**

She was once a homeless mother who slept in abandoned buildings with her son because they had no other place to go. Since then she has dedicated her life to keeping people in their homes, often standing between bankers and a frightened family facing eviction. Cheri has a kind of courage missing in Washington today.

**We ask for your votes and we invite you to find out more about the Green New Deal at [JillStein.org](http://JillStein.org)**

*(This information furnished by Jill Stein for President.)*



**United States President**

## Gary Johnson

Libertarian

**Occupation:** Entrepreneur

**Occupational Background:** Grew a one-man construction business into one of New Mexico's largest, employing 1000 people.

**Educational Background:** B.S., University of New Mexico

**Prior Governmental Experience:** New Mexico Governor, 1995-2003

**You know that America's troubles didn't just happen.** We elected them, one politician at a time, and the solution is up to us. We'll get the America we want when we show the courage to elect different leaders.

**You want to cut federal spending by trillions, now.** The U.S. borrows over 40 cents of every dollar it spends. We must end bloated programs and earmarks, reassess our priorities, and find ways to meet responsibilities more efficiently. I will submit a balanced budget to Congress in 2013. When I was governor of New Mexico I vetoed over 750 bills. I will do it again. When I left office New Mexico had a \$1B surplus. I will do it again.

**You know arresting 800,000 Americans per year for marijuana is insane.** The War on Drugs has only made dangerous people rich and powerful. As President I will immediately remove cannabis from the classification under the Controlled Substances Act that makes it illegal and expedite pardons for those convicted of non-violent drug offenses.

**You want the NDAA and PATRIOT Act repealed.** They are a direct threat to American citizens' civil liberties. I will charge congress with repealing these punitive measures against our own citizens. I will replace the leadership of any executive branch agency who use the powers granted by these acts.

**You know we should bring our troops home.** We must leave Afghanistan's challenges to the Afghan people and avoid pointless foreign conflicts.

**You want people to make personal decisions themselves.** All people have the right to their own body and what they do with it is their choice.

**You know marriage equality is the right answer.** Let's end bigotry together.

**Vote Libertarian and we start now!**

<http://www.garyjohnson2012.com/>

*(This information furnished by Gary Johnson 2012.)*

**United States President**

## Mitt Romney

Republican

**Occupation:** Former Governor of Massachusetts

**Occupational Background:** I am not a career politician. I spent most of my life in the private sector, where I helped launch or rebuild more than

100 companies, including household names such as Staples, Bright Horizons, and The Sports Authority. I also have a record of accomplishment as a public servant, having served as Governor of Massachusetts and CEO of the 2002 Winter Olympic Games in Salt Lake City.

**Educational Background:** JD, Harvard Law School; MBA, Harvard Business School; BA, Brigham Young University.

**Prior Governmental Experience:** As Governor of Massachusetts, I cut taxes 19 times while balancing the budget four years in a row. I cut red tape for small businesses, signed into law job-creating incentives, and fought hard to bring new businesses to the state. By the end of my term, the state had amassed a \$2 billion rainy day fund.

**I am running for president to get America back to work, protect our national security, and ensure our country remains the leader of the free world.**

In 1999, the Winter Olympics were on the verge of collapse amid corruption allegations. I was asked to take over. I revamped the organization's leadership, trimmed the budget, and restored public confidence. In the end, we staged one of the most successful games of all time.

As president, I will repeal the national healthcare law. I'll get rid of job-killing regulations, open new markets for American exports, and unlock America's energy resources. I'll reduce taxes and bring an end to runaway spending and borrowing in Washington. I'll make the federal government simpler, smaller, and smarter.

I will reverse the defense cuts of the past three years, rebuild our military, and ensure that this century will be another American Century. Together we can create an Opportunity Society where hard work, education, and risk-taking allow people to achieve their dreams.

*(This information furnished by Romney for President, Inc.)*

**Representative in Congress, 4th District**

## Peter A DeFazio

Democrat  
Progressive  
Working Families

**Occupation:** U.S.  
Representative

**Occupational Background:**  
Lane County Commissioner,

Congressional Aide, Assistant Director Senior Companion Program, U.S. Air Force Reserve

**Educational Background:** Tufts University, B.A.; University of Oregon, M.A.

**Prior Governmental Experience:** Chair, Lane County Commission

### Creating Jobs for Oregonians

Peter DeFazio has led the fight to increase investments in our crumbling transportation infrastructure that create thousands of jobs for Oregonians, keep roads safe, and improve our long-term economic competitiveness. DeFazio has fought for Buy America provisions to make sure investments support American jobs and companies first.

His bi-partisan O&C timber plan would put Oregonians back to work in the forest, while protecting old growth, provide revenue for schools, sheriff patrols, and jail beds.

### Protecting Social Security and Medicare

DeFazio fought against the Ryan Plan to end Medicare as we know it and proposed legislation to strengthen and protect Social Security.

### Balancing the budget

DeFazio pushed for a bipartisan balanced budget amendment. He believes we shouldn't mortgage the future of our children and grandchildren and is working to rein in federal spending, close wasteful tax loopholes and hold the millionaires and billionaires accountable for paying their fair share.

### Ending Giveaways to Wall Street

DeFazio has a long record of standing up to Wall Street and big banks. He fought the financial deregulation that led to our country's economic collapse and opposed the massive Wall Street bailout. He has long supported strong regulations and consumer protections to help ensure that a similar collapse never happens again.

### Holding Government Accountable

DeFazio successfully fought for stronger rules to protect American workers and taxpayer dollars when timber contractors exploited loopholes to hire foreign workers rather than Oregonians.

### Stop Price Gouging by Big Oil Companies

"DeFazio fights for lower gas prices," *Headline Drain Enterprise* 6-2-11

### Pay Raises to Scholarships

DeFazio has refused congressional pay raises and instead used the money to fund 217 scholarships for displaced workers at community colleges in Southwest Oregon.

*(This information furnished by DeFazio for Congress.)*

The above information has not been verified for accuracy by the State of Oregon.

**Representative in Congress, 4th District**

## Art Robinson

Republican  
Constitution

**Occupation:** Scientist;  
Educator; Businessman

**Occupational Background:**  
Faculty, University of California  
San Diego; Research Associate,

Stanford University; President, Linus Pauling Institute; President, Oregon Institute of Science and Medicine; Supplier of curriculums and books to more than 100,000 home school and public school students. Scientific research on fundamental biochemistry, Alzheimer's and Parkinson's diseases, and diagnostic medicine.

**Educational Background:** Caltech BS; UC San Diego PhD

**Prior Governmental Experience:** Emergency preparedness, medical innovations; no political office.

### Art will work to:

- Balance the budget and restore jobs
- Keep promises to Social Security, Medicare, and Veterans
- Stop the rise of the national debt
- Assure that every child has access to excellent public schooling. Over the last 15 years, Art and his family have given more than \$600,000 in scholarships to students.
- Protect the Constitution and Liberty.

### Art is strongly recommended by many industrial, scientific, business, and community leaders:

Publisher Steve Forbes says, "Art's depth of knowledge of the economic, scientific, energy, and industrial challenges that face our nation is unparalleled. Men of his ability are urgently needed in Washington." *Albany Democrat Herald* 10/25/10

Astronaut Scott Carpenter says, "In my experience with space flight, I have come to know many men of excellence. Art Robinson is the best can-do guy I know. He's what we need in Washington." *KPIC* 10/18/10

### Congress has given us debt, doubt, and decline. It has:

- Pledged our labor to repay Federal debts of more than \$160,000 per American family.
- Raised the prices of everything we buy. This hurts our middle class and poor citizens the most.
- Taken \$716 billion out of Medicare thereby reducing care for seniors (Congressional Budget Office July, 24, 2012)
- Made thousands of job-killing political deals with banks, corporations, and other special interests

**Let's replace the politicians who have voted for these things. Let's elect men and women of excellence to our U.S. Congress.**

**Please vote for Art Robinson.**

[www.ArtForCongress.com](http://www.ArtForCongress.com)

*(This information furnished by Art Robinson for Congress.)*

The above information has not been verified for accuracy by the State of Oregon.

## You have the right to **vote!**

If you are a US citizen, live in Oregon, are 18 years old and have registered to vote.

- **You have the right** to vote even if you are homeless.
- **You have the right** to vote if you have been convicted of a felony but have been released from custody, even if you are on probation or parole.
- **You have the right** to vote even if you have a guardian and even if you need help reading or filling out your ballot.
- **You have the right** to vote or cast your ballot if you are in line by 8 PM on Election Day.
- **You have the right** to know if you are registered to vote.
- **You have the right** to choose whether or not you want to register as a member of a political party.
- **You have the right** to use a signature stamp or other mark but first you have to fill out a form. No one can sign for you.
- **You have the right** to ask for help from elections staff or from a friend or family member. There are some people who cannot help you vote, for example, your boss or a union officer from your job.
- **You have the right** to a secret vote. You do not have to tell anyone how you voted.
- **You have the right** to get a "provisional ballot", even if you are told you are not registered to vote.
- **You have the right** to get a new ballot if you make a mistake.
- **You have the right** to vote for the person you want. You can write in someone else's name if you don't like the choices on your ballot.
- **You have the right** to vote "yes" or "no" on any issue on your ballot.
- **You have the right** to leave some choices blank on your ballot. The choices you do mark will still count.
- **You have the right** to use a voting system for all Federal Elections that makes it equally possible for people with disabilities to vote privately and independently.
- **You have the right** to know if your ballot, including a "provisional ballot", was accepted for counting.
- **You have the right** to file a complaint if you think your voting rights have been denied.

(Oregon Constitution, Sections 2 and 3; ORS Chapters 137, 246, 247, and 254; Vote By Mail Manual; Help America Vote Act of 2002; OAR 165-001-0090 and 165-007-0030)

for more information about voter rights:



**1 866 673 VOTE / 1 866 673 8683**

*se habla español*

**TTY 1 800 735 2900**

*for the hearing impaired*

**Representative in Congress, 5th District**

## Kurt Schrader

Democrat

**Occupation:** U.S. Congressman

**Occupational Background:** Veterinarian; Small Businessman; Farmer

**Educational Background:** Cornell University, B.A.;

University of Illinois, B.S.; Doctor of Veterinary Medicine

**Prior Governmental Experience:** State Senator; State Representative; Co-Chair, Joint Committee on Ways and Means; Canby Planning Commission.

### Kurt Schrader for Congress Putting Our Oregon First.

Kurt Schrader has kept his focus on jobs and the economy. Kurt has kept his word to look out for our families and communities.

### Delivering for Us

- Kurt is investing in the future of Oregon's children and workforce with increased federal funding for Head Start, K-12, community colleges, and Pell Grants for our college students.
- Kurt led the fight keeping Newport as the new base of the NOAA Pacific fleet, and for funding of the Woodburn Interchange, bringing hundreds of jobs and economic opportunities into our Willamette Valley.
- Kurt is working across the aisle to break the gridlock of federal forest management by proposing the O&C Trust, Conservation and Jobs Act, which would provide for thousands of jobs in a healthier Oregon forest.
- Kurt has sponsored a constitutional amendment to limit the horrendous influence of special interest money in our elections.
- Kurt is a Congressional leader for a balanced budget plan for \$4 trillion in deficit-reduction and job creation over ten years.
- Kurt is opposed to a voucher system for Medicare and Social Security.

### Putting Oregon First

- Kurt holds community meetings throughout the district, homeowner workshops to help families avoid foreclosure, and works with Oregon small business owners to develop legislative solutions to the problems of access to capital and excessive regulation.
- He cut through red tape for Oregon families, winning back over \$1.5 million in stalled Social Security payments for our seniors, denied VA benefits for Oregon's warriors, and delayed IRS refunds.

"Thanks for the opportunity to be a voice for Oregon values and priorities. I would appreciate your vote – there's much more work to do." -- Kurt

[www.kurtschrader.com](http://www.kurtschrader.com)

*(This information furnished by Kurt Schrader for Congress.)*

The above information has not been verified for accuracy by the State of Oregon.

**Representative in Congress, 5th District**

## Fred Thompson

Republican

**Occupation:** Small Business Owner

**Occupational Background:** A successful leader, who understands the challenges of running both a small business and large manufacturing

companies. Fred has more than thirty-five years of experience in the agricultural, energy and wood products industries, including serving as President & CEO for a manufacturing facility converting agricultural waste into building materials.

**Educational Background:** Presidential Key Executive MBA, Pepperdine University; B.S., Linfield College; A.S., Apprenticeship Trades, Lane Community College; Oregon Journeyman Millwright Certification, Licensed Journeyman Electrician, Welding Certifications in MIG & TIG.

**Prior Governmental Experience:** Junction City School Board Budget Committee, 1985-1986.

**Military Service:** Sergeant, U.S. Army, 101st Airborne Division - Assault Helicopter Company, Vietnam Service, 1970-71. Honorable discharge.

**Community Activities:** Active in charitable, church and Boy Scout activities including duties as Assistant Scoutmaster. Currently a 4th Degree Knight of Columbus.

**Personal:** Married 22 years, Fred and his wife Stephanie have two sons, 14 & 16 years old; they live in Marion County. Fred was raised on a family dairy farm.

**Job creation:** Fred Thompson has been instrumental in creating and/or saving hundreds of high-paying jobs by building manufacturing plants or restructuring businesses slated for closure. Fred was also a key advisor in helping a colleague establish the 7th-largest woman-owned business in the U.S. that manufactures energy products.

### If elected Fred will:

- Fight for and restore benefits taken away from senior citizens who rely on Medicare and Social Security Services
- Bring back manufacturing and return family wage-paying jobs for Oregon
- Focus on returning Oregon's federal timberland to the control of Oregonians.
- Work for a reduction in the tax burden for all families and businesses, holding government accountable for out-of-control spending and policies
- Protect military and improve veterans benefits
- Improve Oregon's suffering education system and support reinstatement of trade school education in mid-high and high schools
- Defend the timber, farm, dairy, wine, greenhouse, mining and fishing industries, while protecting Oregon's clean water, clean air and wildlife habitat.

Facebook: [Fred Thompson Salem](https://www.facebook.com/FredThompsonSalem).

Website: [www.fredthompson4congress.com](http://www.fredthompson4congress.com)

*(This information furnished by Fred Thompson.)*

The above information has not been verified for accuracy by the State of Oregon.

**Representative in Congress, 5th District**

# Christina Jean Lugo

Pacific Green

**Occupation:** Artist

**Occupational Background:**  
Sole Proprietor, Green Hills  
Lawn and Garden, Instructor,

Up and Out Inc.

**Educational Background:** University of Minnesota;  
Macalester College

**Prior Governmental Experience:** US Senate Candidate; Peace  
Activist

**Community Activities:** Advocate for Social Justice, Secular  
Government, Media Democracy, Single Payer Health Care,  
Environmental Justice and Nuclear Abolition.

### Green Values

I am running for Congress as a Green because it is time for the citizens of Oregon to have someone who represents them, and not the blind interests of a neo-conservative agenda that have led us down the path of war, neglected our most vulnerable citizens and left us with a crumbling economy.

### Vote for Peace

It is time to end the failed wars that have cost the US taxpayers more than a trillion dollars and disgraced the United States in the eyes of the international community. Democrats have proven that they will support endless wars in the Middle East so it is up to a progressive third party to do what the Democrats have failed to do. A vote for the Green Party is a vote for peace.

### Economic Justice

We can see now that the policies of the Democratic Party will not make America stronger. Oregonians are out of work, people are losing their homes, the middle class is shrinking and the federal deficit mushrooming because of reckless war profiteering, corporate subsidies and tax breaks for the most privileged members of our community.

### Positive Future

It is time for a positive change in Oregon. It is time to turn away from the policies of greed and fear that the two-party system represents. Americans are ready for a compassionate government that addresses real human needs. Thank you for your consideration of support and I look forward to serving you next year as your Green Party representative in the 5th Congressional District of Oregon.

[www.christina4oregon.org](http://www.christina4oregon.org)

*(This information furnished by Christina Jean Lugo.)*



## Online Voters' Guide

The information contained in this voters' pamphlet is also available in the Online Voters' Guide

[www.oregonvotes.gov](http://www.oregonvotes.gov)

## 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.

for more information about voting in Oregon:

➤ **oregonvotes.gov**



**1 866 673 VOTE / 1 866 673 8683**

se habla español

**TTY 1 800 735 2900**

for the hearing impaired

## Secretary of State



## Seth Woolley

Pacific Green

**Occupation:** Senior Software Engineer

**Occupational Background:** Software Engineer in High-Performance, High-Capacity, Distributed Supercomputing, & Location-based Storage

Systems; Administrator, Systems & Networking; Auditor, Computer Security & Quality Assurance

**Educational Background:** Northwest Public Schools; Willamette University, Computer Science

**Prior Governmental Experience:** Secretary, Treasurer, Co-Chair, and Elections Administrator of Green Party Local and State Parties;

Elect Seth Woolley to  
**End Legalized Bribery, Save Native Forests,  
Transparent Auditing and Elections**

The Secretary of State administers our elections, audits our government, manages files and archiving, and sits on the Land Board. Seth has run **grassroots campaigns** for election method and campaign finance reform, environmental action, and transparency causes with **thousands of small donors** and **without special interest money**.

Seth will **end legalized bribery** by enforcing measure 47 (2006) which **the voters enacted**

You, the citizens of Oregon voted to enact reasonable limits for campaign donations that would **ensure broad support** for candidates. The current Democratic Secretary refuses to **enforce the law**, despite no portion ever being overturned by the courts.

Seth will **protect native forests** by reversing the Democrat-approved lease of state-owned forests for clear-cutting.

The State Land Board, composed of three Democrats, the Governor, Secretary of State, and Treasurer, recently voted to nearly **double clear-cutting** in the Elliott State Forest in a Faustian bargain to provide a tiny sliver of revenue to public schools. Oregon needs to set up a **carbon-based fund** to purchase land out of the Common School Fund to be forever preserved. Forest preservation is linked with **economic growth via increased quality of life**. Schools preserve funding, no debt is incurred, and the increased economic vitality leads to even more school funding.

Seth will **open government** to deep public oversight

Seth will use his software engineering experience to **open up access to our government**. Seth created extensive donation reports discussed by major media and will push for deeper transparency to enable public auditing.

For native forests and clean, transparent government,  
**Vote Seth Woolley**

Learn more: <http://www.seth4sos.org/>

*(This information furnished by Seth Woolley.)*

The above information has not been verified for accuracy by the State of Oregon.

## Secretary of State



## Robert Wolfe

Progressive

**Occupation:** Selling Oregon wines worldwide (25 years)

**Occupational Background:** Journalist, with investigative reporting awards

**Educational Background:** College

**Prior Governmental Experience:** None (enough)

### RECLAIM THE INITIATIVE PROCESS

Kate Brown's policies stop normal citizens from using Oregon's initiative process. Her arbitrary and hyper-technical requirements discard over 40% of all voter signatures, so only big corporations and unions can afford to use the system.

2000-02 saw 13 progressive measures on the Oregon ballot, including guaranteed school funding, single-payer health care, and the nation's highest minimum wage.

2008-10, with Kate Brown's bad rules, saw only ONE progressive measure on the Oregon ballot (medical marijuana dispensaries).

### GET BIG MONEY OUT OF OREGON POLITICS

In 2006, Oregon voters enacted Measure 47 the nation's strictest limits on campaign contributions, while requiring political ads to disclose their funding sources and amounts.

Kate Brown refuses to enforce Measure 47, so campaign spending on Oregon races has continued to skyrocket from \$4 million in 1998 to \$57 million in 2010 (not including Congress). Individual Legislative candidates spend up to \$1 million and more. Oregon politicians spend more on legislative races, per capita, than in any state except New Jersey. (*Oregonian* 4/6/2010)

Kate Brown "has been silent on campaign finance reform and otherwise largely invisible," says *Willamette Week* (5/25/2012). In 2008 she smashed the record for Secretary of State campaign spending (\$1.2 million), taking contributions as high as \$135,000 from a single union and over \$116,000 from lawyers and lobbyists.

### STOP GOVERNMENT INCOMPETENCE

As "Auditor in Chief," Kate Brown's accountants "audited" the Oregon Department of Revenue 3 times in the past 2 years but failed to detect huge fraudulent tax refunds, including a \$2.1 million refund in 2012 to a woman who had never reported significant income. TurboTax discovered this fraud that Kate Brown missed. What else is out there?

### SAVE THE STATE FORESTS FROM CLEAR-CUTTING

Kate Brown approved a 65% increase in clear-cutting in Oregon's largest state forest (Elliott).

*(This information furnished by Robert Wolfe.)*

The above information has not been verified for accuracy by the State of Oregon.

**Secretary of State**



**Kate Brown**

Democrat  
Working Families

**Occupation:** Secretary of State

**Occupational Background:** Family, Juvenile Law Attorney, Instructor at Portland State University

**Educational Background:** University of Colorado, B.A.; Northwestern School of Law, Lewis and Clark College, J.D., Environmental Law Certificate; Senior Executive Program, Kennedy School of Government, Harvard

**Prior Governmental Experience:** State Representative 1991-1996; State Senator 1997-2008; Secretary of State 2009-present

*"While other public officials sat on the sidelines, Brown acted..."*

*Brown has been an effective secretary of state"*

Statesman-Journal, April 11, 2012

**Strong Leadership. The Right Experience.**

**Delivering Accountability for Our Tax Dollars.**

As Secretary of State, Kate Brown protected the integrity of our elections system. Kate Brown cut red tape to provide better service for Oregon's small businesses and entrepreneurs.

**Most importantly, Kate Brown has been Oregon's accountability watchdog, finding ways to save tax dollars and make government more efficient, effective and responsible.**

Under Kate Brown, the Secretary of State's Office has conducted 236 audits and examinations, cutting waste and identifying over \$180 million in savings that can go instead to schools, public safety, services for seniors and health care:

- To address people and big corporations not paying their fair share in taxes, **Brown's audit of the Department of Revenue found over \$100 million in uncollected taxes** in one year alone.
- Thanks to Brown's audits, community colleges **will be better able to train students in the skills that Oregon businesses need to succeed.**
- Her audit of Oregon's Child Welfare Department recommended **better training, mentoring and regular evaluations of case workers to protect children and help get kids out of foster care.**

An advocate for small business:

- Kate Brown created Oregon's first one-stop online business portal that streamlines services, permitting and cuts the red tape for business owners.

*"Kate's hard work, integrity and energy assure Oregonians get more for their tax dollars."*

**Congressman Peter DeFazio, US Senator Ron Wyden and Governor Barbara Roberts**

Learn about how Kate Brown's strong leadership has saved us money and made government accountable at [KateBrownforOregon.com](http://KateBrownforOregon.com)

*(This information furnished by Kate Brown Committee.)*

**The above information has not been verified for accuracy by the State of Oregon.**

**Secretary of State**



**Knute Buehler**

Republican  
Independent

**Occupation:** Physician; small business owner; inventor

**Occupational Background:** Orthopedic Surgeon; Medical Product Design

**Educational Background:** Rhodes Scholar, Oxford University, M.A., Politics and Economics; Johns Hopkins University, M.D.; OSU; Roseburg High School

**Prior Governmental Experience:** none

**Community Service:** Board of Directors: St. Charles Health Systems; Ford Family Foundation; Oregon League of Minority Voters; OSU-Cascades

**Family:** Wife of 22 years, Patty; two teenage children, two dogs

**KNUTE BUEHLER HAS CONCRETE PLANS TO REFORM GOVERNMENT AND SOLVE PROBLEMS**

[www.GetOregonWorking.com](http://www.GetOregonWorking.com)

*"Like other great independent leaders throughout Oregon's history, Knute will solve problems in the pragmatic, common-sense way we expect."*

Dave Frohnmayer, Former Attorney General

**WORK WITH SMALL BUSINESSES: CREATE JOBS**

I've started businesses and run a medical practice with 170 employees. My plan will streamline the business licensing process; remove outdated regulations; and help small businesses navigate government bureaucracy so we can get Oregonians working again.

*"Knute's plan will reduce the red-tape small business owners face and help create jobs."*

John Miller, President, Salem Chamber of Commerce

**ELIMINATE GOVERNMENT WASTE: DELIVER BETTER SERVICE**

I'll hold government accountable and be the leader in cutting waste—maximizing funding for schools, law enforcement, and families in need. I'll be your government watchdog and I have a 6-point plan to reform Oregon's Public Employee Retirement System (PERS)—the \$16 billion threat facing our schools and other necessary programs.

*"Knute's leadership will benefit PERS members, taxpayers, and improve our schools."*

LeeAnn Larsen, Beaverton School Board Chair

**A NON-PARTISAN REFORMER: REDUCE MONEY IN POLITICS**

I've worked for 20 years to reform campaign finance laws and open primaries to independents. My plan will make candidates list their largest donors on campaign ads and I'll work to limit campaign spending.

*"Knute's an independent thinker. He'll break down partisan barriers and improve our elections."*

Harry Lonsdale, Former Democratic Candidate, US Senate

**BIPARTISAN ENDORSEMENTS**

- Myrlie Evers-Williams, Activist
- Norma Paulus, Former Secretary of State
- Jack Roberts, Former Commissioner, Bureau of Labor and Industries
- Congressman Greg Walden
- Independent Party of Oregon

*(This information furnished by Knute Buehler for Secretary of State.)*

**The above information has not been verified for accuracy by the State of Oregon.**

## State Treasurer



## Ted Wheeler

Democrat  
Working Families

**Occupation:** Oregon State Treasurer

**Occupational Background:** Vice President, Copper Mountain Trust Co.

**Educational Background:** Portland Public Schools; Stanford University (BA); Columbia University (MBA); Harvard University (Masters, Public Policy).

**Prior Governmental Experience:** Chair, Board of County Commissioners, Multnomah County, 2006-2010.

Community Involvement: Portland Mountain Rescue; Neighborhood House.

### Leadership Rooted in Oregon

A sixth generation Oregonian, Ted Wheeler shares Oregon's values, providing experience that creates jobs, improves services, promotes efficiency, and puts Oregon on stable financial footing.

"Ted Wheeler is a leader who gets things done for our communities and state. Our future depends on a strong economy, and he can execute innovative economic development strategies that will foster a thriving business environment in Oregon."  
- Governor John Kitzhaber, MD

### Leadership that Delivers Results

**Under Ted Wheeler's management, the Treasury:**

- Saved taxpayers millions by holding the line on debt.
- Protected Oregon's finances through profitable investments.
- Re-launched the Oregon College Savings Plan and cut fees for families.
- Earned Oregon a credit rating upgrade.
- Pushed for corporate governance reforms to hold Wall Street accountable to Main Street.

### Leadership for Oregon's Future

**Ted Wheeler has a long-term vision for Oregon, including:**

- Accelerating job creation by providing strategic investments to businesses, streamlining bureaucracy, and encouraging public-private partnerships.
- Focusing on the next generation by making universities, community colleges, and technical training programs more accessible and affordable.
- Investing in local and regional infrastructure projects like transportation and water and sewer systems by spearheading a multistate financing mechanism along the West Coast.

### Endorsed by People and Organizations We Trust:

Governor John Kitzhaber, MD; Governor Ted Kulongoski; Governor Barbara Roberts; Governor Victor Atiyeh; AG-PAC; Oregon AFL-CIO; Oregon AFSCME; Oregon State Council for Retired Citizens; Oregon Building Trades Council; Oregon Business Association; Oregon Education Association; Oregon Nurses Association; Oregon State Fire Fighters Council; Oregon Forest Industries Council; Oregon League of Conservation Voters; Planned Parenthood PAC; SEIU Locals 503 & 49.

[www.TedWheeler.com](http://www.TedWheeler.com)

*(This information furnished by Friends of Ted Wheeler.)*

The above information has not been verified for accuracy by the State of Oregon.

## State Treasurer



## Cameron Whitten

Progressive

**Occupation:** Student

**Occupational Background:** Student

**Educational Background:** Portland Community College

**Prior Governmental Experience:** None

Fellow Oregonians,

As a community, we pride ourselves in seeing the Big Picture. Oregon's pioneering spirit has put us ahead of the nation, time and time again.

\$9.5 billion of Oregon's Short Term Funds are invested into various financial firms, including Citigroup, Goldman Sachs, JP Morgan Chase, and Bank of America. The majority of these funds go outside of Oregon.

Investment Officers travel the world to manage this portfolio, often at the expense of the Oregon Treasury. While these investments are intended to provide a rate of return, it strips our local economy of capital that could be channeled into housing, small business, and public works projects.

As a leader in our community, I am dedicated to seeing the Big Picture.

A State Bank is a solution to Oregon's financial hardships. Oregonians deserve a say over how our assets are managed, rather than CEOs who make decisions miles away from Oregon. Local governments pay expensive fees to financial firms to secure loans, when Oregon could facilitate the process at lower cost to taxpayers.

Small Businesses are the organs of Oregon's economy, community banks are its lifeblood. A State Bank of Oregon will partner with the private sector to lower interest on loans, increase lending capacities, and help entrepreneurs and farmers access the capital they need to grow our economy. This fiscal policy is tailored to specifically benefit the citizens of Oregon.

2012 is the right year to build a coalition around the State Bank of Oregon. As Treasurer, I will be at the Legislature to encourage bipartisan support for a resilient economy, based on resilient structures answerable to the democratic will of the People.

With your vote, you can insure prosperity for generations to come. It is time to restore our faith in hardworking Oregonians.

I honor my commitment to serve. Call me directly, 503-890-5716, or visit [www.cameronwhitten.com](http://www.cameronwhitten.com) and [www.progpatty.org](http://www.progpatty.org).

*(This information furnished by Cameron Whitten.)*

The above information has not been verified for accuracy by the State of Oregon.



**State Treasurer**

## Tom Cox

Republican

**Occupation:** Management Consultant.

**Occupational Background:** Sr. Consultant, Price Waterhouse Coopers, Sr. Consultant, IBM Global Services, Small Business Owner.

**Educational Background:** BA, University of Chicago, Behavioral Science.

**Prior Governmental Experience:** Former candidate for Oregon governor and the state legislature.

**When Things Aren't Working, It's Okay to Make a Change**  
[www.thomasbcox.com](http://www.thomasbcox.com)

**The State Treasurer can help to create a climate encouraging job growth and investment.** The current Treasurer has been an adequate "caretaker" treasurer. But in these difficult times, Oregon needs more.

**Our Public Employee Retirement System (PERS) is underfunded by over \$16 billion - more than \$11,000 for every household in Oregon.** Meanwhile, much of Oregon outside of Portland has been twisting in the wind in part because state lands have been so poorly managed over the years. Schools have also suffered, since the Common School Fund depends on the efficient management of state lands. It's time to make a change.

**On Managing PERS:** We must keep our promises to retirees, but I would fight to evolve PERS into a defined contribution system similar to 401k plans which can never be underfunded. The current \$16 billion shortfall, for which we have no money set aside, was caused by politicians who kicked problems down the road rather than fix them. The problem was made worse by politicians afraid to tell special interests that the system is broken. I won't do that.

**On State Lands:** In the long run, no part of Oregon can prosper unless all of Oregon does. It's time to recognize that much of Oregon depends on the natural resource economy. We must responsibly open up our resources to invigorate the rural economies.

**On Responsible Management:** I've spent years helping businesses improve their leadership and management systems, with dramatic results. I will apply this experience toward making sure that state assets and the office of the State Treasurer are managed well for the benefit of us all.

### VOTE TOM COX FOR STATE TREASURER

*(This information furnished by Tom Cox.)*



## Update your registration if you are away from home

The post office will not forward your ballot.

You can request an **absentee ballot** if you will not be home during an election. The ballot will be sent to the alternate address you provide.

for more information about voting in Oregon

➤ **oregonvotes.gov**



**1 866 673 VOTE / 1 866 673 8683**

*se habla español*

**TTY 1 800 735 2900**

*for the hearing impaired*

**Attorney General****James L. Buchal**

Republican

**Occupation:** Attorney**Occupational Background:** Private practice since 1985.**Educational Background:** Harvard University, A.B.; Yale University, J.D. and M.B.A.**Prior Governmental Experience:** None.**The Problem**

We have a cancer of government. Out-of-control agencies and rules are killing Oregon's prosperity. Years of litigating against the government taught me what is wrong. History teaches us that electing government employees backed by government unions will not cure the problem. Real change requires leaders with a new perspective.

**Solution: Accountability**

Oregonians are outraged that a few enormous financial institutions, operating through a corrupt Congress, mortgaged America's future to pay their gambling debts. We should be outraged that our last Democratic Attorney General let them walk with minimal fines they could foist off on the taxpayers. Oregon's agencies routinely waste untold millions of dollars on projects that fail, yet enrich politically-connected insiders. I am no one's puppet. I will follow the money trails wherever they lead and fight for honest government.

**Solution: Decentralization**

Multiple agencies and layers of government in charge of the same thing make no sense. Excessive federal powers subvert Oregon's ability to protect Oregonians' interests. Whether it is burning down our forests or micromanaging Portland's water supply, we can't afford such nonsense. The Constitution was designed to prevent these problems by limiting federal authority. As your Attorney General, I will fight to uphold the Constitution and restore a limited, functional federal government.

**Solution: Simplification**

Oregon law requires agency rules to be "clear and simple," and I will make enforcing that law a priority to prune back the layers of red tape that are strangling Oregon's businesses. As the lawyer for Oregon's agencies, I will no longer bend the law to support the bureaucrats, but protect the People from excessive government by upholding the rule of law. Good government means quick and decisive official action under clear rules, not thousands of pages of regulations and reports.

**PLEASE VOTE FOR JAMES BUCHAL FOR ATTORNEY GENERAL**Learn more at [www.buchal.com](http://www.buchal.com)*(This information furnished by James L. Buchal.)*

The above information has not been verified for accuracy by the State of Oregon.

**Attorney General****Ellen Rosenblum**

Democrat

**Occupation:** Oregon Attorney General**Occupational Background:** 36 years experience as appellate and trial court judge; federal prosecutor; private practice attorney**Educational Background:** University of Oregon, B.S., J.D.**Prior Governmental Experience:** Oregon Court of Appeals; Multnomah County Circuit and District Court**PROTECTING OREGON**

As Attorney General, Ellen Rosenblum works to protect children from sexual predators, fights against domestic abuse, is a strong advocate for crime victims, and has established new rules to protect Oregon homeowners from predatory lenders and mortgage fraud.

Ellen is dedicated to preventing scammers from preying on Oregon's seniors; ensuring our roads are free of drunk drivers; and defending women's healthcare and reproductive freedoms.

**LOOKING OUT FOR US**

Rosenblum is committed to being the People's Attorney General - advocating and standing up for Oregonians and Oregon values.

*"As your Attorney General, I'm working tirelessly to protect Oregon from powerful special interests. I am focused on standing up for Oregon's children, seniors and most vulnerable citizens. I'm proud to be Oregon's Attorney General, and will continue to fight on your behalf every day."*  
Ellen Rosenblum

**CONCERNED ABOUT OUR SCHOOLS AND ENVIRONMENT**

Ellen has made ensuring a bright future for our children a priority by supporting Oregon's public schools and making sure we protect our environment.

*"I strongly support Ellen for Attorney General, because I know we can count on her to stand up for the rights and safety of all Oregonians."*

Governor Barbara Roberts

**TOUGH ON CRIME****ZERO TOLERANCE FOR PREDATORS AND ABUSERS**

*"During my 32 years as District Attorney, I have observed Ellen to be tough and fair as a prosecutor and a judge. She will work hard to protect Oregonians from predators and abusers."*  
Multnomah County District Attorney Mike Schrunk

**Also supporting Ellen**

Congressman Earl Blumenauer  
Attorney General Hardy Myers  
Oregon AFL-CIO  
Emily's List  
Oregon League of Conservation Voters  
Oregon AFSCME  
Oregon Education Association  
OSEA  
SEIU  
Basic Rights Oregon PAC  
NARAL ProChoice Oregon  
MotherPAC  
Violence Against Women PAC  
Oregon Building Trades Council

*(This information furnished by Ellen Rosenblum.)*

The above information has not been verified for accuracy by the State of Oregon.

**State Senator, 12th District**



**Annette Frank**

Democrat

**Occupation:** Wife, mother, active citizen & city councilor

**Occupational Background:** Sales, marketing & management

**Educational Background:** BS Environmental Studies, Linfield College

**Prior Governmental Experience:** City Councilor, 2010-present; Planning commissioner 2005-2010

Community Service: Chair 7/2010-5/2012, Greater Yamhill Watershed Council; Board, secretary/treasurer 12/2010-present, Friends of the Mary Gilkey Library; chair 2010, past chair 2009, committee member, Dayton Harvest Festival Committee

**Annette Frank. Fully Fund Our schools.**

Politicians have given short shrift to funding our schools – we are laying off teachers and class sizes keep increasing. We need a change in leadership to ensure that we can reduce class sizes and keep students learning for the full school year. We must put significant investment in education to ensure that our children can learn skills and knowledge they'll need to get and create good-paying jobs. Annette is not afraid cut wasteful spending and tax breaks to provide more critical funding for schools.

**"As a teacher I support Annette Frank because she totally supports teachers and good education."**

Mitch Coleman  
Dayton High School Teacher

**Annette Frank. Getting us back to work.**

Annette knows good paying jobs are part of Oregon's economic recovery, leading to more funding for schools and resources for the vulnerable. Annette will vote to help small business get access to capital and support proposals that help the Main Street businesses and farms in Oregon.

**"Annette understands the unique challenges that confront the residents & small businesses in rural small towns."**

John J. Collins  
Small Business owner

**Annette Frank. Putting Oregon's Natural Resources to Work.**

Oregon's abundance in natural resources can boost our economy, and Annette will fight to make Oregon a leader in natural resource industries. We should be working to create brands of products known to Oregon and sold worldwide. Annette will work to ensure that we can make long-term use of our natural resources to support our economy.

**"Annette is a natural leader, problem solver and a skilled communicator."**

Kris Bledsoe  
Grand Island farmer

*(This information furnished by Annette Frank.)*

The above information has not been verified for accuracy by the State of Oregon.

**State Senator, 12th District**



**Brian J Boquist**

Republican  
Working Families

**Occupation:** Small Business Owner, farmer, rancher

**Occupational Background:** Aviation, construction, dairy, forestry, international business

**Educational Background:** MBA, Oregon State University; BS, Western Oregon State College; Tillamook High School

**Prior Governmental Experience:** Lieutenant Colonel, Special Forces, US Army, Army National Guard, Army Reserve, State Representative, Central and Perrydale School District Budget Committees

**ORGANIZATIONS:** Boy Scouts of America (Eagle), Veterans of Foreign Wars, American Legion, National Guard Association, Elks

**FAMILY:** Peggy, six children.

**Character, leadership and real experience matters!**

**"I'm an independent minded constitutional republican who believes public safety ought to come first, protecting our children is the key to our future, supporting Oregon businesses leads to public prosperity, defending private property rights is like defending our borders, respecting seniors for their experience, and less government will improve our pursuit of life, liberty and the pursuit of happiness."**

**Brian says** public safety is the first responsibility of government.

**Brian says** Oregon needs local jobs not higher taxes.

**Brian says** education is everybody's business and we need to work locally to improve our children's future.

**Brian says** save Oregon for our children not from our children.

**Brian says** small businesses and property owners are over regulated and under supported by government bureaucracy.

**Brian says** prosecute criminals, enforce existing laws, and put money in local hands not state bureaucracy.

**Brian says** honor seniors. Safeguard their future. Rebuild ours together.

**Brian supports** the Second Amendment as a personal right.

**Brian is** a veteran who understands the challenges younger veterans face today.

**Brian favors** parental notification.

**"A strong economy means supporting small businesses. Oregon needs roads not commuter rails. Oregon needs classroom money not classroom bureaucracy. Oregon needs to spend locally not waste centrally in Salem. Oregon needs common sense not political correctness. Oregon needs Leadership!"**

**"Join me in sacrificing now for a better Oregon future. I am asking for your vote."**

**Leadership That Counts - Boquist for State Senate**

*(This information furnished by Brian J Boquist.)*

The above information has not been verified for accuracy by the State of Oregon.

**State Representative, 15th District****Andy Olson**

Republican  
Independent

**Occupation:** State Representative

**Occupational Background:** Oregon State Police, 29 years; Community College Instructor;

Emergency Services Consultant

**Educational Background:** Bachelors, George Fox College; Associates, Chemeketa Community College

**Prior Governmental Experience:** Oregon State Police

**ANDY OLSON: EXPERIENCED AND EFFECTIVE**

"We are thankful that Andy Olson is OUR Representative in Salem. He never loses sight of what is important to our community. He has built so many bridges between our community and Salem that he can effectively get things done on our behalf." Janet Steele, President of the Albany Chamber of Commerce

"Representative Olson's experience with public safety issues and the state budget is second to none. When Andy gets behind an issue, people in the legislature listen because his knowledge and experience are so vast. He's a very effective legislator because he respects others and knows how to work across party lines." Senator Frank Morse

"I have worked with Andy Olson and his office when I had difficulty with the state. They knew exactly what to do and got me the assistance I needed. They were caring, professional, and effective for me." Jim & LaDonna Pollard

**ANDY OLSON: MOVING OREGON FORWARD**

- **Grow JOBS and turn unemployment around**, creating long-term economic strength by supporting Oregon businesses
- **Fund Education** with adequate, stable, accountable dollars for K-12 classrooms, community colleges and universities
- **Stop Government Growth**-Prioritize spending, balance budgets, without new taxes-Show leadership and respect taxpayers' hard earned dollars.
- **Strengthen criminal justice system** for safe communities and overall security through wise policy

**ENDORSED BY:**

Paulette Pyle, Grassroots Director, Oregonians for Food and Shelter  
 Roger Beyer, AG-PAC Chairman  
 Oregon Small Business Coalition  
 Oregon Education Association  
 National Electrical Contractors Association  
 Oregon Chiefs of Police Association  
 John Haroldson, Benton County District Attorney  
 Oregon Council of Police Associations  
 National Federation of Independent Business/Oregon (NFIB)  
 Oregon AFSCME  
 Oregon Nurses Association  
 Association of Oregon Corrections Employees  
 Sheriffs of Oregon  
 Stand for Children  
 Oregon Right to Life PAC  
 Oregon Anti-Crime Alliance PAC

**RE-ELECT REPRESENTATIVE ANDY OLSON**

[www.friendsofandyolson.com](http://www.friendsofandyolson.com)

*(This information furnished by Andy Olson.)*

The above information has not been verified for accuracy by the State of Oregon.

**State Representative, 15th District****Ron Green**

Democrat

**Occupation:** Retired Employment Specialist

**Occupational Background:** Retired Employment Specialist, Teacher

**Educational Background:** B.A. in English, University of North Texas 1977; 60 Graduate Hours in Education

**Prior Governmental Experience:** None

**Ron Green: Salem Needs Someone Like Us****Ron's Experience and Diverse Background**

- **U.S. Army Veteran:** Ron served from 1966 to 1969. He is passionate in his advocacy for Veterans.
- **Successful Small Business Owner:** Ron knows how to create local jobs, the backbone of the economy.
- **Schoolteacher and Educator:** Ron's been there. He knows what teachers need to make our students successful. Our educators need stable funding and the trust from our officials to do their jobs.
- **Corrections Counselor:** Ron implemented a program that successfully reduced crime and violence within a state prison system, saving taxpayer dollars.
- **Employment Specialist:** When the International Paper mill shut down, Ron was there, successfully helping Albany workers find jobs.

**Ron Has the Support from the People that Matter**

"It's refreshing talking to someone who knows firsthand what students need to succeed. Ron is completely accessible to everyone; this will be very invaluable in the legislature. This house district would be very lucky to have a representative that's always in touch with his constituents."

**Susan Equinoa, Former Teacher, Greater Albany Public Schools**

"I know Ron from when he was getting folks with disabilities access to employment. He had the unique ability to reach out and coordinate with partner organizations in the public and private sectors. If elected, I know Ron will cut across the partisan divide to get things done for his district."

**Brian Ingram, Disability Advocate**

"Ron listens and he engages. He has a firm grasp of the complex issues, and he understands healthcare policy shouldn't be viewed through an ideological lens. Ron won't just feed us the usual sound bites while maintaining the status quo. He will be a leader and a true advocate for affordable healthcare."

**Steve Henion, Registered Nurse**

*(This information furnished by Ron Green for District 15.)*

The above information has not been verified for accuracy by the State of Oregon.

**State Representative, 16th District**



**Andrew Decker**

Republican

**Occupation:** State Licensed Tax Preparer, Volunteer at South Corvallis Food Bank, Graduate School Student

**Occupational Background:** Paralegal, Oregon Tax Court-Magistrate Division; Court

Clerk, Linn County Justice Court; Legal Assistant, The Law Firm of Goldberg & Osborne

**Educational Background:** Bachelor's Degree in Business Management expected, Northwest Christian University; Associate's Degree in Legal Administration, LBCC; Certificate in Office Technology, LBCC; Pursuing Master's Degree in Business Management.

**Prior Governmental Experience:** Appointed Board Member, Benton County Board of Property Tax Appeals; Precinct Committeeman, Benton County Republicans; Paralegal, Oregon Tax Court; Court Clerk, Linn County Justice Court.

**Community:** Andrew takes pride in having been a resident of Philomath and now Corvallis.

**Family:** Andrew is the father of two extremely energetic young children.

Andrew believes you deserve a representative who can truly relate to you and will represent your needs, not the needs of out-of-state interests.

**K-12 Education:** As a parent, whose children will soon enter our public schools, Andrew is genuinely concerned with improving public education. Andrew will work to:

- Provide school districts with adequate budgets;
- Increase school choices for families;
- Return full authority of our schools to our communities. We know what is best for our children, not Washington DC.

**Taxes, the Economy, and Business:** Higher tax rates will slow our economic development. Increasing business opportunities will lead to an increase in overall tax revenues, thus allowing a sustainable government budget. Andrew will work to improve the business climate in Oregon to ensure you have access to growing opportunities.

**Government:** Andrew believes in a government that is accountable to taxpayers. He supports responsible spending of the taxpayers' money with a focus on protecting critical functions of government, like public safety, emergency services, and the Judicial Department.

Watch videos of Andrew discussing the issues and learn more about his positions in detail at [www.DeckerforStateRep.com](http://www.DeckerforStateRep.com).

**Endorsed By:**

Oregon Family Council PAC

BikePAC

**Andrew Decker for State Representative**

[www.DeckerforStateRep.com](http://www.DeckerforStateRep.com)

*(This information furnished by Friends of Andrew Decker.)*

The above information has not been verified for accuracy by the State of Oregon.

**State Representative, 16th District**



**Sara A Gelser**

Democrat

**Occupation:** State Representative

**Occupational Background:** Children with Disabilities and Family Support Coordinator, Oregon DHS; Instructor, LBCC; Regional Coordinator, Oregon

Parent Training and Information Center

**Educational Background:** MAIS, Oregon State University; BA, Earlham College

**Prior Governmental Experience:** State Representative, Corvallis School Board

**SARA GELSER**

**Protecting what's best about Oregon**

**Protecting Education.** As Co-Chair of the Education Committee, I stood up for public education and high expectations for all students, helped expand career and technical education opportunities, and championed legislation to make schools safer. I've been a consistent advocate for higher education, supported tuition equity and worked to expand access to financial aid.

**Endorsed: Stand for Children, Oregon Education Association, American Federation of Teachers-Oregon (AFT-Oregon), Oregon School Employees Association**

**Protecting our families and our environment.** I championed Karly's Law to improve child abuse investigations and led the effort to protect seniors and people with disabilities from abuse and neglect. I successfully sponsored legislation to strengthen Oregon's rape statute and elevate the crime of strangulation to a felony. I proudly co-sponsored legislation creating rigorous new protections for families facing foreclosure, helped create Oregon's charitable pharmacy program, and made it harder for kids to access smokeless tobacco. I was proud to protect the Metolius River, vote for low carbon fuel standards and support Oregon's new marine reserves.

**Endorsed: Oregon Nurses Association (ONA), Oregon Council of Police Associations, Sheriffs of Oregon, Oregon Violence Against Women PAC, The Mother PAC, SEIU Local 49 and 503, Oregon AFSCME, Oregon State Council for Retired Citizens, National Electrical Contractors Association, Oregon AFL-CIO, Oregon League of Conservation Voters**

**Protecting individual rights.** I will always be an unwavering voice for equality and a woman's right to choose.

**Endorsed: Planned Parenthood PAC, NARAL Pro-Choice Oregon PAC, Basic Rights Oregon PAC**

As your Representative, I've worked hard to honor your trust. I hope to earn your vote this November so we can continue working together to protect Oregon's promise and build an even brighter future.

*(This information furnished by Sara Gelser for State Representative.)*

The above information has not been verified for accuracy by the State of Oregon.

**State Representative, 23rd District**

## Ross Swartzendruber

Democrat

**Occupation:** Advertising Executive, Black Sheep Advertising, Inc., President, Salem Creative Network

**Occupational Background:** Treasurer, Mid-Valley Video Festival

**Educational Background:** Amity High School, Boston University, BA in Biology

**Prior Governmental Experience:** Student Advisory Committee, State Superintendent of Public Instruction, Creative Economy Council

Ross Swartzendruber was born in McMinnville and raised on a sheep farm in rural Polk County. Ross opened his own business, Black Sheep Advertising, Inc., in 1997 and lives on the family farm with his wife Tanja Langen and their children Lillian, Henry and Rose.

With three children in the education system, Ross believes in stable funding for K-12, technical training programs and higher education. A highly trained work force attracts business investment and leads to family wage jobs that help our communities thrive.

In 2009, he founded Salem Creative Network, a non-profit organization dedicated to providing solutions through innovation. Challenges in the community were identified, stakeholders were brought together and programming was developed through collaboration among those partner groups.

In 2010, the Salem Creative Network created Solarize Salem, a residential bulk solar purchasing program that resulted in solar panels being installed on 60 homes in the mid-valley. Through his involvement, Ross learned first hand the what it takes to make small business thrive in his community.

Self-reliance and innovation are essential to grow Oregon's economy. House District 23 has led the way in agriculture and timber exports, biomass production and renewable energy. Ross has the experience to bring stakeholders together and meet the challenges of the 21st century.

I hope to earn your support.  
Vote Ross Swartzendruber

Endorsed by  
Oregon Education Association  
SEIU Local 503

*(This information furnished by Friends of Ross.)*

**State Representative, 23rd District**

## Alex Polikoff

Pacific Green  
Working Families

**Occupation:** Electrical Engineer

**Occupational Background:** Consulting Engineer, Power Plant Operator, Power Engineer, Electrician

**Educational Background:** BS Electrical Engineering, University of California/Berkeley

**Prior Governmental Experience:** Boulder County Energy Advisory Committee

### Health Care for All Oregon

I support universal, publicly-funded medical coverage. Health care is a basic human right, not a privilege only for those who can afford it.

### Establish an Oregon State Bank

Keep our money in Oregon. Stop giving hundreds of millions to JP Morgan, Wells Fargo, and the other banks who crashed our financial system and channel that money to small businesses and farmers.

### Fewer Prisoners, Better Schools

Get non-violent drug offenders out of our prison system and use the money for more K-12 teachers & staff, educational aids, and debt relief for college students.

### A Sustainable Oregon

I support local food production, storage, and distribution. Convert coal-based power to 100% renewable energies, and resist the influence of out-of-state energy interests. Establish policies that favor small businesses and green technologies. Our goal should be an Oregon that meets our needs, not one of unsustainable growth.

### A More Democratic Oregon

Get corporate money out of politics – establish public campaign financing for state elections. Instant Runoff Voting (IRV) so voters feel free to vote their conscience, and politicians are elected by a true majority. Tax policies that mean all pay their fair share, especially those who have profited the most over the last decade.

### **Corporations are not People!!!**

### **Money is not Speech!!!**

Both major political parties use the language of division to keep the status quo. Meanwhile, working Oregonians see their standard of living continually decline. It's time for real change. I promise to fight for that change. Oregon can lead the way to a brighter future for all of us.

*(This information furnished by Alex Polikoff.)*

**State Representative, 23rd District**

# Jim Thompson

Republican

**Occupation:** Allergy  
Consultant, State  
Representative

**Occupational Background:**  
Plant science; Hollister Stier  
Labs; Bayer Corporation

**Educational Background:** Taft High School; B.S., Biology,  
Western Oregon University (Oregon College of Education);  
graduate work, Botany and Plant Pathology, OSU

**Prior Governmental Experience:** State Representative; House  
Health Care Committee; House Human Services Committee;  
House Environment and Water Committee; Monmouth City  
Council; Chair, Polk County Fire District #1

**JIM THOMPSON**  
**Real Solutions to Real Problems**

### Focused on Job Creation

Jim Thompson proved he is willing to work with anyone willing to help create jobs for families here in our rural communities. He championed legislation that facilitates the use of woody debris from our forests to generate power and protect against forest fires. Experts say his plan could create hundreds of local jobs and, at the same time, provide renewable power.

“Jim understands that creating jobs in rural Oregon means putting Oregonians back into our forests. He is the voice we need for rural families in House District 23 and across the state.”

Jim Geisinger, Associated Oregon Loggers

### Responsible Budgeting and Spending

We need legislators like Jim Thompson who will ask tough questions and make sure our tax dollars are spent wisely and on the services we expect state government to provide like quality schools, safe streets and good roads. He will continue to work to bring a common sense approach to the way our state spends our money.

### Addressing Our Health Care Crisis

Access to quality and affordable health care is critical. As Co-Chair of the Health Care Committee Jim fought proposals that would have increased health care costs while making sure patients and doctors remained at the center of any discussion. Jim also worked to reduce the cost of insurance coverage by protecting physicians from frivolous lawsuits and worked to make sure spending is transparent for taxpayers who foot the bill.

**Vote Jim Thompson for State Representative**  
Real Solutions to Real Problems  
[www.JIMFORHOUSE.com](http://www.JIMFORHOUSE.com)

*(This information furnished by Citizens for Jim Thompson.)*

**Commissioner of the Bureau of Labor and Industries**



**Bruce Starr**

Nonpartisan

**Occupation:** Small Business Owner

**Occupational Background:** Contractor, Family Farming

**Educational Background:** Portland State University,

Hillsboro High School

**Prior Governmental Experience:** State Senator, State Representative, City Councilor

**Community Involvement:** Board member, Compassion First – anti-trafficking organization

**Family:** Married to Rebecca Starr, two children

*Bruce Starr will make creating Jobs Oregon's #1 Priority*

Bruce's number one priority is to ensure the Labor Commissioner becomes the Jobs Commissioner. We must get state government out of the way of job creators so we can get Oregonians working again.

*Bruce Starr - Record of Creating Private Sector Jobs*

In the legislature, Bruce worked with small business owners and labor unions - Democrats and Republicans - to rebuild our infrastructure and find common-sense solutions to the problems facing our state.

*Bruce Starr - Working to Increase Our Skilled Workforce*

In order for Oregon workers to compete, we need to invest in people. In the state legislature, Bruce worked with labor and employers to rebuild and retool education and training opportunities so Oregon is where employers want to locate their businesses.

*Bruce Starr will Protect Worker's Rights*

Bruce knows we can't just train and educate workers – we have to insure they are treated fairly when they go to work. That means making sure workers earn an honest day's wage and the workplace is safe.

*Bruce Starr will cut red tape freeing businesses to grow*

Red tape, high taxes and lawsuits are killing good paying family wage jobs. As Labor Commissioner, Bruce's first priority is getting government off businesses backs and out of their wallets.

**Endorsements**

Jack Roberts, Former Labor Commissioner  
Beaverton Area Chamber of Commerce  
Hillsboro Chamber of Commerce PAC  
Oregon Small Business Coalition  
AG-PAC

Oregon Business Association  
Oregon Association of Plumbing, Heating,  
Cooling Contractors

"The Washington County Farm Bureau overwhelmingly supports Bruce Starr for Labor Commissioner for the State of Oregon" Edmund Duyck

*One Oregon - Prosperity for all - More jobs*

[www.BruceStarr.org](http://www.BruceStarr.org)

*(This information furnished by Working Families for Bruce Starr.)*

**The above information has not been verified for accuracy by the State of Oregon.**

**Commissioner of the Bureau of Labor and Industries**



**Brad Avakian**

Nonpartisan

**Occupation:** Oregon Commissioner of Labor and Industries.

**Occupational Background:** Civil rights attorney.

**Educational Background:** Oregon State University, B.S.; Lewis and Clark Law School, J.D.

**Prior Governmental Experience:** State Senator, State Representative.

**PRIORITIES, NOT POLITICS**

"I've always focused on your priorities, not politics. Putting Oregon back to work. Protecting people from mistreatment in the workplace. And attacking discrimination wherever it occurs."

Democratic Labor Commissioner Brad Avakian

**PROTECTING OREGONIANS FROM DISCRIMINATION**

"Brad Avakian's leadership changing the corporate culture to ensure equal pay for equal work and his prosecution of corporations that tolerate sexual harassment makes him the right choice."

Dawn Holt, Co-Chair Oregon Council on Civil Rights

**OREGON JOBS, NOT OUTSOURCED JOBS**

"Brad Avakian has helped over 6,200 Oregonians get apprenticeships that lead to good jobs. Brad also wants to stop shipping jobs overseas and subsidizing millionaires on the backs of Oregon's workers."

Nelda Wilson, Operating Engineers Local 701

**EVERYBODY SHOULD PAY THEIR FAIR SHARE**

"Brad Avakian stands shoulder to shoulder with working people who know that the top 1% take too much of our wealth without paying their fair share. Brad Avakian will always oppose handouts to Wall Street and tax loopholes for the wealthy."

Bill Bradbury, Former Oregon Secretary of State

**RESTORING CAREER EDUCATION TO PUBLIC SCHOOLS**

"Brad Avakian restored 21st Century shop classes in our public schools, ensuring our economy has the skilled workforce it needs."

Christine Chin Ryan, Chair, Oregon Small Business for Responsible Leadership

**HOLDING CORPORATIONS ACCOUNTABLE**

"Brad Avakian returned over \$15 million to workers cheated out of their wages."

John Mohlis, Oregon State Building Trades Council

**We're supporting Brad Avakian!**

U.S. Senator Ron Wyden  
U.S. Senator Jeff Merkley  
Governor Ted Kulongoski  
Governor Barbara Roberts  
Oregon AFL-CIO  
Oregon Working Families Party  
Oregon Nurses Association (ONA)  
Oregon Education Association  
American Federation of Teachers – Oregon (AFT-Oregon)

Brad is also endorsed by both Planned Parenthood PAC and NARAL Pro-Choice Oregon PAC.

[www.bradavakian.com](http://www.bradavakian.com)

*(This information furnished by Committee to Elect Brad Avakian.)*

**The above information has not been verified for accuracy by the State of Oregon.**



**Judge of the Supreme Court, Position 3**



**Richard C  
Baldwin**

Nonpartisan

**Occupation:** Judge (2001-present, appointed by Governor Kitzhaber)

**Occupational Background:** Director, Oregon Law Center (1996-2000) and Legal Aid (1991-1995),

Attorney (1981-1990)

**Educational Background:** JD, Lewis and Clark Law School

**Prior Governmental Experience:** Multnomah County Judge, elected 2002 and 2008.

**BECAUSE EXPERIENCE AND INTEGRITY MATTER**

**Oregon's Governors Support Judge Baldwin**

"Judge Baldwin's background in legal aid and extensive trial experience, and his work with Drug Treatment and Mental Health courts demonstrate his unwavering commitment to strengthening our communities. I strongly believe Judge Baldwin is the candidate that will serve the best interests of all Oregonians." **Governor Barbara Roberts**

"For the Supreme Court we need an experienced judge we can trust to make fair and independent decisions. Judge Baldwin is that person." **Governor Ted Kulongoski, Former Supreme Court Justice and Attorney General**

**Working People Trust Judge Baldwin**

"Judge Baldwin has proven to be fair and open to all, providing a level playing field for individuals to seek justice against powerful interests. We are proud to support Judge Baldwin." **Kevin Jensen, Business Manager Ironworkers Local 29**

Oregon Education Association	Oregon AFL-CIO
Oregon AFSCME	IBEW #48
Oregon State Fire Fighters Council	SEIU Local 503

"Baldwin...smart and compassionate...accessible and down-to-earth." *Willamette Week, 4/20/2012*

**Award Winning Judge**

**Oregon Women Lawyers, Mercedes Deiz Award  
Metropolitan Human Rights Center, Peyton Award**

**Experience and Integrity Matter**

"Judge Baldwin's exceptional judicial experience combined with his commitment to integrity and fairness make him the best choice." **Justice Robert Durham, Oregon Supreme Court**

"Judge Baldwin has presided over hundreds of criminal and civil cases, including high profile murder trials, over the past ten years." *The Oregonian, 11/14/2011*

"Oregonians can trust Judge Baldwin. And his years of experience make him the best qualified candidate."  
**Judge Mary Deits, Former Chief Judge, Oregon Court of Appeals**

**Additional Supporters Include:**

Over 60 Oregon Judges  
Former Attorney General Hardy Myers  
OLCV  
Dan Staton, Multnomah County Sheriff

More Information and Endorsements:  
[www.electjudgebaldwin.com](http://www.electjudgebaldwin.com)

(This information furnished by Elect Judge Baldwin.)

The above information has not been verified for accuracy by the State of Oregon.

**Judge of the Supreme Court, Position 3**



**Nena  
Cook**

Nonpartisan

**Occupation:** Judge Pro Tem; Attorney

**Occupational Background:** Judge Pro Tem, Multnomah County (2007-present); Private practice attorney (1991-present); Marion County District Attorney's office (1990-1991)

**Educational Background:** Willamette University College of Law, JD; Gonzaga University, BA; PSU, Masters in Business Administration Graduate Program

**Prior Governmental Experience:** Oregon Commission on Professionalism (2005); Oregon Commission for Women (2007-2010)

**OTHER EXPERIENCE:** Oregon State Bar President (2005); Federal Court's Pro Bono Representation Panel (2006-present)

**EXPERIENCE. DEDICATION. INTEGRITY.**

*"I pledge to bring integrity, a commitment to justice, and accountability to the people of Oregon. I understand that serving you on the Supreme Court is a great responsibility. The law not only impacts people's lives today, but the course we chart for future generations. I'll approach every decision with that legacy in mind."*

—Nena Cook

**EXPERIENCE & DEDICATION**

"With more than twenty years of **real-world legal experience**, a record of **public service**, and an **unmatched knowledge of the law**, **Nena Cook is the best choice** for Oregon's Supreme Court."

*Former Governor Vic Atiyeh  
Former Secretary of State Norma Paulus  
Former Attorney General Dave Frohnmayer  
Congressman Kurt Schrader*

- Named one of the Best Lawyers in America, Labor and Employment Law (2011, 2012, 2013)
- One of Oregon's Top 25 Women Super Lawyers (2012)
- Voted "Best of the Bar" in Litigation and Dispute Resolution by Tri-County area lawyers (2005)

**INTEGRITY**

"Her **intelligence, integrity, fair-mindedness** and **work ethic** all make Nena Cook **uniquely qualified** to serve on Oregon's Supreme Court."

*Doug Robertson, Douglas County Commissioner  
Dick Schouten, Washington County Commissioner  
Serena Cruz Walsh, former Multnomah County Commissioner*

**TRUSTED BY THOSE WHO KEEP OUR FAMILIES SAFE**

"Nena Cook's **demonstrated commitment to fairness and justice** is needed in our next Supreme Court Justice. She has **earned our trust and respect.**"

District Attorneys in 26 counties support Nena, including:

<i>John Foote, Clackamas</i>	<i>Michael Schrunk, Multnomah</i>
<i>Alex Gardner, Lane</i>	<i>Bob Hermann, Washington</i>
<i>Walt Beglau, Marion</i>	

Learn more: [www.NenaCook.com](http://www.NenaCook.com).

(This information furnished by Nena Cook for Oregon Supreme Court.)

The above information has not been verified for accuracy by the State of Oregon.

**Judge of the Court of Appeals, Position 6**

## James C Egan

Nonpartisan

**Occupation:** Judge, Linn County Circuit Court

**Occupational Background:** Judge, Linn County Circuit Court (2010-present); Attorney/Partner, Kryger, Alexander, Egan, Elmer & Carlson (1985-

2010); U.S. Army Reserve (2006-present); Deputy Command Judge Advocate, A.S.G. Kuwait (2008-2009); U.S. Marine Corps Reserve (1983-1995); U.S. Marine Corps (1979-1982)

**Educational Background:** University of Oregon School of Law, J.D. (1985); Willamette University, B.S. (1979); West Albany High School, Diploma (1974)

**Prior Governmental Experience:** Linn County Planning Commission (1986-1994); Tangent Fire Board (1996-2008)

**Other Experience:** Oregon State Bar House of Delegates (2001-2005); Oregon State Bar (admitted 1985); U.S. District Court Bar, District of Oregon (admitted 1996); Ninth Circuit Court of Appeals Bar (admitted 2000)

**JUDGE JAMES C. EGAN FOR OREGON COURT OF APPEALS**  
**INTEGRITY. EXPERIENCE. TRUST.**

### INTEGRITY

As a lawyer, judge and service member, Judge Egan's integrity is unquestioned. He brings an unwavering sense of fairness to his work as an attorney and a judge, and Oregonians can trust that he will bring this integrity to the Oregon Court of Appeals.

### EXPERIENCE

A lawyer in private practice for 25 years, a Judge Advocate in the U.S. Army in Kuwait, and a Circuit Court Judge in Linn County, Judge Egan's experience makes him uniquely qualified for a seat on the Oregon Court of Appeals.

### TRUST

Oregonians can trust that Judge Egan knows the impact laws have on our families. He raised his family in Oregon and knows the opportunities and challenges in this great state. He will bring Oregon values to the Court of Appeals.

"My philosophy is simple. A judge's role is to impose the rule of law without bias or prejudice. I approach each case with an open mind. I carefully consider the issues before me, and I decide on the merits. I will uphold the Constitution and be accountable to the people of Oregon."

-- Judge James Egan

For more information, please visit [www.jamescegan2012.com](http://www.jamescegan2012.com)

*(This information furnished by Committee to Elect Judge James C Egan.)*

The above information has not been verified for accuracy by the State of Oregon.

**Judge of the Court of Appeals, Position 6**

## Tim Volpert

Nonpartisan

**Occupation:** Trial and Appellate Attorney and Partner at Davis Wright Tremaine

**Occupational Background:** Trial attorney (1982-89); Partner, appellate specialist (1990-present)

**Educational Background:** Willamette University College of Law, J.D. 1981; Earlham College, B.A. 1978

**Prior Governmental Experience:** Judicial Clerk for Hon. W. Michael Gillette, Oregon Court of Appeals, 1981-82

**Tim Volpert has decades of practical legal experience.**

- Devoted 30 years to representing citizens, public bodies and businesses in Oregon trial and appellate courts
- Handled over 100 appeals, including over 60 before the Oregon Court of Appeals
- Successfully argued landmark case before the United States Supreme Court, representing an Oregon public school district

**Tim has been recognized by his peers for his legal work.**

- One of the "Best Lawyers in America" in appellate law (Woodward/White, 2010-12)
- Oregon State Bar President's "Award for Public Service," 2004
- Senior Law Project "Award for Outstanding Service"

**As a volunteer, Tim has devoted thousands of hours to law-related education and community service.**

- Coached Portland's Grant High School Constitution Team to seven top-10 national competition finishes
- Served on non-profit organizations, including Classroom Law Project and Ecumenical Ministries of Oregon
- Served on professional organizations including Multnomah Bar Association Foundation, Rules of Appellate Procedure Committee and State Bar Appellate Section Executive Committee
- Cooperating Attorney, ACLU of Oregon
- Represented Oregon clients pro bono in over 75 matters

**TIM HAS EARNED SUPPORT FROM ACROSS OREGON**

Governor Barbara Roberts

Former Oregon Supreme Court Justice W. Michael Gillette

Former Attorney General Hardy Myers

Earl Blumenauer, US Representative

Suzanne Bonamici, US Representative

Multnomah County District Attorney Michael D. Schrunk

John Henry Hingson III

Joint Council of Teamsters No. 37

Oregon Education Association

"I believe in a justice system that respects the rights of every person, not special interests. And I believe it is a judge's responsibility to treat all parties fairly, with equal respect, and to be free of outside influence. It would be my great honor to serve the people of Oregon."—Tim Volpert

[www.timvolpert.com](http://www.timvolpert.com)

*(This information furnished by Tim Volpert for Court of Appeals.)*

The above information has not been verified for accuracy by the State of Oregon.

## It is against the law to:

- sign another person's ballot return envelope for them
- vote more than once in an election or cast a fraudulent ballot
- vote a ballot if you are not legally qualified
- coerce, pressure or otherwise unduly influence another voter
- sell, offer to sell, purchase or offer to purchase another voter's ballot
- obstruct an entrance of a building in which a voting booth or official ballot dropsite is located
- deface, remove, alter or destroy another voter's ballot, a posted election notice or election equipment or supplies
- attempt to collect voted ballots within 100 feet of an official ballot dropsite
- attempt to collect voted ballots without displaying a sign stating "Not An Official Ballot Dropsite"

*Any violations of the identified election laws are subject to penalties ranging from Civil Penalties (Up to \$250 per Violation), Class A Misdemeanors or Class C Felonies.*

If you have any other questions about voting in Oregon or if you think that your rights as a voter have been violated:

➤ **oregonvotes.gov**



**1 866 673 VOTE / 1 866 673 8683**

*se habla español*

**TTY 1 800 735 2900**

*for the hearing impaired*

## Constitution Party

Dear Voter,

The Constitution Party of Oregon asks you to join us in honoring God, defending the family, and seeking to restore our Republic, by voting for our candidates appearing on your ballot:

Will Christensen for President (Ken Gibbs for Vice-President)  
 Bob Ekstrom, Raymond Baldwin, and Art Robinson for Congress  
 James Leuenberger for Attorney General  
 Michael Marsh for State Treasurer  
 Ken Hamlington for Lake County Commissioner

Barbara Gonzalez, Rick Hake, Lucian Blansett, Mark Callahan, Ray Biggs, and Jim Welsh for State Representative in their respective districts.

### Our candidates are pledged to the following seven principles:

**Life:** We believe in Divine Providence and recognize our Creator as the author of human life. Thus we believe in the absolute sanctity of human life. The first duty of civil government is the protection of innocent human life from conception until natural death, no exceptions. When government sanctions abortion, then all lives are at risk.

**Liberty:** Far from granting license to 'do whatever we want', true liberty comes from God and real freedom is born of self-government. With James Madison, we assert the precious American ideal, which set our country apart from other nations... "we have staked the whole future of American Civilization, not upon the power of government, far from it. We have staked the whole future ...upon the capacity of each of us to govern ourselves, according to the ten commandments of God."

**Family:** Our Creator set in place the family as the first divinely instituted form of government. It is the duty of civil government to recognize and protect the authority of the family unit. When the state usurps the family's authority, the hearts of the children are turned to the state, rather than to the fathers. Such socialist actions deny the created order and harm our communities.

**Property:** We believe that the right of individuals to own and steward their property is God-given; established in such commandments as "Thou shalt not steal." and "Thou shalt not covet." We encourage private generosity, but oppose the forced transfer of one's wealth to others by the state. We believe that the loss of 'external' property rights leads to the loss of 'internal' rights of personal conscience. It was James Madison who said, "Conscience is the most sacred of all property."

**The U.S. Constitution:** In these United States, the Constitution established a representative federal republic – which represents the sovereignty of the people under God over the state. Our founders purposed that the Constitution would uphold those ideals expressed in our Declaration of Independence, as the law of the land, and limit the power and scope of the federal government.

**Limited, Local Government:** Our desire is to return the federal government to its constitutional boundaries. The 10th amendment in our Bill of Rights strictly limits the federal government to those jurisdictions specifically stated within the Constitution. As a principle, our founders sought to ensure the duties of civil government always be performed at the lowest possible level. Local elected officials and clerks are more directly accountable to the people.

**American Sovereignty:** We are firmly committed to the protection of our borders, our trade and our common defense. We believe that America is to be the friend of liberty everywhere, but the guarantor and provisioner of ours alone. We oppose membership in the United Nations and any other treaty or affiliation that attempts to assert authority over our Constitution or bypass our sovereign citizens' constitutionally elected representatives.

If you don't like being taxed to police the world while our own borders are unprotected, losing our jobs to other nations because of environmentalist nonsense and government regulations, having your rights trampled and your property confiscated, or being exposed to God's wrath on our nation because it condones the shedding of innocent blood and rampant moral perversion, vote for Constitution Party candidates.

**You can't get what you don't vote for!**

[www.constitutionpartyoregon.org](http://www.constitutionpartyoregon.org) or call Jack Brown (541) 659-4313.

*(This information furnished by Constitution Party of Oregon.)*

## Independent Party

### INDEPENDENT PARTY OF OREGON

THE "TWO-PARTY SYSTEM" IS BROKEN. DON'T LET IT BREAK OUR ECONOMY, OUR JOBS, OUR GOVERNMENT, AND OUR FUTURES.

GRIDLOCK IN WASHINGTON AND SALEM MEANS WE CAN'T GET CAMPAIGN FINANCE REFORM, EFFICIENT GOVERNMENT, AFFORDABLE HEALTH CARE, REASONABLE UTILITY RATES, OR COMMON SENSE SOLUTIONS FOR THE COMMON GOOD.

**We need to get big money out of politics.**

The Democratic and Republican parties are controlled by their "donors" who shovel tens of millions of dollars into Oregon political campaigns every election year.

Campaign spending on state and local Oregon offices continues to skyrocket, from \$4 million in 1996 to \$57 million in 2010. Winning a contested race for the Oregon Legislature now typically costs over \$600,000, sometimes over \$1 million.

**Vote for candidates with "Independent" next to their names on the ballot.  
If they win, they will know they need to pay attention to Independent voters,  
not just their big donors.**

We are Oregon's third largest party, with over 78,000 new members since 2007. We support candidates from across the political spectrum who are committed to the principle that the basic instruments of our democracy -- the elections process, the Legislature, and the initiative and referendum -- should not be controlled by the special interests that now run the government in Oregon.

Hasso Hering, editor of the Albany Democrat-Herald, on June 10, 2010, described our platform:

[T]hey favor state politics in which the average citizens gain influence and the special interests--especially the interests with lots of money--have less. The details are open to debate, but that's not a bad program for which to campaign.

#### NEW WAY OF CHOOSING CANDIDATES

Instead of a convention of insiders, our candidates are selected by online voting open to all members--a true grassroots process. The members choose our nominees for up to 60 offices from candidates seeking our nominations, including Independents, Democrats, Republicans, and others.

No minor party in Oregon has ever conducted a primary election before. No party of any description in Oregon, major or minor, has conducted an election via the Internet. No Oregon party has every conducted a primary election at its own expense. The Independent Party of Oregon is currently doing all three. The experiment could change both elections and politics in the state and beyond.

Eugene Register Guard editorial, July 11, 2010

In some cases you'll see the "Independent" label along with the name of another party which nominated the same candidate. Those with the "Independent" label won our primary election.

#### NEW WAY OF SETTING THE AGENDA IN SALEM

Our agenda is determined by our members and their answers to issue surveys. In the summer 2012 survey, they said Oregon government should:

1. Promote job creation & economic development.
2. Reduce medical, prescription, hospital, and insurance costs.
3. Amend the Oregon Constitution to limit special interest money in election campaigns.
4. Reduce State spending.
5. Regulate banks and insurance companies to better protect consumers.

We led the fight to stop the 2011 Legislature from blowing a huge loophole in Oregon's campaign finance disclosure laws, even after the Oregon Senate had passed the bill on a unanimous vote.

We also pursued bills to require all campaign ads to disclose who paid for them, to ban legislators from becoming lobbyists for 2 years after leaving office, and requiring the State to give Oregon-based businesses a slight preference when bidding on State contracts. None were passed.

#### NEW WAY OF DOING THE PEOPLE'S BUSINESS

If the Independent Party candidates do not work cooperatively to solve problems, free from special interests and corrupting cash, then our members will reject them in our next primary election.

**VOTE. THINK. BE. INDEPENDENT.**

www.indparty.com  
info@indparty.com

*(This information furnished by Independent Party.)*

## **Libertarian Party**

### **Our Party**

The Libertarian Party of Oregon was organized in 1971 and is affiliated with the third largest political party in America. For forty years, Libertarian candidates have offered to end and oppose all foreign wars that have nothing to do with the interests of the American people, and have offered a foreign policy that promotes peace and limits corporate control of our foreign affairs. Libertarian candidates have fought to cut taxes by ending government agencies and policies that only exist to violate your civil rights. Libertarian candidates have voted to cut spending and clear the national debt, restoring the possibility that your children will have a retirement. Libertarian candidates advocate the rights of the individual to make their own personal choices for their own life, body, and property.

### **The Libertarian Party Statement of Principles:**

We, the members of the Libertarian Party, challenge the cult of the omnipotent state and defend the rights of the individual. We hold that all individuals have the right to exercise sole dominion over their own lives and have the right to live in whatever manner they choose, so long as they do not forcibly interfere with the equal right of others to live in whatever manner they choose. Governments throughout history have regularly operated on the opposite principle, that the state has the right to dispose of the lives of individuals and the fruits of their labor. Even within the United States, all political parties other than our own grant to government the right to regulate the lives of individuals and seize the fruits of their labor without their consent.

We, on the contrary, deny the right of any government to do these things, and hold that where governments exist, they must not violate the rights of the individual; namely, (1) the right to life - accordingly we support the prohibition of the initiation of physical force against others; (2) the right to liberty of speech and action - accordingly we oppose all attempts by government to abridge the freedom of speech and press, as well as government censorship in any form; (3) the right to property - accordingly we oppose all government interference with private property, such as confiscation, nationalization, and eminent domain, and support the prohibition of robbery, trespass, fraud, and misrepresentation. Since governments, where instituted, must not violate individual rights, we oppose all interference by government in the areas of voluntary and contractual relations among individuals. People should not be forced to sacrifice their lives and property for the benefit of others. They should be left free by government to deal with one another as free traders, and the resultant economic system, the only one compatible with the protection of individual rights, is the free market.

### **Please join us!**

If you are already registered as a Libertarian in Oregon, you are a voting member of our party. If you are not, and believe as we do, please register as "Libertarian." Members receive mail ballots for our primary elections and also receive ballots for choosing party leadership and setting rules. To get involved, visit our website, <http://www.lporegon.org>, and click on the "Get Involved" link to get connected with Oregon Libertarian activists.

**[www.lporegon.org](http://www.lporegon.org)**

*(This information furnished by The Libertarian Party of Oregon.)*

## Pacific Green Party

### PACIFIC GREEN PARTY OF OREGON

**If the definition of insanity is doing the same thing over and over and expecting different results, then Oregon voters who support Democrats and Republicans must be crazy.**

THE TWO BIG POLITICAL PARTIES HAVE GOTTEN US INTO THE MESS WE'RE IN:  
A STAGNANT ECONOMY, PERSISTENT UNEMPLOYMENT, LOW-WAGE JOBS, A HEALTH CARE CRISIS,  
PEOPLE BEING DRIVEN OUT OF THEIR HOMES, GLOBAL CLIMATE CHANGE,  
AND A FOREIGN POLICY BASED ON EXPENSIVE, SENSELESS AND ENDLESS WARS.

WHY WOULD YOU EXPECT THE PARTIES WHO CREATED THESE PROBLEMS TO SOLVE THEM?

**The Pacific Green Party offers sensible forward-looking solutions to the many problems we face. YOU probably agree with us on most issues. NOW is the time to stand with us.**

Our economy is a mess. Our foreign policy is an embarrassment. We rely on war and oil to drive our cars and our economy. We spend more on war than anything else and now we can't afford to fix the problems we face at home. If we want a healthy society and a healthy economy, if we want to educate our kids for the challenges of the future, then we need to invest wisely. We need to re-direct the massive amounts of money currently going to Afghanistan, Iraq, Yemen, Israel and elsewhere and bring it home.

**We need to re-claim the American Dream.**

Middle-class families struggle to provide their families with housing, health care, a college education for their kids and savings for retirement. Poorer families have an even harder time getting their basic needs met.

**We propose shifting the military budget—by far and away the world's largest—to domestic needs.**

The U.S. "defense" budget is over \$700 billion. By comparison, the budget of the U.S. Department of Education is only \$70 billion! If we cut the military budget in half, we could finance a Green Jobs program to eliminate unemployment, protect the environment, jump-start the economy and provide a free college education for all citizens. And, a military budget of "just" \$350 billion would *still* be the biggest in the world.

**Investing in Green Jobs, renewable energy, conservation and mass transportation will provide work, economic security and environmental protection.**

The Pacific Green Party of Oregon supports:

- Universal health care for all
- Protection of our native forests
- Ending student debt and home foreclosures
- Gender and inter-generational equality
- Instant runoff voting
- Public financing of campaigns and donor limits
- Ending cannabis prohibition
- Transparent and accountable government

One reason our problems persist is the corporate control of our elections and government. We must get private money out of public elections. Money is not speech. We support constitutional amendments to protect free speech and strip corporations of rights which belong only to individual citizens.

**Taking control of our future requires the courage to vote your conscience and wrestle control of our government back from the corporations who have seized it.**

Another reason we're in crisis is because voters too often vote out of fear rather than voting for a candidate they believe in. Voting for the lesser of two evils means that evil still wins.

**Invest your vote—don't throw it away on professional politicians and hucksters.  
Do you really trust the people who got us into this mess to fix it?**

Register Green at [www.oregonvotes.org](http://www.oregonvotes.org) and **Vote Green**

Learn more: [www.pacificgreens.org](http://www.pacificgreens.org) [facebook.com/pacificgreens](https://facebook.com/pacificgreens) [twitter.com/pacificgreens](https://twitter.com/pacificgreens)

**Support our candidates:**

Dr. Jill Stein & Cheri Honkala, President and Vice President  
Seth Woolley, Secretary of State  
Woody Broadnax, 3rd Congressional District  
Mike Beilstein, 4th Congressional District

Christina Lugo, 5th Congressional District  
Steven Reynolds, 1st Congressional District  
Tim Dehne, Benton County Commissioner  
Alex Polikoff, 23rd District Oregon House

**The future is Green. Be part of the Green Future.  
Start now! Vote Green!**

*(This information furnished by Pacific Green Party of Oregon.)*

**Progressive Party**

**PROGRESSIVE PARTY CANDIDATES**

<b>Rocky Anderson</b>	President of the United States
<b>Robert Wolfe</b>	Secretary of State, Oregon
<b>Cameron Whitten</b>	State Treasurer, Oregon
<b>Chris Henry</b>	Attorney General, Oregon
<b>Steven Reynolds</b>	U.S. House of Representatives, 1st District
<b>Woody Broadnax</b>	U.S. House of Representatives, 3rd District
<b>Peter DeFazio</b>	U.S. House of Representatives, 4th District

We fight for economic justice, human rights, environmental protection, and grassroots democracy. Unlike the Democratic and Republican parties, WE OPPOSE: the corruption of elections by big money, Wall Street bailouts, the war in Afghanistan, “corporate personhood,” and the NAFTA & WTO “free trade” agreements. WE SUPPORT: real campaign finance reform, Medicare for All, equal rights (including same-sex marriage), and much higher minimum wages.

**We are very different from the Establishment parties.**

	Democrat	Republican	<b>Progressive</b>
Real campaign finance reform	NO	NO	<b>YES</b>
“Medicare for All” comprehensive health care	NO	NO	<b>YES</b>
Oppose cuts in Social Security & Medicare benefits	NO	NO	<b>YES</b>
End Bush’s federal income tax cuts for the rich	NO	NO	<b>YES</b>
Oppose Wall Street bailouts and corruption	NO	NO	<b>YES</b>
Employment for All (public works projects, WPA style)	NO	NO	<b>YES</b>
Increase minimum wages to living wage (\$10 or more)	NO	NO	<b>YES</b>
Repair, improve infrastructure (transportation, water systems, etc.)	NO	NO	<b>YES</b>
Oppose NAFTA & WTO “free trade”; support purchase of local products & services	NO	NO	<b>YES</b>
Oppose wars in Iraq and Afghanistan; bring troops home now	NO	NO	<b>YES</b>
Slash military spending	NO	NO	<b>YES</b>
End occupation of Palestine	NO	NO	<b>YES</b>
Oppose spying on Americans, including drones	NO	NO	<b>YES</b>
Equal rights for all; same-sex marriage	NO	NO	<b>YES</b>
Clean energy; no nuclear subsidies	NO	NO	<b>YES</b>
Oppose shipping coal for export through Columbia Gorge	NO	NO	<b>YES</b>
Oppose offshore oil & gas drilling	NO	NO	<b>YES</b>
Decriminalize marijuana possession and use	NO	NO	<b>YES</b>
End “corporate personhood”	NO	NO	<b>YES</b>
End the U.S. Senate filibuster; restore majority rule	NO	NO	<b>YES</b>

**OREGON ISSUES**

1. We have worked for real campaign finance reform. Oregon Democrats and Republicans have never enacted limits on political campaign contributions. Democrats in state office right now are refusing to enforce the campaign finance reform Measure 47 enacted by Oregon voters in 2006. Campaign spending for Oregon state offices has skyrocketed from \$4 million in 1996 to \$57 million in 2010. Candidates for the Legislature now typically spend over \$600,000 to win a contested seat, sometimes over \$1 million.
2. We want to make the initiative and referendum again available to grass-roots efforts. The Democrat Secretary of State is now discarding over 40% of all voter signatures on petitions due to arbitrary, hyper-technical, and unnecessary rules, raising the cost of petition drives so high that only corporations, unions and the very wealthy can afford to use it.
3. We want the State Treasurer to direct part of Oregon’s \$73 billion of investment funds to invest in local public works and jobs for Oregonians instead of vulture capitalists, corporate raiders, and leveraged buyout artists.
4. We want fair taxation. Oregon has the 4th highest income taxes of any state on lower-income working families and is still at the bottom in taxes on corporations.
5. We want to stop government promotion of gambling, including video poker, video slots, and approval of private casinos.
6. We oppose installation of police “spy cameras” and use of drones (like model airplanes and helicopters) to spy on Oregon citizens.

**OREGON BALLOT MEASURE RECOMMENDATIONS:**

Vote **NO** on Measures 77, 78, 79, 82, 83, and 84.

Vote **YES** on Measures 80, 81, and 85.

*(This information furnished by Progressive Party.)*



# vote!

[www.oregonvotes.gov](http://www.oregonvotes.gov)



## View unofficial election results

starting at 8 pm on November 6

for more information about voting in Oregon

 [\*\*oregonvotes.gov\*\*](http://oregonvotes.gov)



**1 866 673 VOTE / 1 866 673 8683**

*se habla español*

**TTY 1 800 735 2900**

*for the hearing impaired*

House Joint Resolution 7—Referred to the Electorate of Oregon by the Legislative Assembly of the 2011 Regular Session to be voted on at the General Election, November 6, 2012.

**Ballot Title**

**77**

Amends Constitution: Governor may declare “catastrophic disaster” (defined); requires legislative session; authorizes suspending specified constitutional spending restrictions

<b>Estimate of Financial Impact</b>	<b>34</b>
<b>Explanation of Estimate of Financial Impact</b>	<b>35</b>
<b>Text of Measure</b>	<b>35</b>
<b>Explanatory Statement</b>	<b>37</b>
<b>Legislative Argument in Support</b>	<b>37</b>
<b>Arguments in Favor</b>	<b>none</b>
<b>Arguments in Opposition</b>	<b>none</b>

**Result of “Yes” Vote**

“Yes” vote grants Governor constitutional authority to declare “catastrophic disaster” (defined); requires legislative session; legislature may suspend specified constitutional spending restrictions to aid response, recovery.

**Result of “No” Vote**

“No” vote retains Governor’s statutory authority to declare state of emergency; retains constitutional spending restrictions and constitutional restrictions on legislative authority without exception for emergency.

**Summary**

Amends Constitution. Currently, Governor has statutory, but not constitutional, authority to declare state of emergency and direct response to emergency. Measure grants Governor constitutional authority to declare and respond to natural or human-caused “catastrophic disaster” (defined). Authorizes Governor to redirect previously allocated General Fund and lottery monies to disaster response. Requires legislative session (under emergency conditions, if necessary) to enact implementing legislation; legislation may include temporarily suspending specified constitutional spending restrictions. Terminates Governor’s disaster spending authority upon enactment of law specifying purposes for which funds may be used. Limits disaster authority of Governor and legislature to 30 days unless legislature acts to shorten/lengthen period; such legislation may include any provision legislature deems necessary to provide “orderly transition” (undefined) to normal conditions. Other provisions.

**Estimate of Financial Impact**

Referral 401 allows for government action in the event of a catastrophic disaster. It grants the Governor temporary authority to redirect certain state monies from legislatively-approved purposes to disaster response. It requires the Governor to convene the legislature unless the Legislative Assembly is already in session or scheduled to convene within 30 days.

The financial effect of the measure is indeterminate.

## Explanation of Estimate of Financial Impact

The financial impact of the measure is indeterminate. The actual cost will depend on the frequency or occurrence of catastrophic event(s); whether it is necessary to call the legislature into special session; and the length of the special session. The length of special legislative sessions can only be determined by Legislative Assembly members at the time of the session.

The measure will have no financial impact on local government spending.

### Committee Members:

Secretary of State Kate Brown  
 State Treasurer Ted Wheeler  
 Michael Jordan, Director, Dept. of Administrative Services  
 James Bucholz, Director, Dept. of Revenue  
 Debra Guzman, Local Government Representative

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

## Text of Measure

**Be It Resolved by the Legislative Assembly of the State of Oregon, two-thirds of all the members of each house concurring:**

**PARAGRAPH 1.** The Constitution of the State of Oregon is revised by creating a new Article to be known as Article X-A, such Article to read:

### ARTICLE X-A

**SECTION 1. (1) As used in this Article, "catastrophic disaster" means a natural or human-caused event that:**

- (a) Results in extraordinary levels of death, injury, property damage or disruption of daily life in this state; and**
- (b) Severely affects the population, infrastructure, environment, economy or government functioning of this state.**

**(2) As used in this Article, "catastrophic disaster" includes, but is not limited to, any of the following events if the event meets the criteria listed in subsection (1) of this section:**

- (a) Act of terrorism.**
- (b) Earthquake.**
- (c) Flood.**
- (d) Public health emergency.**
- (e) Tsunami.**
- (f) Volcanic eruption.**
- (g) War.**

**(3) The Governor may invoke the provisions of this Article if the Governor finds and declares that a catastrophic disaster has occurred. A finding required by this subsection shall specify the nature of the catastrophic disaster.**

**(4) At the time the Governor invokes the provisions of this Article under subsection (3) of this section, the Governor shall issue a proclamation convening the Legislative Assembly under section 12, Article V of this Constitution, unless:**

- (a) The Legislative Assembly is in session at the time the catastrophic disaster is declared; or**
- (b) The Legislative Assembly is scheduled to convene in regular session within 30 days after the date the catastrophic disaster is declared.**

**(5) If the Governor declares that a catastrophic disaster has occurred, the Governor shall manage the immediate response to the disaster. The actions of the Legislative Assembly under sections 3 and 4 of this Article are limited to actions necessary to implement the Governor's immediate response to the disaster and to actions necessary to aid recovery from the disaster.**

**SECTION 2. (1) If the Governor declares that a catastrophic disaster has occurred, the Governor may:**

- (a) Use moneys appropriated from the General Fund to executive agencies for the current biennium to respond to the catastrophic disaster, regardless of the legislatively expressed purpose of the appropriation at the time the appropriation was made.**
- (b) Use lottery funds allocated to executive agencies for the current biennium to respond to the catastrophic disaster, regardless of the legislatively expressed purpose of the allocation at the time the allocation was made. The Governor may not reallocate lottery funds under this paragraph for purposes not authorized by section 4, Article XV of this Constitution.**

**(2) The authority granted to the Governor by this section terminates upon the taking effect of a law enacted after the declaration of a catastrophic disaster that specifies purposes for which appropriated General Fund moneys or allocated lottery funds may be used, or upon the date on which the**

provisions of sections 1 to 5 of this Article cease to be operative as provided in section 6 of this Article, whichever is sooner.

**SECTION 3.** If the Governor declares that a catastrophic disaster has occurred:

(1) Notwithstanding sections 10 and 10a, Article IV of this Constitution, the Legislative Assembly may convene in a place other than the Capitol of the State if the Governor or the Legislative Assembly determines that the Capitol is inaccessible.

(2) Notwithstanding section 12, Article IV of this Constitution, during any period of time when members of the Legislative Assembly are unable to compel the attendance of two-thirds of the members of each house because the catastrophic disaster has made it impossible to locate members or impossible for them to attend, two-thirds of the members of each house who are able to attend shall constitute a quorum to do business.

(3) In a session of the Legislative Assembly that is called because of the catastrophic disaster or that was imminent or ongoing at the time the catastrophic disaster was declared, the number of members of each house that constitutes a quorum under subsection (2) of this section may suspend the rule regarding reading of bills under the same circumstances and in the same manner that two-thirds of the members may suspend the rule under section 19, Article IV of this Constitution.

(4) Notwithstanding section 25, Article IV of this Constitution, during any period of time when members of the Legislative Assembly are unable to compel the attendance of two-thirds of the members of each house because the catastrophic disaster has made it impossible to locate members or impossible for them to attend, three-fifths of the members of each house who are able to attend a session described in subsection (3) of this section shall be necessary to pass every bill or joint resolution.

(5) Notwithstanding section 1a, Article IX of this Constitution, the Legislative Assembly may declare an emergency in any bill regulating taxation or exemption, including but not limited to any bill that decreases or suspends taxes or postpones the due date of taxes, if the Legislative Assembly determines that the enactment of the bill is necessary to provide an adequate response to the catastrophic disaster.

**SECTION 4.** (1) If the Governor declares that a catastrophic disaster has occurred:

(a) The Legislative Assembly may enact laws authorizing the use of revenue described in section 3a, Article IX of this Constitution, for purposes other than those described in that section.

(b) The Legislative Assembly may, by a vote of the number of members of each house that constitutes a quorum under subsection (2) of section 3 of this Article, appropriate moneys that would otherwise be returned to taxpayers under section 14, Article IX of this Constitution, to state agencies for the purpose of responding to the catastrophic disaster.

(c) Notwithstanding section 7, Article XI of this Constitution, the Legislative Assembly may lend the credit of the state or create debts or liabilities in an amount the Legislative Assembly considers necessary to provide an adequate response to the catastrophic disaster.

(d) The provisions of section 15, Article XI of this Constitution, do not apply to any law that is approved by three-fifths of the members of each house who are able to attend a session described in subsection (3) of section 3 of this Article.

(e) The Legislative Assembly may take action described in subsection (6) of section 15, Article XI of this Constitution, upon approval by three-fifths of the members of each house

who are able to attend a session described in subsection (3) of section 3 of this Article.

(f) Notwithstanding section 4, Article XV of this Constitution, the Legislative Assembly may allocate proceeds from the State Lottery for any purpose and in any ratio the Legislative Assembly determines necessary to provide an adequate response to the catastrophic disaster.

(2) Nothing in this section overrides or otherwise affects the provisions of section 15b, Article V of this Constitution.

**SECTION 5.** For purposes of sections 3 and 4 of this Article, a member of the Legislative Assembly who cannot be physically present at a session convened under section 1 of this Article shall be considered in attendance if the member is able to participate in the session through electronic or other means that enable the member to hear or read the proceedings as the proceedings are occurring and enable others to hear or read the member's votes or other contributions as the votes or other contributions are occurring.

**SECTION 6.** (1) Except as provided in subsection (2) of this section, the provisions of sections 1 to 5 of this Article, once invoked, shall cease to be operative not later than 30 days following the date the Governor invoked the provisions of sections 1 to 5 of this Article, or on an earlier date recommended by the Governor and determined by the Legislative Assembly. The Governor may not recommend a date under this subsection unless the Governor finds and declares that the immediate response to the catastrophic disaster has ended.

(2) Prior to expiration of the 30-day limit established in subsection (1) of this section, the Legislative Assembly may extend the operation of sections 1 to 5 of this Article beyond the 30-day limit upon the approval of three-fifths of the members of each house who are able to attend a session described in subsection (3) of section 3 of this Article.

(3) The determination by the Legislative Assembly required by subsection (1) of this section or an extension described in subsection (2) of this section shall take the form of a bill. A bill that extends the operation of sections 1 to 5 of this Article shall establish a date upon which the provisions of sections 1 to 5 of this Article shall cease to be operative. A bill described in this subsection shall be presented to the Governor for action in accordance with section 15b, Article V of this Constitution.

(4) A bill described in subsection (3) of this section may include any provisions the Legislative Assembly considers necessary to provide an orderly transition to compliance with the requirements of this Constitution that have been overridden under this Article because of the Governor's declaration of a catastrophic disaster.

(5) The Governor may not invoke the provisions of sections 1 to 5 of this Article more than one time with respect to the same catastrophic disaster. A determination under subsection (1) of this section or an extension described in subsection (2) of this section that establishes a date upon which the provisions of sections 1 to 5 of this Article shall cease to be operative does not prevent invoking the provisions of sections 1 to 5 of this Article in response to a new declaration by the Governor that a different catastrophic disaster has occurred.

**PARAGRAPH 2.** The revision proposed by this resolution shall be submitted to the people for their approval or rejection at a special election held on the same date as the next general election.

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

## Explanatory Statement

Ballot Measure 77 is a constitutional revision relating to state governmental responses to catastrophic disasters.

The measure allows the Governor to declare that a catastrophic disaster has occurred. Upon such declaration, the Governor and Legislature are granted new temporary powers not available under certain constitutional provisions and statutes:

- The Governor may override laws allocating moneys to state agencies in order to respond to the disaster.
- The Legislature may override constitutional provisions relating to legislative procedures and legislative powers.

A "catastrophic disaster" is a natural or human-caused event resulting in extraordinary levels of death, injury, property damage or disruption of daily life and severely affecting the population, infrastructure, environment, economy or government of Oregon. The terms "extraordinary levels" and "severely affects" are not defined. Examples include, but are not limited to, acts of terrorism, earthquakes, floods, public health emergencies, tsunamis, volcanic eruptions and war.

If the Governor declares that a catastrophic disaster has occurred, the Governor may manage immediate response to the disaster by:

- Redirecting general fund moneys for state agencies.
- Using only lottery funds allocated to state agencies.

If the Governor declares that a catastrophic disaster has occurred, the Governor also must convene the Legislature within 30 days. The Legislature may:

- Meet at a place other than the Capitol or by electronic means.
- Conduct business and suspend rules with two-thirds of the members able to attend, instead of two-thirds of all members.
- Pass bills with three-fifths of the members who are able to attend, instead of a majority of all members.
- Pass tax bills that take effect upon passage instead of 90 days after the Legislature adjourns.

The Legislature may take additional actions otherwise prohibited by the Oregon Constitution and are limited to actions necessary to implement immediate response and aid in recovery. The Legislature may:

- Spend State Highway Fund moneys (gas taxes) for any purpose.
- Spend moneys that otherwise would go to individual and corporate tax "kicker" refunds by vote of 2/3 of members able to attend.
- Exceed the state debt limit.
- Override funding of local mandate provisions.
- Spend any lottery funds.

The powers granted by Measure 77 end 30 days after the Governor declares the catastrophic disaster or at an earlier date determined by the Legislature. The Legislature by law may extend the 30-day limit but must set an ending date.

A law that ends or extends operation of the measure may include provisions necessary for an orderly transition to compliance with constitutional provisions overridden during the catastrophic disaster.

The Governor may not invoke the provisions of the measure more than once for the same catastrophic disaster.

**Committee Members:**  
 Senator Brian Boquist  
 Representative Jean Cowan  
 Representative Tim Freeman  
 Representative Kim Thatcher  
 Jim Nass

**Appointed by:**  
 President of the Senate  
 Speaker of the House  
 Secretary of State  
 Secretary of State  
 Members of the Committee

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

## Legislative Argument in Support

**The Oregon State Constitution does not provide state government the flexibility to respond quickly and appropriately to aid Oregon's citizens should catastrophic disasters strike.**

We are at risk of severe natural disasters (volcanic eruptions, major flooding, earthquakes or tsunamis); wars and terrorism are also possible. Currently our state government lacks the constitutional authority to efficiently and effectively meet the critical needs after such an event.

Existing state constitutional limitations restrict the Governor's ability to immediately implement and fund critically needed recovery efforts.

Existing state constitutional limitations restrict the Governor's ability to call the Legislature into session outside of the Capitol building in Salem.

Existing state constitutional limitations prevent the Legislature from meeting in session if some of the legislators do not survive the event, are incapacitated, or are unable to travel to Salem.

Measure 77 will allow the Governor and the Legislature to play a critical role in directing the recovery effort. The measure retains the Governor's responsibility to oversee immediate response efforts, maintaining his/her role in the process of disaster declaration and deployment of an incident command structure. It grants the Governor temporary access to a defined and limited portion of otherwise budgeted funds to cover critical, urgent needs.

Measure 77 will allow the Legislature to convene quickly in order to pass laws in an alternative location, or by electronic means; and to do so with only those members who are well enough and able to take part.

Measure 77 allows the Legislature to repurpose additional recovery funding from certain delineated budget components.

Measure 77 will maintain our system of checks and balances, allowing state government to effectively react to a critical and tragically challenging event.

**Measure 77 assures that the Governor and the Legislature will be able to work as a team to meet the urgent needs of Oregonians who have been subjected to a catastrophic disaster.**

**We urge your "YES" vote on Measure 77.**

**Committee Members:**  
 Senator Brian Boquist  
 Representative Jean Cowan  
 Representative Gene Whisnant

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

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

House Joint Resolution 44—Referred to the Electorate of Oregon by the Legislative Assembly of the 2011 Regular Session to be voted on at the General Election, November 6, 2012.

## Ballot Title

# 78

Amends Constitution: Changes constitutional language describing governmental system of separation of powers; makes grammatical and spelling changes

<b>Estimate of Financial Impact</b>	<b>38</b>
<b>Text of Measure</b>	<b>39</b>
<b>Explanatory Statement</b>	<b>39</b>
<b>Legislative Argument in Support</b>	<b>39</b>
<b>Arguments in Favor</b>	<b>none</b>
<b>Arguments in Opposition</b>	<b>none</b>

### Result of “Yes” Vote

“Yes” vote changes constitutional language describing separation of powers to refer to three “branches” (instead of three “departments”) of government; makes other grammatical, spelling changes.

### Result of “No” Vote

“No” vote retains existing constitutional language describing separation of powers between three “departments” of government (rather than three “branches” of government); retains misspelled, other language.

### Summary

Amends constitution. Measure makes nonsubstantive changes to wording now contained in the Oregon constitution. Current state constitutional language describes the governmental separation of powers to be divided into three separate “departments”: Legislative, Executive (including Administrative), and Judicial. Measure revises this constitutional phrasing by changing it to refer to three separate “branches” of government, which conforms to more contemporary, commonly-used designations for these separate divisions of government. Measure changes the description of the two houses of the Legislature to two “chambers” of the Legislature (rather than two “branches” of the Legislature), which also reflects more modern designations for them. Measure additionally modernizes spelling and makes grammatical changes to replace existing references to the Secretary of State as “he,” “him,” and “his” with gender-neutral wording.

### Estimate of Financial Impact

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

## Text of Measure

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

**PARAGRAPH 1.** Section 1, Article III, section 17, Article IV, and section 2, Article VI of the Constitution of the State of Oregon, are amended to read:

**Sec. 1.** The powers of the Government shall be divided into three [*seperate departments*] **separate branches**, the Legislative, the Executive, including the administrative, and the Judicial; and no person charged with official duties under one of these [*departments*] **branches**, shall exercise any of the functions of another, except as in this Constitution expressly provided.[-]

**Sec. 17.** Each house shall have all powers necessary for a [*branch*] **chamber** of the Legislative [*Department*] **Branch**, of a free, and [*independant*] **independent** State.[-]

**Sec. 2.** The Secretary of State shall keep a fair record of the official acts of the Legislative Assembly, and Executive [*Department of the State*] **Branch**; and shall when required lay the same, and all matters relative thereto before either [*branch*] **chamber** of the Legislative Assembly. [*He*] **The Secretary of State** shall be by virtue of [*his*] **holding the office, Auditor of [*public*] Public Accounts**, and shall perform such other duties as shall be assigned [*him*] **to the Secretary of State** by law.[-]

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

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

## Explanatory Statement

The Oregon Constitution currently refers to three “departments” of government: the Legislative Department, the Executive Department and the Judicial Department. Ballot Measure 78 amends the Oregon Constitution to replace the term “department” with the term “branch” for all three branches of government. The measure changes “branch” to “chamber” when granting powers to either house of the Legislature.

The measure further replaces existing Constitutional references to the Secretary of State as “he,” “him,” and “his” with gender-neutral wording.

<b>Committee Members:</b>	<b>Appointed by:</b>
Senator Ginny Burdick	President of the Senate
Representative Wally Hicks	Speaker of the House
Kathleen Beaufait	Secretary of State
Kappy Eaton	Secretary of State
Fred Neal	Members of the Committee

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

## Legislative Argument in Support

The American system of government is designed to be understandable, balanced and effective. Schools teach that the government is divided into three “branches,” which are then subdivided into “departments” and “chambers.” In Oregon, however, that is not the case.

Oregon’s naming system is confusing and out of line with what people learn in school because the Constitution refers to the Legislative, Judicial and Executive “departments” instead of branches. This ballot measure will align Oregon’s Constitution with Oregonians’ common understanding by describing the state government as having an Executive Branch, a Judicial Branch and a Legislative Branch – which will in turn be divided into the Senate Chamber and the House of Representatives Chamber.

Having three separate and equal branches of government with two legislative chambers is essential for protecting liberty. Each branch within the government is designed to check and balance the other two. The Legislative Branch passes laws, the Executive Branch enforces laws and the Judicial Branch interprets laws. Oregon’s system mirrors that of the Federal Government and most state governments in all ways except in name. Having Oregon’s Constitution state plainly that the state government is divided into three branches will more accurately reflect the system of checks and balances that was intended by the founders.

Measure 78 makes other changes to improve the Constitution’s effectiveness by making it more readable and accurate. For example, this measure updates language that currently refers to the Secretary of State exclusively as “he” and “his.” This change is consistent with the removal of gender requirements for holding office and is reflective of contemporary Oregon. The most effective Constitution is one that says exactly what it means.

Vote “Yes” on Measure 78.

<b>Committee Members:</b>	<b>Appointed by:</b>
Senator Ginny Burdick	President of the Senate
Representative Wally Hicks	Speaker of the House
Representative Dave Hunt	Speaker of the House

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

Proposed by initiative petition to be voted on at the General Election, November 6, 2012.

## Ballot Title

# 79

Amends Constitution: Prohibits real estate transfer taxes, fees, other assessments, except those operative on December 31, 2009

<b>Estimate of Financial Impact</b>	<b>40</b>
<b>Text of Measure</b>	<b>41</b>
<b>Explanatory Statement</b>	<b>41</b>
<b>Arguments in Favor</b>	<b>42</b>
<b>Arguments in Opposition</b>	<b>48</b>

### Result of “Yes” Vote

“Yes” vote prohibits state/local governments from imposing taxes, fees, assessments on transfer of any interest in real property, except those operative December 31, 2009.

### Result of “No” Vote

“No” vote retains existing law prohibiting local governments from imposing real estate transfer taxes/fees (with exceptions), allowing state legislature to impose such taxes/fees.

### Summary

Amends constitution. Current statutory law prohibits a city, county, district, or other political subdivision or municipal corporation from imposing taxes or fees on the transfer of real estate (with certain exceptions). However, the state legislature has the authority, subject to Governor approval, to impose such taxes and fees or to change current statutory law. Measure prohibits the state and any city, county, district, or other political subdivision or municipal corporation from imposing taxes, fees, or other assessments based upon the transfer of any interest in real property or measured by the consideration paid or received upon the transfer of any interest in real property. Measure exempts from the prohibition any taxes, fees, or other assessments in effect and operative on December 31, 2009. Other provisions.

### Estimate of Financial Impact

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



## Text of Measure

Be it enacted by the People of the State of Oregon:

ARTICLE IX of the Constitution of the State of Oregon is hereby amended by adding the following section:

**The state, a city, county, district or other political subdivision or municipal corporation of this state shall not impose, by ordinance or other law, a tax, fee or other assessment upon the transfer of any interest in real property, or measured by the consideration paid or received upon the transfer of any interest in real property. This section does not apply to any tax, fee or other assessment in effect and operative on December 31, 2009.**

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

## Explanatory Statement

Ballot Measure 79 amends the Oregon Constitution to prohibit governments from imposing new real estate transfer taxes. This includes either a tax, fee or other assessment imposed on the sale or transfer of real property or a tax based on the value of the real estate.

Current state law prohibits local governments from imposing a new tax or fee on real estate transfers, but does allow the Legislature to impose a tax with a three-fifths vote. The Legislature also currently has the authority to remove the prohibition with a simple majority vote. This measure would eliminate that authority.

This ballot measure does not apply to a tax, fee or other assessment that was in effect and operative on December 31, 2009. There are several statewide and local fees that would remain in effect, as well as a real estate transfer tax in Washington County.

### Committee Members:

John DiLorenzo  
Shaun Jillions  
Janet Byrd  
Deborah Kafoury  
Marilyn Worrix

### Appointed by:

Chief Petitioners  
Chief Petitioners  
Secretary of State  
Secretary of State  
Members of the Committee

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

## Argument in Favor

### PLEASE JOIN THE BENTON COUNTY FARM BUREAU IN SUPPORTING MEASURE 79

Growing food and bringing agricultural products to market is an economic staple of Benton County. The land and property at the base of such agricultural activity is not only valuable in its own right, but also meaningful to generations – both past and future – of local families.

The last thing we need is another tax on our property.

### MEASURE 79 IS THE ONLY WAY TO ENSURE THAT OUR FAMILY FARMS AND PROPERTY ARE NOT TARGETED WITH A NEW TAX.

In recent years, there have been nine attempts made by government taxing authorities to enact a real estate transfer tax on Oregon property owners. Enough is enough. Vote Yes on 79 to protect your land from a new tax at the point of sale.

**Real estate transfer taxes** are assessed on the sale of property – or even the handing down of a family from one family member to another. With property values declining, it is unfair to impose additional taxes on struggling middle class families and Oregon businesses.

### VOTING YES ON MEASURE 79 IS THE ONLY WAY TO ENSURE THAT REAL ESTATE TRANSFER TAXATION DOESN'T CONTINUE TO THREATEN BENTON COUNTY FARMS

Please join with the Benton County Farm Bureau and vote  
"YES" on Ballot Measure 79.

Help us keep working farms and agriculture production alive  
and well in Benton County.

*(This information furnished by Paul Kovash, Benton County Farm Bureau.)*

## Argument in Favor

The health of our Salem area housing market has a direct bearing on the overall economic climate. As business owners and homeowners, we are very concerned about anything that would make a terrible housing situation even worse. That's why we support Ballot Measure 79. The initiative, if approved, would prevent local governments from enacting new real estate taxes on homes that are sold or purchased.

Here's why we support this measure:

- After years of steady decline in the value of homes around Salem, the worst is not over. This year, home values are projected to drop another 10% (Housing Predictor, 2012 forecast). If local governments place a new tax on the sale of homes, people will be paying taxes to politicians at the same time they're paying money to creditors on their underwater mortgage.
- It's not fair to place a new tax on homeowners at a time when the value of their home has already been devastated. Our economy can't take a new tax that would take more money away from homeowners when they've suffered enough.
- Homeowners already pay an annual property tax to fund our teachers, police, and firefighters. We support that. But many of us have experienced the frustration of seeing our property taxes go up while our home values are going down. Adding another tax on homes is simply a way for politicians to get more money out of homeowners.

Local business owners around Salem support Ballot Measure 79 because we don't want to see another tax on homeowners. Our government needs to be fostering a climate for housing to recover, not thinking up new ways to tax homeowners who are already hurting.

*(This information furnished by Jason Brandt, CEO, Salem Area Chamber of Commerce.)*

## Argument in Favor

### Construction Contractors Support Measure 79

The construction industry has been one of the hardest hit by the Great Recession. As a result, thousands of jobs have been lost and many in our industry continue to struggle.

Increasing the cost of buying or selling homes or commercial real estate in Oregon through a new real estate transfer tax is a bad idea. That's why Oregonians should support Ballot Measure 79.

A Yes vote will stop new taxes targeting real estate.

### Homeowners are already struggling

With so many Oregonians out of work and selling their homes for less than they paid – adding a tax to a distressed sale is unfair.

### We should encourage home ownership

A new transfer tax would put home ownership out of reach for many, especially first-time homebuyers who are so important to a healthy housing market.

### Measure 79 protects Oregonians from a double tax

Since Oregon families and businesses already pay property taxes, new real estate transfer taxes would be a double tax.

### Please Join with Us and Vote YES on 79

Associated Builders and Contractors  
Pacific Northwest Chapter

SMACNA Columbia Chapter

Independent Electrical Contractors of Oregon

*(This information furnished by Paul Rainey, Yes on 79.)*

## Argument in Favor

Last year we paid more than \$5000 in property taxes. This year, even though our home hasn't increased in value, our property tax bill will still increase. It's very frustrating.

We support funding schools and public safety but when we heard of proposals in the legislature to authorize a real estate tax on the sale of our home, we couldn't believe it!

To us it sounds like more like another tax or a sales tax we'd be required to pay.

We strongly support Ballot Measure 79 as a permanent stop to these ridiculous attempts to keep taking more and more money from taxpayers. Measure 79 would remove the threat of a second tax on our homes once and for all.

People might not realize if a transfer tax is allowed, ALL local governments would be authorized to levy a tax. In other words, you could end up paying a transfer tax to your city, to your county, to the state and to whatever local taxing district wants to pile on. One percent here, another half percent there, and pretty soon you have a huge tax bill.

For first-time home buyers for example, a two percent real estate transfer tax would add \$4,000 to the closing costs on the sale of a \$200,000 home. That's \$4000 on top of the closing costs and any other fees or costs they would have in order to buy a home which might make the difference of whether they could make the down-payment or not.

We can't afford a second tax on our home and we don't think many other people can either so please join us in VOTING YES ON MEASURE 79.

Shane and Laurie Phelps, Homeowners, Salem, Oregon  
Yes on Measure 79

*(This information furnished by Paul Rainey, Yes on 79.)*

## Argument in Favor

**The Alliance of Minority Chambers urges you to join us in voting YES on Measure 79.**

**The housing sector generates a huge number of jobs in Oregon – everything from architects to carpenters to electricians to painters – even heavy equipment operators. And the list of workers and jobs grows when commercial construction gets under way.**

Those jobs are an essential building block to bringing Oregon's economy back.

And we believe that jobs aren't just a 9-to-5 exercise with a paycheck. For us, jobs are an essential part of our community. Local jobs help people stay in communities – they send their kids to local schools and shop in local stores and keep main-streets humming along.

In Oregon, property owners already pay property taxes every year – even as their home values fall and their property taxes go up. Voting Yes on Measure 79 would protect homeowners for a second tax on their property.

**Our organization works closely with local government agencies to make sure that they are supported in their role to fund schools, roads, law enforcement and public health.**

We can confidently say that Measure 79 will not pull any money out of schools, roads or any local government's ability to keep police on the street.

**But Measure 79 does protect all of us from new real estate transfer taxes – the very kind of taxation that could prevent home sales from going through and thus keeping many out-of-work contractors, builders and service people on the sidelines.**

We are urging you to join us in voting YES on Measure 79 – it will send a signal that we are serious about strengthening the real estate market so Oregonians can get back to work.

**Please join the Alliance of Minority Chambers in voting YES on Measure 79.**

*(This information furnished by Roy Jay, Alliance of Minority Chambers.)*

## Argument in Favor

**Boardman Chamber of Commerce  
Diane L. Wolfe, Executive Director  
Supports Measure 79**

In Eastern Oregon, we strive to create and promote an environment in which current and future businesses thrive and where our members connect for the benefit of the community.

Our chamber is comprised of small businesses, large industries, nonprofit organizations, area merchants, and individuals who recognize the importance of our growing city.

After careful research and due diligence, we are strongly supporting passage of Ballot Measure 79. A real estate transfer tax would have a negative effect on the businesses and families in our community.

For starters, like many communities, our housing industry is struggling to get back on its feet after the recent economic storm. Why would we make this recovery more difficult by adding a new tax to this important sector of our economy?

While there exists a state prohibition on real estate transfer tax authority, legislators have been introducing legislation for a decade to repeal it. The only way to permanently prohibit this tax is with a constitutional protection.

All property owners are assessed an annual tax. We believe

it would be poor public policy to impose another tax on the same property. It would not only be poor policy, it would be unfair.

It's important to our members to support schools and local government – and we do. This measure will not take a single dollar from schools or any government program. The state Legislative Revenue Office has determined this measure will have no fiscal impact at all.

Therefore we are asking Oregonians to take a thoughtful look at this measure and eliminate the potential for unfair, double-taxation - by voting Yes on Measure 79.

*(This information furnished by Paul Rainey, Yes on 79.)*

## Argument in Favor

**Oregon Home Builders Association Supports Measure 79**

As businesses that provide affordable housing options to Oregonians, we are motivated to ensure that the purchase of a home is attainable for every family. What we provide to families is more than a collection of lumber, windows, and doors. It's a place where children will create memories and parents will create a valuable asset. In recent years, however, the promise of home ownership has faded as the recession devastated the equity that so many families had worked to build.

That's why the Oregon Home Builders Association supports Ballot Measure 79, which would prohibit the state and local governments from imposing new taxes on the home you're selling or buying.

### Homeowners are hurting

Now is not the time to be creating new taxes on homes. Many homes in Oregon are worth less than what is owed on their mortgage, making the sale of a home an even bigger financial hardship. Paying a new tax on a home that has already lost money is adding insult to injury. This is really true for families who have lost jobs and have been forced to sell their homes. Forcing people in these financial hardships to pay a tax on a home they've lost money on is simply unfair.

### Homeowners already pay property taxes

Local governments already receive money from homeowners through annual property taxes. In fact, many homeowners have experienced rapidly diminishing home values and increasing property tax bills *at the same time*. Now, local governments want to place another tax on your home? This simply isn't fair. Local governments have property tax revenue to fund important local services. They don't need another tax on homeowners, who are already hurting.

### We urge you to Vote Yes on Measure 79

*(This information furnished by Jon A. Chandler, Oregon Home Builders Association.)*

## Argument in Favor

**Measure 79 is Essential for Small Business Success**

**The Oregon Small Business Coalition strongly urges you to vote YES on Measure 79**

Oregon currently has the **highest capital gains tax rate in the nation**. That's bad for business. Things will only get worse with a new tax on real estate and commercial property sales – essentially pushing our already high national property tax burden even higher.

Real estate and commercial property sales can lead our state out of tough economic times. But in order to do so we need investments in business-generating properties, **not new taxes on them**.

**Voting YES on Measure 79 is the only way to guarantee that.**

In this economic downturn, it has been difficult for local businesses to create the jobs that Oregonians depend on. To get our economy back on track, we need to invest in a business friendly environment.

**Voting Yes on Measure 79** will do that by preventing new taxes on property owners in Oregon (agricultural, commercial and residential) and protecting you from a second or 'double' tax on your property.

In the past five sessions of the Oregon Legislature, there have been **nine** attempts to impose a real estate transfer tax at the state or local level. **Vote Yes to stop local and state governments from targeting Oregon's small businesses with a new tax.**

**Voting Yes on Measure 79** is the only way to say "Enough is enough."

A new tax on real estate would make Oregon an even more difficult place for small businesses to start and create jobs.

Oregon's small businesses are struggling. Loans are tougher to get. A new tax at the point of sale or transfer of property will make it more expensive to buy, sell and lease real estate.

**Please vote Yes on Measure 79 to get small businesses moving again in Oregon**

*(This information furnished by Darrell Fuller, Oregon Small Business Coalition.)*

## Argument in Favor

### Associated Oregon Industries Support Measure 79

Homeowners have been targeted with a new tax on the sale or transfer of real estate, a new tax that some cities have made a top legislative priority. In the last decade, politicians have proposed imposing multiple layers of real estate transfer taxes – at the city, county and state level.

Adding the cost of a sales tax to the price of a home, in addition to a property tax, would preclude many Oregonians from being able to buy a home and would deal a blow to a vital industry that is still struggling to regain its footing in Oregon.

**Voting "YES" on Measure 79 will stop governments from being able to impose real estate transfer taxes on your home.**

**NOW IS NOT THE TIME FOR A NEW TAX.** In this economy, many families are forced to sell their homes because of a job loss or pay cut. Property values are down, but property taxes keep going up. It's unfair to impose additional taxes on struggling middle class families.

**WE SHOULD ENCOURAGE HOME OWNERSHIP.** A new transfer tax would put home ownership out of reach for many, especially first-time homebuyers who are so important to a healthy housing market.

**ENOUGH IS ENOUGH.** Oregonians value our quality of life and pay high property taxes to make it possible, but piling a new tax on homeowners who are struggling just isn't right. It's time we protect real estate and invest in our economy.

Protect our homes and economic future, please vote "YES" on Measure 79.

Join the Associated Oregon Industries and protect homeowners and our businesses by voting Yes on Measure 79.

For more information, go to [www.yesonmeasure79.com](http://www.yesonmeasure79.com).

*(This information furnished by J.L. Wilson, Associated Oregon Industries.)*

## Argument in Favor

### Commercial Brokers Support Measure 79

It's no surprise to anyone that Oregon's economy is struggling, and a **YES** vote on Measure 79 is necessary to make sure we are able to get back on track. The real estate industry plays a critical role in the economic health of our state, and an additional tax on real estate will cause further damage. With unemployment once again rising, now is not the time for additional taxes!

**VOTE YES** on Measure 79 to make sure that governments don't further stifle job creation and that our small businesses can remain competitive. A real estate transfer tax would apply to ALL property, and would further drive up costs for small businesses across the state.

Property owners and small businesses already pay significant property taxes to support their local communities, and are more than willing to pay their fair share. Our communities are strong because of the investment that property owners and small businesses make, but piling an additional tax will hurt us all.

As we emerge from this recession, we see businesses wanting to expand or relocate to Oregon, bringing much-needed middle-class jobs to our state; a real estate transfer tax would stop this progress in its tracks. **VOTE YES ON 79 TO PROTECT OUR ECONOMY.**

The Commercial Association of Brokers of Oregon/SW Washington urge a **YES** vote on Measure 79.

*(This information furnished by Michael Tharp, Commercial Association of Brokers of Oregon/SW Washington.)*

## Argument in Favor

### The Wilsonville Area Chamber of Commerce & Chehalem Valley Chamber of Commerce Support Measure 79

In the past few years, we have watched the housing sector struggle in a terrible economy. It is still struggling. And we believe the worst thing we could do at this point is to enact a new tax on housing.

Have you ever thought about the number of jobs created in the housing sector?

Just to build a home you will likely need architects, drafters, carpenters, carpet layers, drywall hangers, drywall finishers, electricians, HVAC technicians, heavy equipment operators, insulation workers, masons, painters, plumbers, roofers, inspectors and loan officers. This list gets even longer when you consider the jobs needed in commercial construction.

We need those jobs back.

We're also concerned about our community. Home prices have fallen sharply in the last four years – and they haven't recovered. When people in Wilsonville or Newberg sell their home, they are often selling at a loss. It would be unfair to tax families who are already struggling financially.

It's important for our community to support schools, roads and local government.

But property owners already pay property taxes every year – even as their home values fall and their property taxes go up. It would be unfair to tax the same property a second time. This would amount to a double tax.

We have studied the impact of this measure very carefully. It will have no fiscal impact on schools, roads or local government. All it does is give taxpayers an extra layer of protection from a real estate transfer tax.

We are urging the citizens of our great state to keep our tax code fair, to stop the threat of a double tax and to restore those housing jobs that have been lost. Let's put those people back to work.

**Join us in support of Ballot Measure 79.**

*(This information furnished by Steve Gilmore, Wilsonville Area Chamber of Commerce.)*

**Argument in Favor**

**Albany Area Chamber of Commerce**

**Please Vote Yes on Measure 79**

The Albany Area Chamber of Commerce is dedicated to taking a pro-active community leadership approach to strengthen our neighborhoods. **That is why we support Measure 79**, a pre-emptive solution that protects the dream of homeownership and our economic future.

Measure 79 will stop state and local governments from targeting our homes and businesses with a double tax on property. Oregonians already pay property taxes to funds schools and important community services. A second tax on property at the point of sale or transfer is unfair.

In Oregon, more than 42.8% of homeowners are spending 30% or more of their household income on housing (mortgage or home equity loans, taxes, insurance, utility and fuel costs). Oregon ranks at the bottom, 45th nationally, and many families are classified as "cost burden" and are at risk of foreclosure (Corporation for Enterprise Development, 2012 Assets & Opportunity Scorecard).

A Yes vote on Measure 79 will protect the struggling housing market from becoming more unaffordable by stopping new taxes at the point of sale. Instead of making it more difficult to attain homeownership, we need to find ways to help families buy their first home and to protect existing homeowners who owe more than their house is worth. It would be unfair to target seniors and families facing difficult times for a new local or state government tax.

Finally, we need to create jobs and strengthen our local economy. A new tax that targets the workforce and businesses is a bad idea. Measure 79 is the right solution to protect a fragile housing market and economy so that we can focus on what's important – getting Oregonians back to work to provide a stable foundation to succeed.

**Join us in protecting the quality life in our community and stability of our real estate market by voting Yes on Measure 79.**

*(This information furnished by Janet Steele, Albany Area Chamber of Commerce.)*

**Argument in Favor**

As a small business owner, I strongly support Ballot Measure 79, which would remove the threat from another tax on our homes. We have a child in the Portland Public School system and we're very supportive of our schools. We love our schools.

But a second, or third, or fourth tax on the same property?

That just doesn't seem right to me. It would be a multiple tax. With the housing market so dismal right now, it would be the last place anyone would want to tax again.

I have a lot of friends in the construction industry who need work. They need help. We can help them – and the housing industry – by stopping the potential for a new sales tax on housing.

Home prices have fallen since 2006. And they haven't bounced back. When people sell at a loss, it would be unfair to also force them to pay a real estate transfer tax.

This measure will not affect public services. All it does is remove the threat of another tax on the same property.

Yes, I support our schools. And yes, I also support a new layer of protection that makes it certain we won't have to worry about a new real estate transfer tax on our homes.

Vote Yes on Ballot Measure 79

Larry Dennis, Jr. NE Portland

*(This information furnished by Paul Rainey, Yes on 79.)*

**Argument in Favor**

**AN IMPORTANT MESSAGE  
FROM THE OREGON FARM BUREAU**

Oregon voters have an opportunity to **VOTE YES ON MEASURE 79** and help protect our family farms from yet another tax.

**A YES vote on Measure 79 will prevent lawmakers from imposing** what is commonly called a "real estate transfer tax." That is fancy wording for - **a new tax on your home, farm, ranch or other natural resource properties.**

**THE OREGON FARM BUREAU SUPPORTS MEASURE 79**

**HERE ARE FOUR IMPORTANT REASONS WHY:**

**A Real-Estate Transfer Tax is a DOUBLE TAX:** You already pay a property tax on your home and farm. Why should you be taxed again for services you've already paid for?

**Succession planning would be even more costly!** Remember, we are talking about a tax on sales and transfers. Every time the property is transferred, be it a gift, part of a living trust, or a transfer to your son or daughter there could be a tax due!

**More acreage means more taxes.** It is bad enough to pay a second tax on your home or property. Imagine the impact a new tax at the point of sale would have on an 80 acre farm, ranch or woodlot.

**Now is not the time.** Many families are struggling to make ends meet. In the past five legislative sessions there have been nine attempts to authorize such a tax at the state or local level. And even in a downturn economy our property taxes have gone up! Another tax is not the answer!

**Oregonians can take great pride in the number of family farms in Oregon. But unless we continue to stand together our farms and ranches are in jeopardy.**

**PLEASE JOIN WITH THE OREGON FARM BUREAU**

**AND VOTE YES ON BALLOT 79.**

*(This information furnished by Barry Bushue, President, Oregon Farm Bureau Federation.)*

**Argument in Favor**

**OREGON REALTORS URGE A YES VOTE ON MEASURE 79**

Voting "YES" on Measure 79 will stop governments from being able to impose real estate transfer taxes on your home. These taxes are an additional tax that is charged each and every time property is sold or transferred. Voting "YES" is the only way to truly ensure that governments will not impose these double taxes on our homes.

- Oregonians already pay significant property taxes for services in their communities, and adding an additional tax on homeowners in these difficult economic times would be unfair.
- Every day we see our neighbors and friends selling their homes at a loss due to a job loss or pay cut, yet a transfer tax would still be charged on them when they are losing money.

- Enough is enough; we Oregonians value our quality of life and pay high property taxes to make it possible, but piling on a whole new tax on homeowners who are struggling just isn't right.
- Voting **"YES"** on Measure 79 does not take away any current funding for schools, fire fighters or police officers.
- As we see every day, achieving the American Dream of homeownership is becoming more and more difficult, and adding on multiple layers of additional taxes on homes will put the dream further out of reach.
- Our economy and the real estate industry can't withstand yet another new tax being piled on homeowners.
- Politicians have considered the idea of charging or allowing multiple layers of transfer taxes each and every legislative session for the last decade, and in fact one of the state's largest governments made charging this tax one of their top priorities just this year.

Existing law does not prevent state politicians from imposing this tax on your home. The only way to truly protect us all from the damaging impacts of this tax is to vote **"YES"** on Measure 79.

*(This information furnished by Shaun Jillions, Oregon Association of Realtors.)*

## Argument in Favor

**The Brookings-Harbor Chamber of Commerce strongly recommends a Yes vote on Ballot Measure 79.**

After studying this proposal thoroughly, it's clear this measure will protect homeowners and businesses from what could be one of the most unfair taxes anywhere.

We believe a real estate transfer tax would be unfair simply because homeowners already pay a property tax. It would be unfair to those taxpayers to ask them to pay a second tax on the same property.

At first we were confused by this measure because we weren't sure how much of a threat there is to the enactment of a real estate transfer tax in Oregon. But some simple checking found that legislation to allow a real estate property tax has been introduced in every regular session of the Oregon legislature since 2001.

For those of you who have lived in states where real estate taxes exist, you know how expensive this can be if you're trying to buy or sell a house. For example, a 2-percent real estate tax on a \$200,000 home will add \$4,000 to your closing costs. That's enough to keep many families from moving ahead with the purchase.

Furthermore, the industry that has been hammered the worst in our economic downturn has been housing. Why would we want to kick the housing sector with a new tax?

It's important to us that this measure would not take away any existing revenue from schools or local governments. It simply prohibits local and state governments from imposing what we believe would be an extremely unfair tax on property owners.

We believe this is a solid protection for Oregon property owners. It's fair. It has zero fiscal impact. We would urge all fair-minded Oregonians to support this measure with a strong Yes vote.

*(This information furnished by Les Cohen, CEO, Brookings-Harbor Chamber of Commerce.)*

## Argument in Favor

Oregon Ranchers and the Oregon Family Farm Association PAC ask for your support for Measure 79.

Agriculture relies on land – it's our business. For that reason, Oregon ranchers and farmers buy and sell land frequently, as farms and ranches expand or shift production.

That's why a real estate transfer tax hits our industry especially hard. The potential of adding thousands of dollars of cost to our operations is frightening. Each dollar of new cost affects our ability to provide you with Oregon raised beef and fresh farm produce.

We also like the fact that Measure 79 won't impact the current state or local budgets. Since Oregon does not currently have a real estate transfer tax, and the measure exempts the one Oregon county that does charge a transfer tax, we can support this Measure knowing that it will not have an impact on our schools or other vital services.

We know, however, that in the last few years, the Oregon legislature has tried repeatedly to impose a real estate transfer tax, or allow local governments to create their own tax. That threat hangs over our industry's head each year.

What Measure 79 will do is ensure that we can continue our ranching and farming operations without fear that we will be forced to pay another new tax when farmland is bought and sold.

That's why we support Measure 79. We hope you will as well.

*(This information furnished by David J. Hunnicutt, Oregon Family Farm Association PAC.)*

## Argument in Favor

Oregonians In Action, Oregon's property owners association, asks you to protect middle class and working Oregon families by voting YES on Measure 79.

Measure 79 asks Oregon voters to ban real estate transfer taxes. These taxes are imposed on homeowners at the time they sell their home, whether or not the home is sold for a profit or a loss.

In the past five years, the average value of homes in Oregon has steadily declined. In most cases, a home purchased in 2007 is worth less today than its purchase price.

But that doesn't matter for purposes of the real estate transfer tax. A family that is forced to sell their home for a loss, due to a job loss or other unexpected crisis, is forced to pay a real estate transfer tax, regardless of the sales price of the home, the family income, or other unforeseen circumstances. This isn't fair.

Real estate transfer taxes are truly a tax on middle class and working families. At the current average national rates and the current average home value for an Oregon home, a real estate transfer tax would total nearly \$3,800, regardless of whether the homeowner had a profit or loss on the sale of their home.

Most middle class families can't afford a \$3,800 tax when they sell their home.

There is only one Oregon county that currently has a real estate transfer tax, and state law currently bans any more new taxes. But in the last decade, there have been 9 attempts by Oregon politicians to repeal the current ban. Measure 79 would keep the ban in place.

Measure 79 has no effect on Oregon's current budget, but would ensure that current Oregon homeowners won't have to worry about another new tax during a time of a major life change.

Protect Oregon homeowners. Vote YES on Measure 79.

*(This information furnished by David J. Hunnicutt, Oregonians In Action.)*

## Argument in Favor

### Oregon's Small and Independent Businesses Support Measure 79

#### The National Federation of Business/Oregon (NFIB/OR) urges a YES vote on Measure 79

It's no secret that the economic slowdown has made it difficult for local businesses to create the jobs that Oregonians depend on. To get our economy back on track, we need to invest in a business friendly environment that will create jobs and opportunities for our families and children to succeed.

A **"Yes" vote on Measure 79** will stop new taxes and protect all property owners in Oregon (agricultural, commercial and residential) from a second or 'double' tax on their property.

In the past five legislative sessions, there have been nine attempts to impose a real estate transfer tax at the state or local level. **Vote Yes to stop local and state governments from targeting Oregon homeowners and small businesses with a new tax.**

Enough is enough. Protect Oregon's Small and Independent Businesses:

Oregon's businesses are struggling and loans are tougher to get. A new tax at the point of sale or transfer of property will make it more expensive to buy, sell and lease real estate.

A new tax on real estate would make Oregon even less attractive to companies considering locating here, creating jobs and investing in our economy.

Oregon currently has the highest capital gains tax rate in the nation and the 15th highest property tax burden. Things will only get worse with a new tax on real estate. The real estate industry has historically led our state out of challenging economic times. They can do that again, but to do so we need investments in real estate, not new taxes.

#### Join the National Federation of Independent Business/Oregon and vote Yes to stop another tax on businesses in Oregon.

A nonprofit, nonpartisan organization, the National Federation of Independent Business/Oregon promotes the opportunity for small businesses to own, operate and grow their businesses.

*(This information furnished by Jan Meekoms, State Director, National Federation of Independent Business / OR (NFIB/OR).)*

## Argument in Favor

Taxpayer Association of Oregon is a not-for-profit organization dedicated to protecting taxpayers from politicians who are constantly dreaming up new ways to tax Oregonians. We have been anxiously watching the efforts of local governments to enact new real estate transfer taxes on the sale of homes as a way to raise even more money from homeowners. Now, we're glad that taxpayers and homeowners are fighting back. We strongly recommend a "YES" vote on Measure 79.

Measure 79, if enacted, would amend the Oregon Constitution to prohibit local governments from enacting a tax on the transfer of property, either through sale, transfer, or exchange. We support passage for a number of reasons.

### **NO DOUBLE TAXATION**

Homeowners in Oregon already pay an annual tax on their property, which goes to pay for things like schools, police,

and other services. Yet, local politicians have never been satisfied with what they receive through property taxes. The real estate transfer tax is just another new tax on property when homeowners already pay an annual tax to local governments. We don't think it's necessary or appropriate to tax the same property twice.

### **A CONSTITUTIONAL AMENDMENT IS NECESSARY**

We have heard from many people that they support prohibiting a tax on home sales but it shouldn't be done through the Oregon Constitution. We disagree; It *must* be done through the Constitution. Any prohibition that is simply written into state law can be changed anytime the state legislature meets. That gives us no confidence. Besides, if protecting property and enumerating government taxing powers aren't valid subjects for a Constitution, what are? Property and taxation are foundational principles in a republic. This prohibition on real estate transfer taxes belongs in the Constitution.

Taxpayer Association of Oregon strongly supports Measure 79 and urges a "YES" vote. A new real estate transfer tax on homes is an inappropriate, unnecessary form of double taxation. This constitutional amendment will guarantee that homeowners are protected from it in perpetuity.

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

## Argument in Favor

The Chamber of Medford/Jackson County Board of Directors enthusiastically supports passage of Measure 79. Homeowners and businesses need this protection. As Oregon's largest Chamber of Commerce, we are extremely concerned about the health of our Rogue Valley economy. One of the most important elements of a strong economy is a healthy residential and commercial real estate market, which would be put in jeopardy if local governments are permitted to impose new taxes on the sale of homes and businesses.

Residents of southern Oregon have seen their home values plummet over recent years as the economy stalled and foreclosures soared. According to the Oregon Office of Economic Analysis, home prices in Medford have dropped 39% since their peak (Josh Lehner, Oregon Office of Economic Analysis, May 23, 2012). This represents one of the worst declines in the country, let alone the state. At the same time, there doesn't seem to be any relief to escalating property taxes. The double impact of declining home values and increasing property taxes have devastated savings and consumer confidence.

It's unfair for local governments to impose new taxes on our member's homes and businesses at a time when many of them already owe more on their property than it's worth. A real estate transfer tax, which is a sales tax on property, would simply take even more money away from homeowners at a time when their home values have been battered. We need home values to increase and our economy to create jobs, and a new tax on homes would be devastating.

### **The Chamber of Medford / Jackson County strongly urges a yes vote on Measure 79. We don't need another tax on our homes and businesses.**

*(This information furnished by Brad S. Hicks, CCE, The Chamber of Medford/Jackson County.)*

## Argument in Favor

### **THE MARION COUNTY FARM BUREAU URGES YOU TO VOTE YES ON MEASURE 79**

#### **Measure 79 protects your legacy to your children**

A YES vote on Measure 79 will prevent state and local lawmakers from imposing what is known as a "real estate transfer tax."

You are already paying property taxes to fund local government. A real estate transfer tax would be nothing more than double taxation. And with a state-level real estate transfer tax and with many cities, counties and special districts also looking for revenue, such a taxing system could easily turn into **triple or even quadruple taxation on your property!**

Real estate transfer taxes aren't just levied during property sales – they are levied every time the property is transferred, be it a gift, part of a living trust, or a transfer to your son or daughter. Every time that happens, a tax would be owed!

We are asking you to join our local farmers and our families to **VOTE YES ON MEASURE 79** and help protect Marion County family farms.

**Measure 79 is the ONLY way to ensure that this kind of taxation protects struggling families and businesses from a second tax.**

**Real estate transfer taxes are based on property value.** That means the more acreage or dwellings you transfer, the more taxes you'd pay – even if it's just handed down from one generation to another. Imagine the impact on your family that a new tax would have from a simple transfer of a 100 acre farm or working ranch? **It could put that farm or ranch out of business.**

**Residents of Marion County take great pride in our local family farms. That's why we need to stand together and protect our farms and way of life.**

**VOTE YES ON MEASURE 79.**

*(This information furnished by John Zielinski, Marion County Farm Bureau.)*

## Argument in Opposition

### Vote No on Measure 79.

The language in Measure 79 is already the law. And that law has worked effectively, because there has been no move to create a real estate transfer tax in Oregon for years. Yet Measure 79 proponents want to create special rights for one industry and insert this language into our CONSTITUTION!

The Oregon Constitution is the supreme legal document of our state. It outlines our basic framework of government. It protects our free speech. It is not the place to prohibit real estate transfer taxes, fees and other assessments – especially when that language is already in the Oregon Revised Statutes, which is exactly where it belongs.

**There is no need to clutter the Oregon Constitution with this confusing and unnecessary measure – you can't make something twice as illegal.**

This measure adds one more restriction on local governments. Local governments should be able to decide what is right for their own local jurisdiction without the Oregon Constitution restricting their decision. Local control means that local citizens get to make their own decisions whenever possible. **Moreover, we should not give one particular industry special rights in our Constitution.**

This measure has too many question marks. Read the "Yes" and "No" statements – they essentially say the same thing because this measure doesn't change anything, it only stuffs more words in our Constitution.

**People's pet issues do not belong in our Constitution. Vote NO** on Measure 79.

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

## Argument in Opposition

**Neighborhood Partnerships urges you to Vote NO on Constitutional Amendment 79**

**Constitutional Amendment 79 would amend the Oregon Constitution. This proposed amendment of the Oregon Constitution is a bad idea.**

- **Constitutional Amendment 79 is not necessary – and it goes too far**

Oregon law already prohibits new real estate transfer taxes.

- **Constitutional Amendment 79 does not address any of the real needs our communities face**

Oregon needs real solutions to the housing and other needs our communities face. Constitutional Amendment 79 will not solve anything. We should focus instead on working together to re-build a strong housing market.

- **Constitutional Amendment 79 limits our rights for no reason. It deserves your NO vote**

We deserve real solutions, not unnecessary amendments to our Constitution.

**The Constitution is too important for amendments like this one. Don't give up a constitutional right – we urge you to VOTE NO on Constitutional Amendment 79.**

The Constitution is a document designed for Oregon's long term future. Let's protect it by voting no on this proposal. Oregon has a long history of finding innovative solutions to make our communities stronger. Together, we can do positive things for Oregon communities and build a foundation for prosperity.



### **Neighborhood Partnerships urges your NO vote on Constitutional Amendment 79.**

Neighborhood Partnerships is an Oregon non-profit organization dedicated to creating opportunity for all Oregonians. We are joined in opposition by community leaders and partners all across the state, including:

**Bill Hall, of Newport Oregon**  
**Sharon Miller, of Bend Oregon**

*(This information furnished by Janet Byrd, Executive Director, of Neighborhood Partnerships.)*

### **Argument in Opposition**

#### **Oregon Community Leaders Urge You to Vote NO on Constitutional Amendment 79**

Constitutional Amendment 79 is confusing and unnecessary, and could create unintended consequences that would harm Oregon's vulnerable citizens if passed.

Let's not take the extreme step of changing the Constitution with this amendment.

The Oregon Opportunity Network is an association of 45 community nonprofits from around the state – from Gold Beach to La Grande, from Medford to St. Helens, and all points in between. Every day we see the impact of the economic crisis and the housing market on hardworking Oregon families.

As leaders of community organizations, we know first-hand about housing needs in our state, for both new homeowners and renters. Constitutional Amendment 79 does nothing that will address housing needs.

#### **Constitutional Amendment 79 is not a solution to problems that Oregonians are struggling with.**

Oregon law already prohibits new real estate transfer taxes. **It doesn't make sense to amend the Constitution to ban something that is already prohibited by law.**

Let's focus our energy on positive solutions to real problems. Let's not clutter up our Constitution.

#### **Please vote NO on Constitutional Amendment 79.**

John Miller, Executive Director, Oregon Opportunity Network (statewide)  
Martha McLennan, Executive Director, Northwest Housing Alternatives (statewide)  
Jim Moorefield (Corvallis)  
Chuck Fisher (Keizer)  
Marybeth Beall (Salem)  
Adolph "Val" Valfre, Jr. (Forest Grove)  
Sheila Greenlaw-Fink (Portland)  
Richard A. Herman (Eugene)  
Rural Community Assistance Corporation (RCAC) (Gold Beach)  
Nick Sauvie, Executive Director, ROSE Community Development (Portland)  
Anne M. Williams (Eugene)  
Dee Walsh, Executive Director, REACH Community Development, Inc. (Portland)  
Peg Malloy (Portland)  
Farmworker Housing Development Corporation (Woodburn)  
Karen B. Shawcross (Hillsboro)  
Peter Hainley, Executive Director, Community and Shelter Assistance Corp. dba CASA of Oregon (statewide)

Find out more about Oregon Opportunity Network members and the work we do in your community at [www.OregonON.org](http://www.OregonON.org).

*(This information furnished by John Miller, Oregon Opportunity Network.)*

### **Argument in Opposition**

#### **Economic Fairness Oregon Urges a No Vote on this Corporate Power Grab**

Measure 79 is on the ballot because special interest money from a single industry came flooding into the state.

The corporate lobbyists behind the measure are trying to amend the Oregon Constitution to give themselves a special tax protection that no one else can get.

It'd be nice if we all had high-paid lobbyists who could spend hundreds of thousands of dollars to get us special deals. But in the meantime, we at Economic Fairness Oregon believe that the Oregon Constitution should safeguard fairness and help keep a level playing field. It shouldn't be used to grant special tax protections for big industries.

This measure is confusing and unnecessary, and deserves your No vote.

Economic Fairness Oregon is a consumer advocacy nonprofit fighting for the financial security of all Oregonians by calling for an end to the business practices that have drained our bank accounts and ravaged our economy.

Angela Martin  
Executive Director  
Economic Fairness Oregon

*(This information furnished by Angela Martin, Economic Fairness Oregon.)*

### **Argument in Opposition**

#### **Oregon REALTOR Against Measure 79**

As a REALTOR and Principal Broker who has been practicing Real Estate in Oregon for over 20 years, I am opposed to the Constitutional Amendment Measure 79.

In the past two decades, I have worked with hundreds of folks to help them find their first home. It has been my passion to help them achieve home ownership and financial stability. I have seen first-hand what buyers and sellers in Oregon are facing, and Measure 79 is **not** the answer.

There are already prohibitions in place for Real Estate Transfer fees, and this Constitutional Amendment will not help us solve any of the current problems we face.

Let's work together as Oregonians to address the concerns about housing, and not change our constitution based on the agenda of a national trade organization.

Please join me in voting No on Constitutional Amendment 79

*(This information furnished by Chris Bonner.)*

### **Argument in Opposition**

#### **Community Alliance of Tenants, Street Roots, JOIN, and the Human Services Coalition of Oregon Urge a No Vote on Constitutional Amendment 79**

The Community Alliance of Tenants, Street Roots, JOIN, and the Human Services Coalition of Oregon are committed to expanding housing and economic opportunity for all Oregonians.

Constitutional Amendment 79 is confusing and unnecessary, and could produce unintended consequences that would hurt Oregon's most vulnerable citizens.

**Our state Constitution is no place for issues that should be under local control.**

Oregon law already prohibits real estate transfer taxes. By banning something that is already banned, this Constitutional Amendment is only making things more confusing.

**Say no to this confusing, unnecessary Constitutional Amendment.**

**Let's focus on the real issues that affect Oregon families and communities.**

**Join us in Voting No on Constitutional Amendment 79.**

**Street Roots ([www.streetroots.org](http://www.streetroots.org))**

**Community Alliance of Tenants ([www.oregoncat.org](http://www.oregoncat.org))**

**JOIN ([www.JOINpdx.org](http://www.JOINpdx.org))**

**Human Services Coalition of Oregon ([www.oregonhsco.org](http://www.oregonhsco.org))**

*(This information furnished by Elisa Harrigan, Community Alliance of Tenants.)*

## Argument in Opposition

**The Housing Alliance urges your NO Vote on Constitutional Amendment 79**

**Constitutional Amendment 79 would unnecessarily amend the Oregon Constitution. This amendment to the Oregon Constitution is an extreme solution in search of a problem.**

The Oregon Housing Alliance believes that:

- **Constitutional Amendment 79 does not make positive change for Oregon Communities.**  
Oregon's communities have many housing needs, and we know that Oregon needs real solutions. Constitutional Amendment 79 will not solve anything. We should focus on doing real work to re-build a strong housing market in our communities.
- **Constitutional Amendment 79 is not necessary and goes too far.**  
Oregon law already prohibits new real estate transfer taxes by local governments and schools.
- **Constitutional Amendment 79 limits our rights, and it deserves your NO vote.**  
Constitutional Amendment 79 limits future flexibility without solving any of our current problems. We deserve real change, not diversions.

**The Constitution is too important for unnecessary amendments. Don't give up a constitutional right – We urge your NO vote on Constitutional Amendment 79.**

Oregon has a long history of creating innovative solutions to improve our state. Together, we can do positive things for our communities and build a foundation for prosperity. We need to focus on re-building a strong housing market that will meet Oregon's needs.

Constitutional Amendment 79 is not a positive solution. It doesn't solve any of our real problems, and it doesn't belong in the Constitution. It will only limit options and clutter up our Constitution – a document designed for Oregon's long term future. It deserves better than to become a list of limitations.

**The Housing Alliance urges your NO vote on Constitutional Amendment 79.**

*The Oregon Housing Alliance is a statewide coalition of over fifty non-profit organizations, non-profit housing providers, and jurisdictions who work to make sure every Oregonian has a safe, stable, and affordable place to call home.*

*(This information furnished by Alison McIntosh, Oregon Housing Alliance.)*

Proposed by initiative petition to be voted on at the General Election, November 6, 2012.

**Ballot Title**

**80**

Allows personal marijuana, hemp cultivation/use without license; commission to regulate commercial marijuana cultivation/sale

<b>Estimate of Financial Impact</b>	<b>52</b>
<b>Explanation of Estimate of Financial Impact</b>	<b>52</b>
<b>Text of Measure</b>	<b>53</b>
<b>Explanatory Statement</b>	<b>56</b>
<b>Arguments in Favor</b>	<b>57</b>
<b>Arguments in Opposition</b>	<b>59</b>

**Result of “Yes” Vote**

“Yes” vote allows commercial marijuana (cannabis) cultivation/sale to adults through state-licensed stores; allows unlicensed adult personal cultivation/use; prohibits restrictions on hemp (defined).

**Result of “No” Vote**

“No” vote retains existing civil and criminal laws prohibiting cultivation, possession and delivery of marijuana; retains current statutes that permit regulated medical use of marijuana.

**Summary**

Currently, marijuana cultivation, possession and delivery are prohibited; regulated medical marijuana use permitted. Measure replaces state, local marijuana laws except medical marijuana and driving under the influence laws; distinguishes “hemp” from “marijuana”; prohibits regulation of hemp. Creates commission to license marijuana cultivation by qualified persons and to purchase entire crop. Commission sells marijuana at cost to pharmacies, medical research facilities and to qualified adults for profit through state-licensed stores. Ninety percent of net proceeds goes to state general fund, remainder to drug education, treatment, hemp promotion. Bans sales to, possession by minors. Bans public consumption except where signs permit, minors barred. Commission regulates use, sets prices, other duties; Attorney General to defend against federal challenges/prosecutions. Provides penalties. Effective January 1, 2013; other provisions.

### Estimate of Financial Impact

This measure legalizes the private manufacture, possession and use of cannabis in Oregon. Investigations and prosecutions for related offenses would no longer take place after the effective date of this measure. State and local expenditures and revenues will be impacted by passage of this measure.

The measure creates the Oregon Cannabis Commission, appointed by the Governor, to carry out the provisions of the measure. The state's Chief Financial Office believes the appointment of the commission will not add noteworthy cost to state expenditures.

The cost of operating the Commission may be similar to the cost of operating the existing Oregon Liquor Control Commission, which is about \$22 million per year, excluding the variable expenses related to compensating liquor store owners and paying bank card fees. Total additional revenues to state government are indeterminate, but revenues are likely to be sufficient to offset the expenditures of the Commission.

The measure requires the Oregon Cannabis Commission to consult with the Board of Pharmacy on various issues and, if practicable, to establish certain rules. As the Commission is not granted rule-making authority, the Board of Pharmacy may be called upon to establish those rules. The Board of Pharmacy estimates the need for one half-time pharmacist, at a cost of approximately \$75,000 per year, to carry out these additional duties.

State expenditures would be reduced by the amount that the state pays for felony offenders with related convictions in prison and on probation. The savings to the state as a result of the passage of this measure is estimated to be between \$1.4 million and \$2.4 million a year.

The measure prohibits the disclosure of names and addresses of applicants, licensees, and purchasers of cannabis except upon the person's request. The Oregon Judicial Department estimates additional expenditures of between \$1.6 million and \$3.3 million per year to ensure court case files do not contain such names or addresses prior to allowing them to be viewed by parties to a case, the public, or the media.

The amount of the impact for local law enforcement, district attorneys, and the courts is indeterminate.

	<b>Impact on Expenditures</b>	<b>Impact on Revenue</b>
Operation of the Commission	May increase \$22 million per year	Indeterminate, but likely sufficient to cover expenditures
Board of Pharmacy	Increase \$75,000 per year	None
Felony convictions	Decrease of \$1.4 - \$2.4 million per year	None
State Courts	Increase of \$1.6 - \$3.3 million per year	None
<b>Total Impact to the State:</b>	<b>May increase \$22.3 - \$23 million per year</b>	<b>Indeterminate, but likely sufficient to cover expenditures</b>
<b>Impact to Local Government:</b>	<b>Indeterminate</b>	<b>Indeterminate</b>

### Explanation of Estimate of Financial Impact

The measure replaces the state's existing laws relating to cannabis, except those relating to operating a motor vehicle while intoxicated and the Oregon Medical Marijuana Act (OMMA). The OMMA is administered by the Oregon Health Authority, which expects the measure's legalization of cannabis to reduce OMMA revenues from application and renewal fees, slightly more than half of which support other public health programs. The magnitude of this reduction in OMMA fee revenues is indeterminate.

Under the measure, additional revenues to the state would result from the value of sales of cannabis in excess of expenditures to operate the Oregon Cannabis Commission (OCC). It would also compensate OCC contractors and provide legal defense of the provisions enacted by the measure and of persons prosecuted for acts licensed under the measure. The value of gross sales of marijuana by the OCC depends on several variables, each of which has a large degree of uncertainty: (1) the amount of cannabis sold per year through OCC stores; and (2) the proportion of those sales that would be "at cost" for medicinal use and research (provided for in the measure's language for ORS 474.045) or at a profit (provided for in the measure's language for 474.055). The uncertainty of these variables results in an indeterminate value of additional revenues to the state.

The measure outlines the distribution of revenues to a variety of programs, including two new hemp-related state commitments. Because the amount of revenue generated is unknown, any related increase of expenditures is also indeterminate.

The Judicial Department has identified potential indeterminate financial impacts of the measure on the state's court system including:

- Motions to determine which laws the measure repeals
- Additional cases in the Court of Appeals to address OCC rulemaking and licensing authority
- Additional state court time required to resolve unclear or conflicting provisions of the measure
- Additional cases filed under new misdemeanors and felonies created in the measure
- Additional cases of DUII offenses, child endangerment, and juvenile dependency
- Additional court time taken to impose a fine to deprive a defendant of profits.

The measure requires the state's Attorney General to vigorously defend the provisions of the measure and any person prosecuted for acts licensed under the measure. The Oregon Department of Justice is not able to predict the number and difficulty of such legal defenses and therefore this potential expenditure impact is indeterminate.

The Oregon Department of Revenue and Legislative Revenue Office have indicated that the measure's impact on personal income tax is indeterminate.

The Association of Oregon Counties has indicated that the potential costs and savings of county operations would be indeterminate.

**Committee Members:**

- Secretary of State Kate Brown
- State Treasurer Ted Wheeler
- Michael Jordan, Director, Dept. of Administrative Services
- James Bucholz, 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

Whereas the people of the State of Oregon find that Cannabis hemp is an environmentally beneficial crop that:

- (a) Yields several times more fiber, for paper and textiles, than any other plant;
- (b) Yields cloth and paper of superior strength and durability without the application of pesticides during cultivation and without producing cancer-causing pollutants during processing;
- (c) Yields more seed oil and protein, for prodigious and ecological biodiesel fuel, plastics and nutritious food, than any other plant;
- (d) Yields more biomass than any other plant outside the tropics, though it grows well in the tropics too, and grows faster than any other plant on earth in the temperate and cooler climates;
- (e) Yields a substance that relieves the suffering of many ill people without life-threatening side effects; and,

Whereas the people find that federal and corporate misinformation campaigns that economically benefit small groups of people have suppressed the information above and the fact that:

- (a) George Washington grew cannabis for more than 30 years and, while he was President, said, "the artificial preparation of hemp is really a curiosity" and told his Secretary of the Treasury, Alexander Hamilton, that he was, "suggesting the policy of encouraging the growth of Hemp";
- (b) Thomas Jefferson invented a device to process cannabis, and cannabis fiber was used for most clothing and paper production until the invention of the cotton gin;
- (c) Gouverneur Morris of Pennsylvania, who spoke at the U.S. Constitutional Convention in 1787 more than any other delegate and of whom James Madison said, "the style and finish of the Constitution properly belongs to the pen of Gouverneur Morris," wrote a paper he sent to Thomas Jefferson called, "Notes Respecting Tobacco" that compared cannabis and tobacco and concluded that cannabis "is to be preferred"; and,

Whereas the people find that cannabis is Oregon's largest cash crop, indicating that cannabis prohibition has failed; and,

Whereas the people find that, despite misinformation concocted to justify cannabis prohibition, the courts of Alaska, Hawaii and Michigan have noted presidential commission findings, scientific studies, and learned treatises which:

- (a) Characterize cannabis as a relatively nonaddictive and comparatively harmless euphoriant used and cultivated for more than 10,000 years without a single lethal overdose;
- (b) Demonstrate that moderate cannabis use causes very little impairment of psychomotor functions; reveal no significant physical, biochemical, or mental abnormalities attributable solely to cannabis use; and that long-term, heavy cannabis users do not deviate significantly from their social peers in terms of mental function;
- (c) Disprove the "stepping stone" or "gateway drug" argument that cannabis use leads to other drugs; rather, that lies taught about cannabis, once discovered, destroy the credibility of valid educational messages about moderate and responsible use and valid warnings against other truly dangerous drugs;
- (d) Indicate that cannabis users are less likely to commit violent acts than alcohol users, refute the argument that cannabis causes criminal behavior, and suggest that most users avoid aggressive behavior, even in the face of provocation; and

(e) Declare that cannabis use does not constitute a public health problem of any significant dimension; finds no rational basis for treating cannabis as more dangerous than alcohol; and

Whereas the people of the State of Oregon find that cannabis does not cause the social ills that its prohibition was intended to guard against; rather, that most of the social ills attributed to cannabis result from its unreasonable prohibition which:

- (a) Provides incentives to traffic in marijuana instead of limiting its prevalence, since almost all cannabis users evade the prohibition, even though drastically expanding public safety budgets have reduced funding for other vital services such as education;
- (b) Fosters a black market that exploits children, provides an economic subsidy for gangs, and sells cannabis of questionable purity and uncertain potency;
- (c) Generates enormous, untaxed, illicit profits that debase our economy and corrupt our justice system; and,
- (d) Wastes police resources, clogs our courts, and drains the public budget to no good effect; and, Whereas, the people recall that alcohol prohibition had caused many of the same social ills before being replaced by regulatory laws which, ever since, have granted alcohol users the privilege of buying alcohol from state licensees, imposed strict penalties protecting children, delivered alcohol of sure potency, and generated substantial public revenues; and,

Whereas the people hold that cannabis prohibition is a sumptuary law of a nature repugnant to our constitution's framers and which is so unreasonable and liberticidal as to:

- (a) Arbitrarily violate the rights of cannabis users to be secure against unreasonable search and seizure as guaranteed to them by Article I, Section 9 of the Oregon Constitution;
- (b) Unreasonably impose felony burdens on the cannabis users while the state grants special privileges to alcohol users, which violates Article 1, Section 20 of the Oregon Constitution;
- (c) Unnecessarily proscribe consumption of a "herb bearing seed" given to humanity in Genesis 1:29, thereby violating their unqualified religious rights under Article I, Section 3 and their Natural Rights under Article 1, Section 33 of the Oregon Constitution;
- (d) Violates the individual's right to privacy and numerous other Natural and Constitutional Rights reserved to the people under Article 1, Section 33 of the Oregon Constitution;
- (e) Violates the state's right to regulate and tax commerce within the state, as reserved to states under the 10th Amendment of the U.S. Constitution, thereby abdicating control to illicit markets; and,
- (f) Irrationally subvert the ends to which, in its Preamble, the Oregon Constitution was ordained and the purposes, in Article 1, Section 1, for which our government was instituted; now, Therefore, the people find that the constitutional ends of justice, order, and the perpetuation of liberty; the governmental purposes of preserving the peace, safety, and happiness of the people; and the vitality of the other constitutional provisions cited above, demand the replacement of a costly, self-defeating prohibition with regulatory laws controlling cannabis cultivation, potency, sale, and use; defining and prohibiting cannabis abuse; protecting children with a comprehensive drug education program and strict penalties for the sale or provision of cannabis to minors; funding state drug abuse treatment programs; promoting Oregon hemp for fuel, fiber and food; and raising substantial revenue for public use.

Wherefore, be it enacted by the people of the state of Oregon, the laws relating to cannabis are revised as follows:

Section 1. This Act shall operate uniformly throughout Oregon and fully replace and supersede all statutes, municipal charter enactments, and local ordinances relating to cannabis, except those relating to operating a motor vehicle while intoxicated and the Oregon Medical Marijuana Act. This Act is a scientific experiment by the people of the state of Oregon to lower the misuse of, illicit traffic in and harm associated with cannabis and will set up voluntary studies of cannabis users under ORS 474.045 (b) and other studies.

Section 2. A new state commission is hereby created and shall be named the Oregon Cannabis Commission, or the OCC. The OCC shall regulate the sale of cannabis and cultivation of cannabis for sale and shall assure the high quality of cannabis grown and processed under this Act. The OCC shall consist of seven commissioners. Initially, seven commissioners shall be appointed by the Governor before December 31, 2012 for a term of one year and they shall promulgate administrative rules, create systems and begin licensing applicants by February 28, 2013. Thereafter, five commissioners shall be elected at large by growers and processors licensed under ORS 474.035 for a term of one year, and two commissioners shall be appointed by the Governor for a term of two years. The OCC shall work to promote Oregon cannabis products in all legal national and international markets.

Section 3. This Act, in Section 4, creates an ORS chapter 474 titled the "Oregon Cannabis Tax Act." Legislative Counsel shall move and renumber existing provisions of chapter 474.

Section 4.474.005 Definitions. As used in this chapter:

(1) "Abuse" means repetitive or excessive drug use such that the individual fails to fulfill a statutory or common law duty, including but not limited to the duties owed by parents to children, by motorists to pedestrians and other motorists, and by employees to employers, fellow employees, and the public.

(2) "Cannabis" means the flowering tops and all parts, derivatives, or preparations of the cannabis plant, also known as "marijuana," containing cannabinoids in concentrations established by the commission to be psychoactive, but does not include "hemp" as defined by ORS 474.005(5).

(3) "Commission" means the the Oregon Cannabis Commission, or OCC.

(4) "Cultivation" means growing the cannabis plant.

(5) "Hemp" means the seeds, stems, and stalks of the cannabis plant, and all other parts, products, and byproducts of the cannabis plant not containing cannabinoids in concentrations established by the commission to be psychoactive. Seeds and starts of all varieties of cannabis shall be considered hemp.

474.015 Short Title. This chapter may be cited as the "Oregon Cannabis Tax Act."

474.025 Purpose of the Oregon Cannabis Tax Act. This chapter shall be liberally construed so as to minimize the misuse and abuse of cannabis; to prevent the illicit sale or provision of cannabis to minors; and to protect the peace, safety, and happiness of Oregonians while preserving the largest measure of liberty consistent with the above purposes.

474.035 Powers and duties of the commission, licenses for cultivation and processing. Hemp fiber, protein, oil not regulated.

(1) The commission shall have the powers necessary to carry out the provisions of this chapter. It shall make such rules and regulations as will discourage and minimize the diversion of cannabis to illicit sale or use within the state, the illicit importation and sale of cannabis cultivated or processed outside the state, and the illicit export or removal of cannabis

from the state. The commission's jurisdiction shall extend to any person licensed under this chapter to cultivate or process cannabis, but shall not extend to any person who manufactures products from hemp. Hemp production for fiber, protein and oil shall be allowed without regulation, license nor fee. No federal license shall be required to cultivate hemp in Oregon.

(2) The commission shall issue to any qualified applicant a license to cultivate cannabis for sale to the commission. The license shall specify the areas, plots, and extent of lands to be cultivated. The commission shall equitably apportion the purchase of cannabis among all licensees. The commission shall purchase and sell cannabis products of the quality and grade set by market demand.

(3) The commission shall issue licenses to process cannabis to qualified applicants who submit successful bids. Licensed processors shall, as specified by the commission, contract, cure, extract, refine, mix, and package the entire cannabis crop and deliver it to the commission's physical possession as soon as possible, but not later than four months after harvest.

474.045 Commission to sell cannabis at cost for medical purposes. The Commission shall sell cannabis at cost, including OCC expenses:

(a) To Oregon and other states' pharmacies and OCC stores for use under a physician's order for glaucoma, nausea related to chemotherapy, AIDS, or any other condition for which a physician finds cannabis to be an effective treatment; and,

(b) To recognized Oregon medical research facilities for use in research directed toward expanding medical and sociological knowledge of the composition, effects, uses, and abuse of cannabis, to include studies of cannabis purchasers voluntarily participating through OCC stores under ORS 474.055.

474.055 Commission to set price and sell through OCC stores. The commission shall sell cannabis through OCC stores and shall set the retail price of cannabis to generate profits for revenue to be applied to the purposes noted in ORS chapter 474 and to minimize incentives to purchase cannabis elsewhere or to purchase cannabis for resale or for removal to other states.

474.065 Qualifications of purchasers and licensees, effect of conviction.

(1) To be qualified to purchase, cultivate, or process cannabis, a person must be over 21 years of age and not have been convicted of sale of cannabis to minors or convicted under this chapter of unlicensed cultivation or sale of cannabis.

(2) Conviction for cultivation or sale of cannabis to other than minors, when committed prior to the effective date of this chapter, shall not be grounds for denial of an application for a license under this chapter.

(3) The cultivation and possession of cannabis for personal, noncommercial use by an adult shall not require a license nor registration.

474.075 Disposition of license fees and profits from sale of cannabis by state.

(1) The commission shall collect license fees which shall be calculated and continually appropriated to defray the commission's administrative costs of issuing licenses under this chapter and the Attorney General's costs of litigation in defense of the validity of this chapter's provisions and in defense of persons subjected to criminal or civil liability for actions licensed or required under this chapter.

(2) All money from the sale of cannabis shall be remitted to the State Treasurer for credit to a cannabis account, from which sufficient money shall be continually appropriated:

(a) To reimburse the commission for the costs of purchasing, processing, testing, grading, shipping, and selling cannabis; of regulating, inspecting, and auditing licensees; and of research studies required by this chapter; and,

(b) To reimburse the Attorney General's office for costs of enforcing this chapter's criminal provisions.

(c) To reimburse OCC contractors for their expenses and labor with 15 percent of gross sales.

(3) All money remaining in the cannabis account after reimbursement of the related commission and Attorney General costs shall be profits which the State Treasurer shall distribute quarterly as follows:

(a) Ninety percent shall be credited to the state's general fund to finance state programs.

(b) Seven percent shall be credited to the Department of Human Resources and shall be continually appropriated to fund various drug abuse treatment programs on demand.

(c) One percent shall be credited to create and fund an agricultural state committee for the promotion of Oregon hemp fiber, protein and oil crops and associated industries. This new state committee shall be named the "Oregon Hemp Fiber and Food Committee."

(d) One percent shall be credited to create and fund an agricultural state committee to develop and promote biodiesel fuel production from hemp seeds. This new state committee shall be named the "Oregon Hemp Biodiesel Committee."

(e) One percent shall be distributed to the state's school districts, appropriated by enrollment, and shall be continually appropriated to fund a drug education program which shall:

(I) Emphasize a citizen's rights and duties under our social compact and to explain to students how drug abusers might injure the rights of others by failing to fulfill such duties;

(II) Persuade students to decline to consume psychoactive substances by providing them with accurate information about the threat these drugs pose to their mental and physical development; and,

(III) Persuade students that if, as adults, they choose to consume psychoactive substances, they must nevertheless responsibly fulfill all duties they owe others.

474.085 Commission to establish psychoactive concentrations of cannabinoids. The commission, based on findings made in consultation with the Board of Pharmacy and cannabis and hemp farmers to cannabinoid concentrations which produce psychoactivity, the economics of residual cannabis extraction, and strains of hemp that produce better quality and quantity of fiber, protein and oil, shall establish reasonable concentrations of cannabinoids deemed psychoactive under this chapter.

474.095 Commission to set standards, test purity, grade potency of cannabis, label contents.

(1) The commission, in consultation with the State Board of Pharmacy, shall set standards which the commission shall apply:

(a) To test and reject cannabis containing adulterants in concentrations known to harm people; and,

(b) To grade cannabis potency by measuring the concentrations of psychoactive cannabinoids it contains.

(2) The commission shall affix to cannabis packages a label which shall bear the state seal, a certification of purity, a grade of potency, the date of harvest, a warning as to the potential for abuse, and notice of laws prohibiting resale, removal from the state, public consumption, and provision and sale to minors.

474.105 Commission may limit purchases. The commission may limit the quantity of cannabis purchased by a person at one time or over any length of time and may refuse to sell cannabis to any person who violates this chapter's provisions or abuses cannabis within the meaning of ORS 474.005(1).

474.115 Unlicensed cultivation for sale, removal from the state, penalties. Cultivation for sale, removal from the state for sale, and sale of cannabis, without commission authority, shall be Class C felonies, and removal from the state of cannabis for other than sale shall be a Class A misdemeanor.

474.125 Sale or provision to minors, penalties, exception. The sale of cannabis to minors shall be a Class B felony, and gratuitous provision of cannabis to minors shall be a Class A misdemeanor, except when to a minor over 18 years of age under the same conditions provided by ORS 471.030(1) for alcohol.

474.135 Fine as additional penalty. In addition to other penalties and in lieu of any civil remedy, conviction of sale or unlicensed cultivation for sale under ORS 474.115 or 474.125 shall be punishable by a fine which the court shall determine will deprive an offender of any profits from the criminal activity.

474.145 Acquisition by minors, penalty. Except as provided by ORS 474.125, the purchase, attempt to purchase, possession, or acquisition of cannabis by a person under 21 years of age shall be a violation punishable by a fine of not more than \$250.

474.155 Public consumption prohibited, penalty, exception. Except where prominent signs permit and minors are neither admitted nor employed, public consumption of cannabis shall be a violation punishable by a fine of not more than \$250.

474.205 Commission to study methods of use, potential for abuse, establish cannabis levels for presumption of impairment. The commission, in consultation with the Board of Pharmacy and by grants to accredited research facilities, shall:

(a) Study methods of use and the potential for, and ill effects of, abuse of cannabis, the possible damage of throat and lungs from inhaling cannabis smoke, less harmful methods of administration, including but not limited to filtration of smoke and non-combustive vaporization of the psychoactive agents in cannabis, and shall report its findings in pamphlets distributed at OCC stores; and,

(b) Study cannabis impairment and, if practicable, shall establish by rule levels of cannabinoids and impairment above which a person shall be presumed impaired.

474.215 Presumption of negligence. In civil cases, a rebuttable presumption of negligence shall arise upon clear and convincing evidence that a person is found to be impaired by cannabis at the time of an accident and if the person's actions materially contributed to the cause of injury.

474.305 Disclosure of names and addresses prohibited. Information on applicants, licensees, and purchasers under this chapter shall not be disclosed except upon the person's request.

474.315 Attorney General's duties. The Attorney General shall vigorously defend this Act and any person prosecuted for acts licensed under this chapter, propose a federal and/or international act to remove impediments to this chapter, deliver the proposed federal and/or international act to each member of Congress and/or international organization, and urge adoption of the proposed federal and/or international act through all legal and appropriate means.

474.325 Effect. This Act shall take effect on January 1, 2013. Any section of this Act being held invalid as to any person or circumstance shall not affect the application of any other section of this Act that can be given full or partial effect without the invalid section or application.

If any law or entity of any type whatsoever is held to impede this chapter's full effect, unimpeded provisions shall remain in effect and the impeded provisions shall regain effect upon the impediments removal.

## Explanatory Statement

Currently Oregon law prohibits the cultivation, distribution and use of marijuana (cannabis), except as permitted pursuant to the Oregon Medical Marijuana Act. The passage of Ballot Measure 80 would replace and supersede all existing state and local laws relating to marijuana, except those that pertain to medical marijuana and driving under the influence of intoxicants.

The measure creates new criminal penalties for illegal sale of marijuana, removal of marijuana out of the state and unlawful distribution of marijuana to minors. It bans public consumption of marijuana, except where permitted by signs and where minors are excluded. Personal use of marijuana and cultivation of marijuana for personal use are authorized by the measure.

The measure distinguishes "hemp" from "marijuana" and prohibits regulation of hemp.

The measure creates the Oregon Cannabis Commission (Commission). The duties of the Commission include:

1. Licensing qualified marijuana growers;
2. Licensing qualified persons to process and package marijuana;
3. Licensing stores to sell marijuana to persons having a physician's order stating that marijuana is an effective treatment for that person's medical condition;
4. Purchasing marijuana from licensed growers for sale at state-licensed stores;
5. Selling processed marijuana at cost to state-licensed stores, pharmacies in Oregon and other states, and to Oregon medical research facilities;
6. Setting the retail price of marijuana sold for profit at state-licensed stores;
7. Collecting fees for licenses issued;
8. Setting standards for quality and potency of marijuana sold at state-licensed stores;
9. Establishing psychoactive concentrations of marijuana and hemp;
10. May limit the quantity of marijuana sold at state-licensed stores and may prohibit the sale of marijuana to persons who violate the provision of the measure or who abuse marijuana; and
11. Promoting Oregon cannabis products in all legal national and international markets.

The measure sets qualifications for persons who purchase marijuana at state-licensed stores, and for persons licensed to cultivate or process marijuana for purchase by these stores. Money from licenses and the sale of marijuana at state-licensed stores shall be used to:

1. Reimburse the Commission for expenses;
2. Reimburse the Attorney General's office for the costs of enforcing the criminal provisions created by the measure and defending the validity of the measure; and
3. Reimburse Commission-licensed retailers by paying them 15% of gross sales at Commission-licensed stores.

Money remaining from the sales of marijuana after reimbursements have been paid shall be distributed as follows:

1. 90% to the state general fund to finance state programs;
2. 7% to the Department of Human Resources to fund drug treatment programs;
3. 1% to create and fund a new state committee for the promotion of Oregon hemp fiber and associated industries;
4. 1% to create and fund a new state committee to develop

and promote biodiesel fuel production from hemp seeds; and

5. 1% to state school districts to fund drug education programs.

Ballot Measure 80 would take effect on January 1, 2013.

### Committee Members:

D. Paul Stanford  
Ann Witte  
Marc Adams  
Mark Huddleston  
Lane Shetterly

### Appointed by:

Chief Petitioners  
Chief Petitioners  
Secretary of State  
Secretary of State  
Members of the Committee

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



## Argument in Favor

### OREGON LAWYERS SUPPORT MEASURE 80

We are Oregon lawyers who represent people accused of marijuana related crimes. We see first-hand the harm caused by the war on drugs on families and especially those of color. Violation of the marijuana laws keep children separated from their parents, jobs and housing lost, and students denied aid all because of marijuana prohibition. Prohibition has not limited the availability of marijuana to our children but has instead made all of us less safe because limited law enforcement resources are diverted from investigating property and violent crime.

The notion that marijuana is a gateway drug has long been debunked. Furthermore, the addition of marijuana as legal substance will provide a healthier alternative for those whose alcohol consumption produces negative, often violent, behavior.

Measure 80 would regulate the sale of marijuana similarly to how we regulate the sale of alcohol. It would not change the laws criminalizing Driving Under the Influence of Intoxicants. The State's Financial Impact Estimate concludes that the Cannabis Control Commission will at least pay for itself. We believe the new taxes and revenue will create a significant income stream for the state, create new jobs and refocus law enforcement priorities in favor of increased public safety.

We urge you to vote Yes on Measure 80, for jobs, for public safety and for justice.

Leland R. Berger, Portland  
 Claudia Browne, Grants Pass  
 Pete Castleberry, Portland  
 Thomas K. Coan, Portland  
 Richard Cremer, Roseburg  
 John Henry Hingson III, Oregon City  
 Rosalind Lee, Eugene  
 Brian Michaels, P.C., Attorney at Law, Eugene  
 EveLyn Oldenkamp, Attorney at Law, Klamath Falls  
 Michael E. Rose, Portland  
 Phil Studenberg, Attorney at Law, Klamath Falls  
 Neal Weingart, Attorney at Law, LLC, Portland

*(This information furnished by Leland R. Berger.)*

## Argument in Favor

As a parent and a voter, I want our laws to make sense. I want law enforcement to keep us safe. And I want a strong economy to help pay for schools, parks and social services. For all those reasons, **I'm voting yes on Measure 80.**

Measure 80 will regulate marijuana the way we currently regulate liquor. With store-owners asking for I.D. and facing penalties and prison for selling to minors, it'll be tougher for kids to get access to marijuana.

Regulating marijuana will also drive drug-dealers and pushers out of business and off the streets, which makes our kids and our communities safer.

Some say that marijuana is a gateway drug that needs to be suppressed. But really, marijuana is not a gateway to other drugs, it is a gateway to the black market, where unscrupulous drug dealers don't ask for ID.

According to the National Academy of Sciences' Institute of Medicine's 1999 report, *Marijuana and Medicine: Assessing the Science Base*:

*"There is no evidence that marijuana serves as a stepping stone on the basis of its particular physiological effect ... Instead, the legal status of marijuana makes it a gateway drug.*

## Measure 80 will close the black-market gateway by taxing and regulating marijuana for adults.

Measure 80 will also generate tens of millions of dollars in new tax revenue for our state, with 9 out of every 10 dollars going to the General Fund, which pays for schools and colleges in Oregon. And, with **only marijuana consumers paying that tax**, it's better for everyone than increases in our property, income and other taxes.

I know from studying history that all alcohol prohibition did was put good people in jail and make organized crime rich and powerful. Marijuana prohibition is just as big a failure.

Measure 80 makes sense to me. It's common sense policy and it'll benefit Oregon's families and communities. **I'm voting yes on 80.** I hope you will too.

*(This information furnished by Douglas Paul Stanford, Yes on 80.)*

## Argument in Favor

It's your choice as an Oregon voter: we can prioritize our extremely limited public safety budgets to focus on real criminals and dangerous substances like meth and heroin, or we can continue to waste tens of millions of dollars every year pursuing, arresting, trying and incarcerating otherwise law-abiding adult marijuana consumers.

## Measure 80 recognizes that marijuana prohibition, like alcohol prohibition nearly a century ago, has failed. But regulation – taxing, licensing, and managing an industry – works.

Measure 80 will regulate marijuana similar to how we regulate liquor. That means adults 21 and older will be able to choose whether to consume cannabis.

**Regulating marijuana legally for adults will allow Oregon's state and local governments to concentrate our limited public safety resources more wisely, on those who steal, hurt and kill.** According to Harvard economist Jeffrey Miron, **Oregon spends more than \$60 million each year enforcing existing marijuana laws.** Passage of Measure 80 will free that money to be used on capturing dangerous criminals and keeping them behind bars.

**Driving under the influence will continue to be a punishable crime.**

**Providing marijuana to a minor will be a crime.**

**Selling marijuana to minors will be a felony.**

Replacing failed prohibition with effective regulation of marijuana will make Oregon SAFER.

Oregon, Colorado and Washington are all voting this November on various initiatives to legally tax and regulate marijuana sales to adults.

If any of these states pass marijuana law reform, it will be the beginning of the end of these 75 years of marijuana prohibition. **Alcohol prohibition ended in 1933 when a number of states, like Oregon's 1932 initiative vote, led the way.**

Oregon can lead the way to restore common sense on drug policy to our criminal justice system.

**Vote Yes on Measure 80!**

*(This information furnished by Douglas Paul Stanford, Yes on 80.)*

## Argument in Favor

Hemp is one of the most versatile plants on Earth. A member of the cannabis sativa family, industrial hemp is related to other cannabis varieties including the plant now known as marijuana.

America's most important commodity crop from the days of George Washington until the early 20th century, hemp was used to make everything from ropes on our battleships to canvas for our flags. Hemp is patriotic.

Hemp is also effectively illegal to grow in the United States, which makes the U.S. the only industrialized nation on Earth to prohibit the farming of agricultural hemp.

But Measure 80 will change that in Oregon. Measure 80 will give **Oregon farmers** the legal backing of the state to grow, process and sell agricultural hemp, **creating thousands of jobs, keeping money in local communities** and exporting products and know-how around the world.

Oregon farmers will be able to sustainably grow hemp and produce **fuel** using its seed oil, which makes over **300 gallons of oil per acre**, and can be immediately used in modern diesel engines.

When hemp seeds are pressed for oil, the byproduct is 6,000 pounds of high-protein hemp seed meal. Hemp seed protein is the most nutritious protein, with all 8 amino acids that people need in the perfect balance for our nutrition.

**Hemp, per land area cultivated, produces more fuel, fiber, food and medicine than any other plant on our planet. Hemp fiber and seed oil can be used too make tens of thousands of different products, from plastics and polymers to bio-fuel, from paper to sustainable construction materials.**

Hemp can help turn Oregon's economy around, by giving our farmers, our engineers and our entrepreneurs access to a versatile, sustainable crop.

Let's leverage Oregon's sustainable industry leadership. **Let's put Oregon back to work.** Let's use common sense and join the rest of the industrialized world in building a vibrant, legal, industrial hemp economy.

Vote **YES** on Measure 80!

*(This information furnished by William N Appel.)*

## Argument in Favor

When we vote yes on Measure 80, we're voting yes on creating thousands of new jobs. We're voting yes on rebuilding, sustainably, the industries Oregon used to rely on, industries like our pulp and paper mills, our timber industries, our textile mills. And we're supporting emerging Oregon super-industries, like biofuel and green-building, because Measure 80 gives Oregon farmers and business-owners the right to grow agricultural hemp, which can be used to make thousands of products we use here in Oregon and export around the world.

When we vote yes on Measure 80, we're voting yes to prioritizing our very limited police budgets, because right now we waste more than \$60 million a year fighting marijuana growers when we could be using that money to keep police officers on duty and focused on dangerous criminals.

When we vote yes on Measure 80, we're voting to regulate and tax Oregon's marijuana industry so it can become transparent, legitimate and safe. In 1930, wine and beer were illegal under prohibition. In 2010, Oregon's wine and beer industries had a total economic impact of nearly \$5 BILLION, and employed more than 10,000 Oregonians. From farmers to engineers to small-town business-owners, our wine and beer industries bring Oregon national and international visitors,

customers and positive attention. When we end marijuana prohibition and regulate marijuana like we do liquor, Oregon's marijuana and hemp industry entrepreneurs will create good, safe, family-wage jobs across our state.

Whether you're a small-business owner in Washington County or a grass-seed farmer in Linn County or a retiree in Jackson County, voting yes on Measure 80 is good, common sense. It's time to regulate, tax and manage marijuana like we do liquor. For the sake of our economy, and our communities.

Please join us in voting yes on Measure 80. It just makes sense.

Dan Clay  
President, United Food and Commercial Workers Local 555

*(This information furnished by Dan Clay, United Food and Commercial Workers Local 555.)*

## Argument in Opposition

### SHERIFF'S SAY NO

The Oregon Sheriff's Political Action Committee is in opposition to Measure 80. We want to educate voters about the negative impact marijuana already has on our children and families. Oregon voters should carefully consider their vote on this issue and its effect on our communities.

#### Anticipated Tax Revenue will NOT Cover the Costs

Marijuana is part of a **\$115 million annual cost** for prevention, treatment, and recovery services in Oregon, according to the Governor's Council on Alcohol and Drug Abuse Programs. In one of our most densely populated counties, 70% of those entering the jail system tested positive for marijuana and report participating unsuccessfully in treatment programs. Also, the Oregon Health Authority reports that underage marijuana use increases risks of alcohol abuse and cigarette smoking in our children.

#### Marijuana Use is Strongly Associated with Criminal Behavior

Over half of those arrested for **violent crimes** in Oregon test positive for marijuana at the time of arrest. Currently, nearly **three out of four arrestees under the age of 21** test positive for marijuana. As a result, we are seeing the same problems we see in underage alcohol and tobacco use. **Worse yet, children** report being used to deliver marijuana to elementary schools, neighborhoods, and playgrounds.

#### Marijuana Production Negatively Impacts Communities

In-home marijuana "grows" are often the target of **violent home invasion robberies** and other property crimes. Cultivators of marijuana are frequently armed and present risks to their community. To increase "crop" production, toxic and sometimes explosive levels of fertilization chemicals are present; creating additional hazards to the home owner and the community they live in.

**Medical marijuana** production in Oregon has already created a **criminal market** in other states, as hundreds of pounds of marijuana, **bought cheaply in Oregon**, are sold at a profit in states where voters have **chosen not to support such laws**.

#### The right vote for Oregon is NO.

*(This information furnished by Sheriff Diana Simpson, Chair, Sheriffs of Oregon PAC.)*

## Argument in Opposition

### Oregon Chiefs of Police urge a **NO** vote on Measure 80

As law enforcement leaders, we are deeply concerned by the drug legalization strategy established by Ballot Measure 80. Our duty to protect and serve our communities compels us to take a strong stand against this measure. This Measure will have a negative impact on our state, and will hamper our ability to keep our communities safe.

#### RISK TO YOUTH

If this Measure passes, **MARIJUANA USE AMONG YOUTH WILL INCREASE** because of expanded availability and perceived social acceptability. Oregon currently has the nation's third highest rate of marijuana use among youth, ages 12 – 17. The percentage of kids in drug counseling for marijuana addiction has been increasing annually, placing our youth's development at risk.

#### RISK TO MOTORISTS

If this Measure passes, "**DRUGGED DRIVING**" incidents on Oregon roads will significantly increase, causing greater risks to motorists. Enforcement of drugged driving is difficult and expensive. Unlike alcohol, where officers can measure impairment based on a blood/urine test, marijuana

impairment must be established by a limited number of specially trained "Drug Recognition Experts". Oregon lacks laws to deter drugged driving and officers will lack the tools necessary to keep Oregon roads safe if Measure 80 passes.

#### RISK TO PUBLIC SAFETY

Proponents claim that **BLACK MARKETS** will not exist if this measure passes. The truth is, Measure 80 is likely to create a greatly expanded marijuana marketplace for violent drug cartels. Significant reductions in the cost of marijuana will attract criminal organizations to Oregon where they can buy marijuana to resell in their own states. In effect, Measure 80 will make Oregon a launching pad for illicit marijuana dealing across the country. Far from freeing up law enforcement to deal with serious crime, as proponents claim, Measure 80 would expose Oregon to international drug cartels that use violence to protect their lucrative markets.

#### VOTE NO ON MEASURE 80!

*(This information furnished by Kevin Campbell, Oregon Chiefs of Police Association.)*

## Argument in Opposition

### YOU CAN'T REGULATE DRUG DEALER'S *It's Federally Illegal!*

Advocates don't want the government telling them what to do, yet they have created a measure to form a seven member State Agency that would **regulate** the cultivation and selling of unlimited amounts of marijuana in government stores, which could be located by neighborhoods, schools, day-care's, libraries, churches, parks, and in shopping centers.

- They leave **UNREGULATED** the amount that anyone over 21 can grow, potentially growing fields of marijuana next to your home. Growing endangers others because of toxic materials, overloads of electricity, and fires.
- Measure 80 says the Oregon Medical Marijuana Program will remain, which allows cardholders to grow 6 mature plants and 18 immature plants. If everyone over 21 can legally buy or grow, why would there be a need for this program, if not for the questionable cardholders, caregivers, and growers being able to hide under the current **UNREGULATED** program so they can divert their extra illegally.

Measure 80 requires public schools to teach our children how to use marijuana responsibly. This is not a function of schools.

- Permits **UNREGULATED** growing of hemp, which is federally illegal, potentially buying up acres of rural farmland.

Revenue generated won't cover costs such as: increased treatment, emergency room visits, crime, traffic accidents, child abuse, teen pregnancies, animal maltreatment, workplace costs, and school 'drop-outs' related to marijuana use.

Measure does not address security requirement's, THC impaired driving guidelines, prevention of sales to minors, advertising restrictions, civil penalties for violations, or impact on abilities of employers, schools, hospitals, or property owners to restrict using, possessing, growing, manufacturing, or selling of pot on their properties.

The marijuana advocates do not like any mention of California's chaos with respect to pot shops because what California has realized is that

#### DRUG DEALER'S CAN'T BE REGULATED!

California discovered that drug dealers stretch or simply ignore any regulations!

#### NOT SAFE FOR OREGON! VOTE NO!

*(This information furnished by Shirley Morgan, Oregonians Against Legalization of Marijuana.)*

## Argument in Opposition

### Measure 80 is More Needless Government

Measure 80 would create a new government bureaucracy called the “Oregon Cannabis Commission,” supposedly to regulate a drug that is illegal under federal law. Measure 80 would set up a legal confrontation that will cost Oregon taxpayers, and accomplish nothing. Worse yet, a majority of the Commission members would be from the very industry that is supposedly regulated by the Commission!

### False Claims about Revenues and Savings

The Oregon District Attorney's Association wants voters to know that claims of major tax revenues, and freeing up law enforcement resources, are false.

The claim that millions will be gained from taxes is fantasy. It's called “weed” for a reason: It is very easy to grow - in basements, homes, forests, and often with very little gardening. Since federal law trumps state law, it defies logic to think that someone would expose themselves to federal prosecution in order to be taxed for committing a federal crime.

With the support of the Oregon District Attorney's Association, possession of less than an ounce of marijuana, a personal use quantity, has not been a crime under Oregon law for nearly 40 years. No jail, no criminal record, and only the possibility of a fine. Even people convicted of possessing much larger amounts of marijuana get probation. No one is in an Oregon prison for simple possession of marijuana.

### Measure 80 is Bad for Oregon

Marijuana is a drug, as one sponsor of Measure 80 admits. It can be, and is, abused. Every other legal intoxicant, from tobacco, to alcohol, to opiates, requires expensive and heavily regulated production facilities to protect the people that consume those drugs. Marijuana cannot be regulated in that manner, and will continue to grow as an illegal crop, with or without Measure 80.

**Even if you support the legalization of marijuana, this is the wrong measure for Oregon.**

**Vote “No” on Measure 80.**

*(This information furnished by Eric Nisley, President, Oregon District Attorney's Association.)*

Proposed by initiative petition to be voted on at the General Election, November 6, 2012.

## Ballot Title

# 81

Prohibits commercial non-tribal fishing with gillnets in Oregon "inland waters," allows use of seine nets

<b>Estimate of Financial Impact</b>	<b>61</b>
<b>Explanation of Estimate of Financial Impact</b>	<b>62</b>
<b>Text of Measure</b>	<b>62</b>
<b>Explanatory Statement</b>	<b>66</b>
<b>Arguments in Favor</b>	<b>67</b>
<b>Arguments in Opposition</b>	<b>69</b>

### Result of "Yes" Vote

"Yes" vote changes commercial non-tribal fishing in Oregon "inland waters" (defined) by banning gillnets, adopting other regulatory changes; recreational salmon fishers ensured their recent share.

### Result of "No" Vote

"No" vote continues current commercial fishing practices, retains laws allowing gillnets, leaves other current regulations in place; continues annual adjustment of recreational salmon harvest share.

### Summary

Current law allows commercial salmon fishing in Columbia River only with gillnets; requires recreational salmon fishers' percentage share of overall salmon catch to be readjusted annually; allows issuing of gillnet permits within limit of 200; recognizes gillnet licenses as valid in Columbia River in both Oregon and Washington waters. Measure bans commercial gillnet fishing by non-tribal fishers in Oregon "inland waters" (defined); requires Oregon Fish and Wildlife Commission to permit use of "seine nets" (defined) instead; ensures that recreational salmon fishers' percentage of overall salmon catch remains at 2007-2011 levels; prohibits purchase of salmon caught by gillnet by non-tribal fishers in Oregon inland waters; prohibits issuing of additional gillnet permits; repeals statute recognizing validity of gillnet licenses in Oregon and Washington waters. Other provisions.

### Estimate of Financial Impact

This measure eliminates commercial non-tribal gillnet fishing, establishes the legal use of seine fishing, and may allow fixed fishing gear on the Columbia River. The measure requires the state to evaluate mortality associated with seine and fixed fishing gear as it relates to endangered salmon, steelhead, and other species. The measure will increase state government expenditures by \$150,000 per year for staff and supplies to perform ongoing required research and monitoring, and will decrease state government revenues by \$551,654 to \$749,144 per year from state income taxes, permits, licenses, and surcharges received from the current non-tribal gillnet and tangle net fisheries, boats and licensees. The amount of state government revenue that will result in the future from the transition to seine net fishing and commercial harvest and resultant state income taxes, permits, licenses and surcharges on a seine net based fishing industry on the Columbia River or other inland waters is indeterminate.

This measure does not affect local government.

### Explanation of Estimate of Financial Impact

This measure eliminates commercial non-tribal gillnet fishing, establishes the legal use of seine fishing, and may allow fixed fishing gear on the Columbia River. The measure is estimated to cause:

Additional expenditures of \$150,000 per year during the first four years to pay for employees at the Oregon Department of Fish and Wildlife (ODFW) and supplies to monitor and research seine characteristics, season length, gear- and species-specific mortality rates, and other aspects of permitted fishing.

Decreased state government revenue arising from:

1. Reduced income tax. The Pacific Fishery Management Council's "Review of 2011 Ocean Salmon Fisheries" estimated local personal income impacts of non-tribal gillnet salmon fishing on Oregon's Columbia River communities. The average annual personal income impact for the 2007-2011 period was \$5,236,800. Adding non-salmon species would increase this to \$5,808,534. The low estimate of the state income tax loss uses the rate of 5.6 percent, which is the state's average personal income tax rate. The high estimate uses 9.0 percent, the state's marginal personal income tax rate. The state corporate excise tax rate of 6.6 percent falls within this range. Using the low and high tax rates results in a range of annual state income tax reductions between \$325,278 and \$522,768.
2. Reduced Commercial Fish Fund fee revenue from Columbia River gillnet fishing. ODFW receives 3.15 percent of the value of salmon landed and 2.25 percent of the value of all other fish species landed. Between 2007 and 2011, the annual landed value of non-tribal gillnetting averaged \$2,782,200 for salmon and \$303,750 for all other fish species. The average loss estimated equals the annual ODFW revenue from this gillnetting source, which is \$94,474.
3. Reduced Restoration and Enhancement surcharge (\$0.05 per pound) on salmon landings. Between 2007 and 2011, the annual landed weight of salmon taken by non-tribal gillnetting averaged 1,262,200 pounds. The estimated loss equals the surcharge generated. At \$0.05 per pound, the loss amounts to an average of \$63,110 per year.
4. Reduced sales of fishing boat licenses. ODFW expects a reduction of 100 fishing boat licenses, for a revenue reduction of \$33,500.
5. Elimination of non-tribal gillnet permit annual renewal fees. Projected 2012 permit fee revenue loss is \$32,592.
6. Reduced sales of commercial fishing licenses. ODFW expects a reduction of 30 commercial fishing licenses, for a revenue reduction of \$2,700 per year.

The following table summarizes the low and high estimates of revenue losses from these seven gillnet fishing sources, resulting in the total estimated revenue impact of \$551,654 to \$749,144:

Source	Low	High
1. State income tax	\$325,278	\$522,768
2. Commercial Fish Fund	94,474	94,474
3. Restoration & Enhancement – landings surcharge	63,110	63,110
4. Fishing boat licenses	33,500	33,500
5. Gillnet permits	32,592	32,592
6. Commercial fishing licenses	2,700	2,700
<b>Total</b>	<b>\$551,654</b>	<b>\$749,144</b>

### Committee Members:

Secretary of State Kate Brown  
 State Treasurer Ted Wheeler  
 Michael Jordan, Director, Dept. of Administrative Services  
 James Bucholz, Director, Dept. of Revenue  
 Debra Guzman, Local Government Representative

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

### Text of Measure

Be it enacted by the people of the state of Oregon:

#### SECTION 1. The people of Oregon find that:

**(1) Wild salmon and steelhead runs, a vital natural resource, have dramatically declined and many runs are either extinct or endangered. Despite the continued threat of extinction facing our remaining wild salmon populations and the billions of dollars spent to recover them, the state still permits the use of commercial fishing nets that indiscriminately kill or injure large numbers of endangered wild salmon and other non-target fish and wildlife species.**

**(2) Gillnets and tangle nets are specifically designed to snare fish by the gills or head and lead to the injury, suffocation and death of large numbers of endangered wild salmon and steelhead and other species that become entangled in the mesh. Gillnets have been banned in numerous states due to their destructive and non-selective nature and are inconsistent with Oregon's continued commitment to sustainable practices.**

**(3) Commercial fishing practices must be reformed to allow for the unharmed release of endangered wild salmon and steelhead while selectively harvesting returning hatchery-reared salmon, which are often specifically produced for the purpose of commercial and recreational harvests. Due to the widespread external marking of hatchery-reared salmon it is possible to differentiate between marked hatchery fish and unmarked wild fish. While gillnets are unable to selectively target returning hatchery-reared salmon, other commercial fishing methods are capable of selectively harvesting hatchery fish and releasing wild salmon and steelhead unharmed.**

**(4) Alternative, selective commercial harvest methods were effectively used historically and several of these methods have again proven successful at selectively harvesting salmon during recent uses in both the lower and upper Columbia River. Transitioning to this alternative, selective commercial fishing gear will provide for continued sustainable fisheries and better protect endangered wild salmon and steelhead populations.**

**(5) By selectively harvesting marked hatchery-reared salmon and avoiding harvest of unmarked endangered wild salmon, steelhead and other species, substantial progress can be made towards recovering Oregon's wild salmon and steelhead runs. It will also provide a greater return on the investments being made to restore habitat and improve hydroelectric dam operations, while ensuring consistency with Oregon's commitment to the responsible and sustainable use of the state's natural resources.**

#### SECTION 2. ORS 508.775 is amended to read:

508.775. (1) Notwithstanding any other provision of the commercial fishing laws, it is unlawful for an individual [to operate a vessel in the Columbia River gillnet salmon fishery without first obtaining a vessel permit issued pursuant to ORS 508.775 to 508.796. However, an individual who holds valid commercial fishing licenses and vessel permits required by and issued pursuant to the laws of the State of Washington for commercial salmon fishing in the Columbia River may land salmon in this state that were taken in the Columbia River gillnet salmon fishery without the permit otherwise required by this subsection] to use a gillnet or tangle net to

**take salmon, steelhead, or other fish in the inland waters of the state of Oregon.**

(2) Notwithstanding any other provision of the commercial fishing laws, it is unlawful for a wholesaler, canner or buyer to buy or receive salmon, **steelhead, or other fish taken by a gillnet or tangle net from the inland waters of the state of Oregon** [in the Columbia River gillnet fishery from an individual who does not have the permit required by subsection (1) of this section.]

(3) [The permit required by subsection (1) of this section is in addition to and not in lieu of the boat license required by ORS 508.260.] **Subsections (1) and (2) of this section do not apply to the use of gillnets or tangle nets pursuant to tribal fishing rights or salmon, steelhead or other fish taken by gillnet or tangle net pursuant to any tribal fishing rights in the inland waters of the state of Oregon.**

**SECTION 3.** ORS 509.216 is amended to read:

509.216. (1) Except as provided in [subsection] **subsections (2) or (3)** of this section, it is unlawful to take food fish by means of fixed fishing gear or seines in any of the waters of this state.

(2)(a) The State Fish and Wildlife Commission by rule may permit fixed fishing gear or seines for the taking of certain species of food fish other than salmon or steelhead from the waters of this state.

(b) In [enacting] **adopting** any [such] rule under this subsection, the commission shall give due consideration to [insuring] **ensuring** that the [use of such] fishing gear [will not restrict the free migration or impair the ultimate supply of salmon or steelhead] **is designed and used to minimize the mortality to salmon, steelhead and other nontarget species through:**

**(A) Avoidance of capture; or**

**(B) Live capture, sorting and release of salmon, steelhead and other nontarget species with minimal mortality.**

(c) Any salmon, [or] steelhead **or other nontarget species** taken as incidental catch in operation of [such] **the gear or seines** shall immediately, with care and the least possible injury [to the salmon or steelhead], be released and transferred to the water without violence.

(3)(a) **The commission shall by rule permit the use of seines for the taking of salmon for commercial purposes from the Columbia River by a person who holds a vessel permit under the Columbia River gillnet salmon fishery pursuant to ORS 508.775 to 508.796 on the effective date of this 2012 Act.**

(b) **The commission may by rule permit fixed fishing gear for the taking of salmon for commercial purposes from the Columbia River by a person who holds a vessel permit under the Columbia River gillnet salmon fishery pursuant to ORS 508.775 to 508.796 on the effective date of this 2012 Act.**

(c) **Under this subsection the commission may only issue one permit per Columbia River gillnet salmon fishery vessel permit issued pursuant to ORS 508.775 to 508.796 on the effective date of this 2012 Act.**

(d) **An individual who obtains a permit under this subsection may renew the permit in a subsequent calendar year upon application and payment of the fees for the permit by the date specified by rule of the commission.**

**(4) A permit authorized by subsection (3) of this section is transferable:**

**(a) To a replacement vessel of the permit holder.**

**(b) To the purchaser of the permit holder's vessel when the vessel is sold.**

**(c) To another individual upon written request by the permit holder. However, any transfer of a permit away from a vessel without the written consent of each person holding a security interest in such vessel is void.**

**(5) The commission shall by rule establish fees for permits authorized by subsections (3) and (4) of this section.**

**(6) A person dissatisfied with the commission's order on the person's application may seek judicial review of the order under ORS 183.484.**

**(7) When adopting a rule to implement this section, the commission shall consider whether the design and use of approved seines or fixed fishing gear will minimize the mortality to endangered salmon, steelhead and other nontarget species listed under federal law from commercial fishing operations through avoidance of capture or through live capture, sorting and release with minimal mortality.**

**(8) In adopting commercial fisheries authorized under this section, the Commission shall:**

**(a) Comply with the terms of Columbia River fisheries management agreements between the United States, Indian tribes and states.**

**(b) Ensure that the percentages of the total state, non-tribal Columbia River salmon harvests, including off channel fishery enhancement areas, that are landed in recreational fisheries in the Columbia River and its tributaries are not reduced below the averages of the 2007-2011 fisheries.**

**SECTION 4.** This 2012 Act does not affect:

**(1) The Columbia River Compact or fishing management agreements between the United States, Indian tribes and states.**

**(2) Any tribal fishing rights, or the right to use any fishing gear in furtherance of tribal fishing rights, in the inland waters of Oregon.**

**SECTION 5.** ORS 506.006 is amended to read:

506.006. As used in the commercial fishing laws, unless the context requires otherwise:

(1) "Angling" means fishing for personal use with one line attached to a pole held in hand while landing the fish, or with a hand-operated line without rod or reel, to which may be attached not to exceed three hooks, except on floating bass plugs.

(2) "Boat" means any vessel, any floating craft, powered, towed, rowed or otherwise propelled which is used for landing or taking food fish.

(3) "Buy" includes offer to buy, barter, exchange or trade.

(4) "Commercial purposes" means taking food fish with any gear unlawful for angling, or taking or possessing food fish in excess of the limits permitted for personal use, or taking, fishing for, handling, processing, or otherwise disposing of or dealing in food fish with the intent of disposing of such food fish or parts thereof for profit, or by sale, barter or trade, in commercial channels.

(5) "Commission" means the State Fish and Wildlife Commission created by ORS 496.090.

(6) "Department" means the State Department of Fish and Wildlife.

(7) "Director" means the State Fish and Wildlife Director appointed pursuant to ORS 496.112.

(8) "Fishing gear" means any appliance or device intended for or capable of being used to take food fish except by angling.

(9) "Fixed fishing gear" includes but is not limited to

stationary gear operated at a fixed location.

**(10) “Gillnet” means a net, whether drift, floater or diver, that:**

**(a) Is a monofilament or multifilament mesh net with a cork and lead line;**

**(b) Drifts with the tide or current while it is being fished; and**

**(c) Has one or more walls of netting that captures fish by ensnaring or entangling the fish in the meshes of the net by the gills.**

**(11) “Inland waters” means the waters of this state that lie east of a line drawn between the ends of jetties and/or shorelines at high tide at the mouths of rivers and streams except the Columbia River where they lie east of a line drawn between the knuckle of the south jetty and the in-shore end of the north jetty.**

*[(10)]* **(12) “Personal use” means taking or fishing for food fish by angling or by such other means and with such gear as the commission may authorize for fishing for personal use, or possessing the same for the use of the person fishing for, taking or possessing the same and not for sale or barter.**

**(13) “Seine” means any nonfixed net other than a trawl net, gillnet or tangle net.**

*[(11)]* **(14) “Sell” includes offer or possess for sale, barter, exchange or trade.**

*[(12)]* **(15) “Take” means fish for, hunt, pursue, catch, capture or kill or attempt to fish for, hunt, pursue, catch, capture or kill.**

**(16) “Tangle net” means a net that is:**

**(a) A monofilament or multifilament mesh net with a cork and lead line; and**

**(b) Constructed for the purpose of causing all or parts of the head, teeth or other body part of a fish to become entangled or ensnared in the meshes or pockets of the net.**

*[(13)]* **(17) “Transport” means transport by any means, and includes offer or receive for transportation.**

**(18) “Trawl net” means a cone- or funnel-shaped net that is towed or drawn through the water by one or two vessels.**

*[(14)]* **(19) “Waters of this state” means all waters over which the State of Oregon has jurisdiction, or joint or other jurisdiction with any other state or government, including waters of the Pacific Ocean and all bays, inlets, lakes, rivers and streams within or forming the boundaries of this state.**

**SECTION 6.** ORS 508.755 is amended to read:

508.755. (1) There is established within the State Department of Fish and Wildlife the Commercial Fishery Permit Board. The board shall consist of members appointed by the State Fish and Wildlife Commission as follows:

*[(a) Three members shall be chosen to represent the Columbia River gillnet salmon fishing industry.]*

*[(b)]* **(a)** Three members shall be chosen to represent the ocean troll salmon fishing industry.

*[(c)]* **(b)** Three members shall be chosen to represent the ocean pink shrimp fishing industry.

*[(d)]* **(c)** Three members shall be chosen to represent the YaquinaBay roe-herring fishing industry.

*[(e)]* **(d)** Three members shall be chosen to represent the sea urchin commercial fishery.

*[(f)]* **(e)** Three members shall be chosen to represent the ocean Dungeness crab fishing industry.

*[(g)]* **(f)** Three members shall be chosen to represent the black rockfish and blue rockfish fishing industry and the nearshore fish fishing industry.

*[(h)]* **(g)** Three members shall be chosen to represent developmental fisheries as described in ORS 506.450 to 506.465.

*[(i)]* **(h)** Three members shall be chosen to represent each restricted participation system or restricted vessel permit system established by rule of the commission under ORS 506.462.

*[(j)]* **(i)** Two members shall be chosen to represent the public.

(2) A member of the board shall receive no compensation for services as a member. However, subject to any applicable law regulating travel and other expenses of state officers and employees, a member shall be reimbursed for travel and other expenses incurred in the performance of official duties.

(3) The board shall select such officers, for such terms and with such duties and powers, as the board considers necessary for the performance of those offices.

(4) A majority of the members of the board constitutes a quorum for the transaction of business.

(5) The board shall meet at such times and places as may be determined by the chairperson or by a majority of the members of the board.

(6) Notwithstanding any other provision of law:

*[(a) Members of the board representing the Columbia River gillnet salmon fishing industry shall participate in actions of the board only on matters arising under ORS 508.285, 508.470 and 508.775 to 508.796.]*

*[(b)]* **(a)** Members of the board representing the ocean troll salmon fishing industry shall participate in actions of the board only on matters arising under ORS 508.801 to 508.825.

*[(c)]* **(b)** Members of the board representing the ocean pink shrimp fishing industry shall participate in actions of the board only on matters arising under ORS 508.880, 508.883 and 508.889 to 508.910.

*[(d)]* **(c)** Members of the board representing the YaquinaBay roe-herring fishing industry shall participate in actions of the board only on matters arising under ORS 508.765.

*[(e)]* **(d)** Members of the board representing the sea urchin commercial fishery shall participate in actions of the board only on matters arising under ORS 508.760.

*[(f)]* **(e)** Members of the board representing the ocean Dungeness crab fishing industry shall participate in actions of the board only on matters arising under ORS 508.921.

*[(g)]* **(f)** Members of the board representing the black rockfish and blue rockfish fishing industry and the nearshore fish fishing industry shall participate in actions of the board only on matters arising under ORS 508.947, 508.957 or 508.960.

*[(h)]* **(g)** Members of the board representing developmental fisheries shall participate in actions of the board only on matters arising under ORS 506.450 to 506.465.

*[(i)]* **(h)** Members of the board representing a restricted participation system or a restricted vessel permit system established by rule of the commission under ORS 506.462 shall participate in actions of the board only on matters related to that system.

**SECTION 7.** ORS 508.867 is amended to read:

508.867. (1) Notwithstanding ORS 508.755 *[(6)(b) and (c)]* **(6) (a) and (b)**, an individual whose application for renewal of the permit required by ORS 508.840 is denied by the State Department of Fish and Wildlife may make written request to the Commercial Fishery Permit Board for review of the



denial. The review provided in this subsection is in lieu of any such review by the department or the State Fish and Wildlife Commission. The request shall be in such form and shall contain such information as the board considers appropriate. The request shall be accompanied by a nonrefundable fee of \$75. Such fee shall apply toward the permit fee of successful applicants.

(2) In accordance with any applicable provision of ORS chapter 183, the board shall review denials of applications for renewal of permits. Orders issued by the board are not subject to review by the commission, but may be appealed as provided in ORS 183.480 to 183.540. The board may waive requirements for renewal of permits if the board finds that the individual for personal or economic reasons chooses to actively fish the permit vessel in some other ocean fishery or if the board finds that the individual fails to meet the requirements as the result of illness, accident or other circumstances beyond the individual's control.

(3) In accordance with any applicable provision of ORS chapter 183, the board may promulgate such rules as it considers necessary to carry out its duties, functions and powers.

(4) The board may delegate to the department the authority to waive eligibility requirements for renewal of permits.

**SECTION 8.** ORS 508.485 is amended to read:

508.485. Except for vessel licenses prescribed in ORS 508.285, 508.470, 508.755, [508.775 to 508.796,] 508.801 to 508.825, 508.880, 508.883, [and] 508.889 to 508.910 and **509.216**, the State Fish and Wildlife Commission may, in its discretion, revoke for the remainder of the license year any license issued to such person under the authority of the commission or the State Fish and Wildlife Director, and in its discretion may refuse the issuance of any license issued under the authority of the commission or director during any period not to exceed one year from the date of the license revocation order:

(1) Upon conviction within this state of any person of violation of any of the commercial fishing laws or rules;

(2) Upon receiving notice from the agency that regulates commercial fishing in the State of Washington of the conviction of any person in that state of an offense which was a violation of Columbia River commercial fishing rules adopted pursuant to the Columbia River Compact and which if committed in this state would be grounds for license revocation pursuant to subsection (1) of this section;

(3) Upon conviction within this state of any person for violation of ORS 498.022, or any rule promulgated pursuant thereto, involving game fish, through the use of a license issued pursuant to the commercial fishing laws; or

(4) Upon conviction within this state of a person for violation of ORS 164.043 to 164.065 when the subject of the theft is commercial fishing crab rings or crab pots, or the crabs taken therefrom.

**SECTION 9.** ORS 508.490 is amended to read:

508.490. Except for vessel licenses prescribed in ORS 508.260 and vessel permits prescribed in ORS 508.285, 508.470, 508.755, [508.775 to 508.796,] 508.801 to 508.825, 508.880, 508.883, [and] 508.889 to 508.910 and **509.216**, the State Fish and Wildlife Commission may, in its discretion, refuse the issuance of any license issued under the authority of the commission or the State Fish and Wildlife Director during any period not to exceed two years from the date of the license revocation order:

(1) Upon conviction within this state of any person of violation of any of the commercial fishing laws or rules after such person has once been convicted and penalized under ORS 508.485; or

(2) Upon receiving notice from the agency that regulates commercial fishing in the State of Washington of the conviction of any person in that state of an offense which was a violation of Columbia River commercial fishing rules adopted pursuant to the Columbia River Compact and which if committed in this state would be grounds for refusal to issue a license pursuant to subsection (1) of this section.

**SECTION 10.** ORS 509.240 is amended to read:

509.240. It is lawful to operate or use a net consisting of a single nylon or cotton web of a mesh not less than 14 inches, taut measure, hung or attached to not to exceed two lead lines combined and used as a single line and a single cork line, in any of the waters of this state, during any season or period closed to commercial fishing by law or by rule of the State Fish and Wildlife Commission, for the purpose of clearing away or removing snags or similar obstructions from [gillnet drifts and other] suitable or desirable fishing areas.

**SECTION 11.** ORS 509.245 is amended to read:

509.245. Any person desiring to operate a snagging net as provided in ORS 509.240 shall, before operating or attempting to so operate such net, obtain from the State Fish and Wildlife Director a snagging permit by forwarding a written request to the office of the State Fish and Wildlife Commission specifically providing:

(1) The particular [gillnet drift,] fishing ground or other area to be cleared;

(2) The waters in which located;

(3) The mesh size of the snagging net to be used; and

(4) The dates on which or within which the proposed snagging operations will be carried on. In specifying any such dates, no one notice is valid for a period of more than 30 days from the date thereof.

**SECTION 12.** ORS 183.700 is amended to read:

183.700. (1) As used in this section and ORS 183.702, "permit" means an individual and particularized license, permit, certificate, approval, registration or similar form of permission required by law to pursue any activity specified in this section, for which an agency must weigh information, make specific findings and make determinations on a case-by-case basis for each applicant.

(2) The requirements of this section and ORS 183.702 apply to the following permits granted by:

(a) The Department of Environmental Quality under ORS 448.415, 454.655, 454.695, 454.790, 454.800, 459.205, 465.315, 465.325, 466.140, 466.145, 466.706 to 466.882, 468A.040, 468A.310, 468B.035, 468B.040, 468B.045, 468B.050 and 468B.095.

(b) The Department of State Lands under ORS 196.800 to 196.900 and 390.805 to 390.925.

(c) The Water Resources Department under ORS chapters 537 and 540, except those permits issued under ORS 537.747 to 537.765.

(d) The State Department of Agriculture pursuant to ORS 468B.200 to 468B.230 and 622.250.

(e) The State Department of Fish and Wildlife pursuant to ORS 497.142, 497.218, 497.228, 497.238, 497.248, 497.252, 497.298, 497.308, 498.019, 498.279, 508.106, 508.300, 508.760, [508.775,] 508.801, 508.840, 508.880, 508.926, [and] 509.140 and **509.216**.

(f) The Department of Transportation pursuant to ORS 374.312.

**SECTION 13.** Section 6, chapter 512, Oregon Laws 1989,

as amended by section 2, chapter 184, Oregon Laws 1991, section 10, chapter 8, Oregon Laws 1997, section 2, chapter 643, Oregon Laws 2003 and section 3, chapter 765, Oregon Laws 2009, is amended to read:

Sec. 6 In addition to the fees otherwise prescribed by law, the issuer of *[each of the following permits]* **an Ocean Troll Salmon Fishery permit issued under ORS 508.816** shall charge and collect each time the permit is issued, during the period beginning January 1, 1998, and ending December 31, 2019, *[the following surcharges:]* **a surcharge of \$65.**

*[(1) Ocean Troll Salmon Fishery permit issued under ORS 508.816, \$65.]*

*[(2) Columbia River Gillnet Fishery permit issued under ORS 508.790, \$74.]*

**SECTION 14. ORS 508.460, ORS 508.778, 508.781, 508.784, 508.787, 508.790, 508.792, 508.793 and 508.796 are repealed.**

**SECTION 15. (1) Sections 1 and 4 of this 2012 Act, the amendments to section 6, chapter 512, Oregon Laws 1989 and ORS 183.700, 506.006, 508.485, 508.490, 508.755, 508.775, 508.867, 509.216, 509.240 and 509.245 by sections 2, 3 and 5 to 13 of this 2012 Act and the repeal of ORS 508.460, 508.778, 508.781, 508.784, 508.787, 508.790, 508.792, 508.793 and 508.796 by section 14 of this 2012 Act become operative July 1, 2013.**

**(2) The State Fish and Wildlife Commission and State Department of Fish and Wildlife may take any action necessary before the operative date specified in subsection (1) of this section to enable the commission or department to exercise, on and after the operative date specified in subsection (1) of this section, all the duties, functions and powers conferred on the commission or department by this 2012 Act.**

**(3) To obtain a permit authorized under ORS 509.216 (3) as amended by section 3 of this 2012 Act, a person must apply for the permit by November 1, 2013.**

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

## Explanatory Statement

Current law allows commercial salmon fishing in the Columbia River only with gillnets and tangle nets. Ballot Measure 81 prohibits the non-tribal commercial use of gillnets and tangle nets to take salmon, steelhead and any other fish in Oregon inland waters, including the Columbia River.

The measure prohibits wholesalers, canners and buyers from buying or receiving salmon, steelhead or any other fish taken with a gillnet or tangle net by non-tribal commercial fishers in Oregon inland waters.

The measure invalidates all Oregon Columbia River commercial gillnet and tangle net permits, and requires the State Fish and Wildlife Commission to adopt rules that allow persons who currently hold the permits to obtain a permit to use seines or fixed fishing gear to take salmon from the Columbia River for commercial purposes.

The measure requires the Oregon Fish and Wildlife Commission to ensure: that the percentages of the total state, non-tribal Columbia River salmon harvest landed in recreational fisheries are not reduced below 2007 - 2011 averages; that permitted seines or fixed fishing gear minimize mortality to endangered salmon, steelhead and other nontarget species through sorting and live release.

The measure specifies that its provisions do not affect the Columbia River Compact or fishing management agreements between the United States, Indian tribes and states. The measure also specifies that its provisions do not affect any tribal fishing rights, or the use of gillnets or any other fishing gear pursuant to any tribal fishing rights.

The measure removes Oregon Columbia River commercial fishers from the Commercial Fishery Permit Board. Currently those fishers have three positions on the board.

### Committee Members:

Heath Heikkila  
Steve Pedery  
Tom Dulcich\*  
Pat McCormick  
Edwin Peterson

### Appointed by:

Chief Petitioners  
Chief Petitioners  
Secretary of State  
Secretary of State  
Members of the Committee

\* Member dissents (does not concur with explanatory statement.)

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

## Argument in Favor

*Before this statement was submitted, Governor Kitzhaber announced an alternative proposal that would remove gillnets from the mainstem of the Columbia River by limiting them to off-channel areas.*

*While different than Measure 81, Stop Gillnets Now supports the Governor's plan. However, we cannot be sure (as of this deadline) that his plan will be adopted by the Oregon Fish and Wildlife Commission.*

*For an update, please go to [stopgillnets.com](http://stopgillnets.com), email [info@stopgillnets.com](mailto:info@stopgillnets.com) or call 503.893.4740.*

### Oregon Small Businesses Support Measure 81

My wife and I own a small business in Oregon. We are aware of the challenges of surviving in a tough economy.

The majority of my customers are in the manufacturing sector. I have watched them struggle over the past 25 years to implement regulations to improve environmental responsibility. Companies who have met the challenges and evolved have survived; those that refused have failed.

Oregon has a national reputation as a leader in sustainability, but we have a dirty little secret. Our wild salmon - a Pacific Northwest icon treasured throughout the world - are on the brink of extinction.

Every Oregonian pays for protecting our endangered salmon. We pay higher electric bills for salmon recovery and our tax dollars help pay for habitat restoration and improved fish hatchery management.

So it makes no sense that we still allow an outdated fishing method (gillnets) that indiscriminately kill the very wild fish we spend so much to protect.

**Commercial gillnetters on the Columbia River are currently allowed to kill, keep and sell endangered wild salmon while they fish for hatchery salmon.**

Measure 81 will remove gillnets from the Columbia River in Oregon. It requires the state to license fish friendly gear that will allow live sorting for the selective capture of hatchery fish while returning the native fish back to the river unharmed.

Measure 81 is the kind of common sense solution that Oregon small businesses appreciate.

Bruce Polley

### Please Vote YES on Measure 81.

*(This information furnished by Bruce Polley.)*

## Argument in Favor

*Before this statement was submitted, Governor Kitzhaber announced an alternative proposal that would remove gillnets from the mainstem of the Columbia River by limiting them to off-channel areas.*

*While different than Measure 81, Stop Gillnets Now supports the Governor's plan. However, we cannot be sure (as of this deadline) that his plan will be adopted by the Oregon Fish and Wildlife Commission.*

*For an update, please go to [stopgillnets.com](http://stopgillnets.com), email [info@stopgillnets.com](mailto:info@stopgillnets.com) or call 503.893.4740.*

### MEASURE ARGUMENT IN SUPPORT OF MEASURE 81

#### THE HUMANE SOCIETY OF THE UNITED STATES

The Humane Society of the United States, the nation's largest animal protection organization, urges Oregon voters to protect wildlife by voting YES on Measure 81.

Commercial gillnets in the Columbia River not only catch endangered salmon, but also kill other nontarget wildlife species, such as diving birds and beavers.

Gillnetting is an outdated, indiscriminate fishing method, and the HSUS supports efforts to curb this practice. Prohibiting the use of commercial gillnets in the Columbia River will prevent the suffering of marine animals, including endangered and threatened species.

### Please vote YES on Measure 81.

*(This information furnished by Scott Beckstead, The Humane Society of the United States.)*

## Argument in Favor

*Before this statement was submitted, Governor Kitzhaber announced an alternative proposal that would remove gillnets from the mainstem of the Columbia River by limiting them to off-channel areas.*

*While different than Measure 81, Stop Gillnets Now supports the Governor's plan. However, we cannot be sure (as of this deadline) that his plan will be adopted by the Oregon Fish and Wildlife Commission.*

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### Oregon Wild Urges You to Vote Yes on Measure 81.

#### Protect Wildlife, Ban Indiscriminate Gillnets

Since 1974, Oregon Wild has worked to protect and restore the wildlands and wildlife that make Oregon special. Ensuring that natural resource users avoid needlessly harming wildlife is a bedrock Oregon value.

**That is why Measure 81 is so important.** In the Columbia River, commercial gillnets are strung across areas that salmon and other valuable species travel. The holes in these net "curtains" are large enough to allow fish to get their heads in, but when they try to back out, the netting snags on their gills.

**Gillnets are indiscriminate, and needlessly kill wildlife.** They entangle diving birds, otters, beavers and other wildlife that swim into them, causing them to drown. Gillnets capture not only hatchery salmon, but also critically endangered wild salmon and steelhead, sturgeon and other fish. **Gillnets are so effective at capturing nearly anything that swims that they have been dubbed "curtains of death."**

The good news is that alternatives exist that avoid needlessly harming wildlife. Measure 81 would ban use of gillnets for commercial fishing, while allowing for the use of more sustainable and selective seine nets. These nets allow endangered fish to be released unharmed while avoiding injury to wildlife. Ending the use of gillnets would be a major step forward in conserving Oregon's wild salmon and wildlife, while preserving a sustainable commercial fishing industry.

### Vote Yes on Measure 81.

#### Ban indiscriminate gillnets, protect Oregon's wildlife.

*(This information furnished by Sean Stevens, Executive Director, Oregon Wild.)*

## Argument in Favor

### A Message from the Chief Petitioners of Measure 81

Did you know that gillnets were banned off Oregon's coast in the 1950s? Oregon's coastal commercial fishing industry adapted and continues to thrive today.

Did you know that Oregon voters - in 1956 - banned gillnets

in all coastal rivers and streams except the Columbia? The Columbia River is the only river in Oregon where the use of indiscriminate gillnets is still allowed.

For decades, conservation-minded Oregonians have attempted to protect wild native salmon and other wildlife by getting gillnets off the Columbia River. Many times, we've had bipartisan support for reform legislation in the Oregon legislature, but too often it didn't even make it out of committee.

The powerful gillnet lobby has fought us every step of the way.

Undertaking a ballot measure campaign was not a decision made lightly, but we believed it was the only way to break through decades of political inaction and enact real reforms to protect Oregon's wild fish and wildlife.

And now we have another valuable opportunity.

As we approached the deadline for submitting this statement, Governor Kitzhaber announced an alternative proposal that would remove gillnets from the mainstem of the Columbia River by limiting gillnets to off-channel areas. While differences exist between the Governor's proposal and Ballot Measure 81, both share the same long term vision: removing gillnets from the lower Columbia for the betterment of endangered wild fish, wildlife and our economy.

We believe that the Governor's vision, if adopted and implemented as proposed, represents a significant milestone in the management of fisheries on the Columbia River.

However, as of this deadline, we cannot be sure that the Governor's plan will be adopted by the Oregon Fish and Wildlife Commission.

For an update on where the proposal stands, please go to [stopgillnets.com](http://stopgillnets.com) or email [info@stopgillnets.com](mailto:info@stopgillnets.com).

Senator Fred Girod, Republican Stayton Chief Petitioner	Senator Rod Monroe, Democrat Portland Chief Petitioner
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*(This information furnished by Jeremy Wright, Stop Gillnets Now.)*

## Argument in Favor

*Before this statement was submitted, Governor Kitzhaber announced an alternative proposal that would remove gillnets from the mainstem of the Columbia River by limiting them to off-channel areas.*

*While different than Measure 81, Stop Gillnets Now supports the Governor's plan. However, we cannot be sure (as of this deadline) that his plan will be adopted by the Oregon Fish and Wildlife Commission.*

For an update, please go to [stopgillnets.com](http://stopgillnets.com), email [info@stopgillnets.com](mailto:info@stopgillnets.com) or call 503.893.4740.

### VOTE YES ON MEASURE 81

#### Coastal Conservation Association Oregon Urges a YES Vote on Measure 81

The Coastal Conservation Association is the largest marine conservation organization in the country. From the Gulf of Mexico to the Pacific Northwest, we work for the conservation and restoration of our natural resources.

#### Measure 81 provides critical conservation protection to endangered native fish.

13 species of Columbia River salmon & steelhead are listed as threatened or endangered under the Endangered Species Act. Gillnets are the only commercial fishing gear legal for use in

Columbia River salmon fisheries.

Gillnets catch wild fish in addition to the hatchery fish developed for harvest. If we want to protect our wild, native fish, we must use 'selective' fishing gear that can release wild salmon back into the river unharmed.

#### Measure 81 requires the use of selective, sustainable commercial fishing on the Columbia.

#### Measure 81 WILL save wild, threatened and endangered salmon and steelhead!

### VOTE YES ON MEASURE 81 For Salmon, For Wildlife, For Jobs

*(This information furnished by Bryan Irwin, Coastal Conservation Association Oregon.)*

## Argument in Favor

*Before this statement was submitted, Governor Kitzhaber announced an alternative proposal that would remove gillnets from the mainstem of the Columbia River by limiting them to off-channel areas.*

*While different than Measure 81, Stop Gillnets Now supports the Governor's plan. However, we cannot be sure (as of this deadline) that his plan will be adopted by the Oregon Fish and Wildlife Commission.*

For an update, please go to [stopgillnets.com](http://stopgillnets.com), email [info@stopgillnets.com](mailto:info@stopgillnets.com) or call 503.893.4740.

### VOTE YES ON MEASURE 81 TO PROTECT ENDANGERED SALMON

#### What Measure 81 Does

- Prohibits commercial gillnets on the Columbia River in Oregon
- Preserves commercial fishing industry by requiring alternatives to gillnets
- Retains Native American tribal fishing rights

#### Why Oregon Needs Measure 81

Wild salmon and steelhead on the Columbia River are in serious trouble! 13 species of salmon and steelhead in the Columbia River Basin are listed under the Endangered Species Act.

The Columbia is also home to hatchery salmon raised especially for harvest. But the way we fish for hatchery salmon is destroying our wild fish population.

Despite the threat of extinction to our wild salmon, Oregon still permits the use of commercial gillnets on the Columbia. Gillnets are non-selective, designed to 'gill' fish snared in the nets, leading to injury, suffocation and death. Nearly everything that gets caught in a gillnet dies.

Gillnets needlessly kill and injure large numbers of endangered salmon and steelhead. Gillnets also kill seabirds, beavers and other wildlife.

#### Oregon has banned gillnets in our ocean waters and every river and stream except the Columbia.

#### It's time to get gillnets out of the Columbia and switch to common sense, sustainable alternatives!

Stop Gillnets Now urges your support on Measure 81.

### VOTE YES ON MEASURE 81 For Salmon, For Wildlife, For Jobs

*(This information furnished by Eric Stachon, Stop Gillnets Now.)*

## Argument in Favor

*Before this statement was submitted, Governor Kitzhaber announced an alternative proposal that would remove gillnets from the mainstem of the Columbia River by limiting them to off-channel areas.*

*While different than Measure 81, Stop Gillnets Now supports the Governor's plan. However, we cannot be sure (as of this deadline) that his plan will be adopted by the Oregon Fish and Wildlife Commission.*

*For an update, please go to [stopgillnets.com](http://stopgillnets.com), email [info@stopgillnets.com](mailto:info@stopgillnets.com) or call 503.893.4740.*

### A Former Fish & Wildlife Officer Supports Measure 81

I am a retired Oregon State Police Fish & Wildlife Sergeant. I spent 25 years enforcing sport and commercial fishing regulations on the Columbia River.

In order to promote conservation and protect salmon and steelhead stocks listed under the Endangered Species Act, we need to simplify rules to ease enforcement.

Enforcement of the commercial gillnet/tangle net industry on the Columbia River is nearly impossible due to the complicated rules that require constant observation to ensure they are followed.

Because the system allows gill-netters to report their own catch, abuses occur. Proper documentation would require the mandatory use of logbooks to log each fish at the time of catch, just like sport anglers do.

Unlike recreational fishing, commercial gillnet fishing is conducted at night. Darkness compounds the enforcement challenge for Wildlife Officers and makes the important work of protecting wild salmon and steelhead from unlawful fishing difficult. Proper case development requires untold hours of observation and documentation.

A recent example of the problem: In January 2009, after a long investigation, four men admitted to falsifying fish records, agreed to pay a \$150,000 civil penalty, but were allowed to keep their gillnet licenses.

Just weeks ago, these same men gave \$16,000 to the gillnet lobby campaign against Measure 81.

It's time to clean up the Columbia. Measure 81 is a necessary step.

Joe Schwab, OSP Fish & Wildlife Sgt, retired

**Vote Yes on 81**

*(This information furnished by Joseph R. Schwab.)*

## Argument in Opposition

### ECUMENICAL MINISTRIES OF OREGON BELIEVES MEASURE 81 HURTS ALL OREGONIANS, AND VIOLATES BASIC PRINCIPLES OF SOCIAL JUSTICE AND FAIRNESS

As a religious non-profit organization our membership comes from many faith traditions, and holds many different social and theological views. We agree, however, on our commitment to the well-being of Oregon families and communities, and on our belief that the best public policy emerges from a collaborative dialogue among all affected parties. Measure 81 hurts Oregon families and communities and it is one-sided public policy.

Measure 81 will reduce incomes and lead to more job losses in our state. Measure 81's gillnet ban will harm Oregon seafood wholesalers and retailers, restaurants, local fish markets and consumers of locally caught salmon and sturgeon, since it specifically prohibits Oregonians from purchasing salmon and sturgeon caught with gillnets – even those that Washington State commercial fishermen can continue to catch with gillnets under Measure 81.

Measure 81 provides no funding or transition plan to assist those impacted. At best, Measure 81 would force commercial fishing families to change their equipment and nets with no compensation and cost them at least \$150,000 per vessel. More likely, it will simply put Oregon's fishing families out of business, with no funds or plan to assist them with their economic losses or to help them find new work.

Measure 81 is a one-sided measure. Measure 81 has not emerged out of dialogue and collaboration among all those affected, but instead represents a one-sided, unfair approach to the complex issues surrounding Columbia River fishing.

While the environmental impacts of gillnets are debatable, the economic impacts of this measure on gillnet fishers, their families and their communities are not. Banning Oregon commercial fisherman from using gillnets on the Oregon side of the Columbia River will impose heavy economic costs on all three, and on Oregon. It is neither fair nor just. Therefore,

**Ecumenical Ministries of Oregon recommends that all Oregonians vote "No" on Measure 81.**

*(This information furnished by Kevin Finney, Ecumenical Ministries of Oregon.)*

## Argument in Opposition

### Why Oregon Chefs and Restaurateurs Oppose Measure 81: Our Customers

Much of the discussion about Measure 81 centers on the harm it will do to Oregon's commercial fishing families and the fact that will not save a single endangered fish. There's good reason for this. The ban on the use of gillnets by Oregon commercial fisherman will put commercial fishing families out of business, and for no reason. The measure simply takes the existing commercial fishermen's share of fish and re-allocates it to Measure 81's sponsors – sport-fishing interests. Lost in this allocation grab, however, is what this measure will do to Oregon's nationally recognized restaurant community.

You don't have to be a Food Network or Travel Channel viewer to know we have something special here. My fellow Oregon chefs and restaurant owners pride themselves in serving fresh, local, sustainable and distinctively Northwestern food. We're not only feeding Oregonians, but visitors who travel here to feast on our cuisine. It's called "culinary tourism." At the center of Northwest cuisine is Columbia River Spring Chinook.

Measure 81 will wipe this signature fish off Oregon menus. It specifically prohibits Oregon consumers from buying fresh

Columbia River salmon anywhere in Oregon. The devastation it will do to all consumers of locally caught salmon and sturgeon –wholesalers and retailers, local fish markets and, yes, restaurants – will be enormous. The only Oregonians who will be able to enjoy Columbia River salmon will be sport-fishermen who have the ability, means or itch to catch it themselves. That excludes almost all Oregonians.

What's worse, Washington commercial fishermen could still use gillnets on the Columbia (and sell salmon to Washington restaurants) while Oregon commercial fishermen would be banned.

Why we would do this to ourselves is beyond me. This is no time to hurt another Oregon industry and eliminate jobs. Vote "No" on Measure. 81 and come in and enjoy a fresh Columbia River salmon at your favorite Oregon restaurant.

*(This information furnished by Chef Peter Roscoe, Owner of Fulio's Pastaria, Tuscan Steak House and Delicatessen.)*

## Argument in Opposition

### Oregon Women Speak Out Against Measure 81

We, the undersigned women of Oregon, oppose Ballot Measure 81. Measure 81 has affected Oregon communities creating a climate of fear for the family businesses and jobs it will destroy. Its negative stereotyping of Columbia River gillnet fishermen is undeserved. Fishing communities and families have advocated strongly for conservation and salmon restoration for decades.

Measure 81 provides no compensation to fishing families, related businesses, and communities that will lose a major source of income. While it purports to replace gillnets with seines, current experiments have several years to go before this gear will meet federal standards. The Measure makes no allowances for this lengthy gap or the possibility that the experiments might find the gear unworkable. Instead, a ban goes into effect on July 1, 2013. Yes, as of July 1, 2013, families will lose businesses that took a lifetime to build, with no compensation. This is unjust. It is also unjust that commercial gillnet fishermen in Washington will be able to continue fishing and Oregon consumers will be prohibited from purchasing Columbia River gillnet-caught fish, including those caught legally in Washington.

Instead of creating unemployment in rural areas with high poverty rates and negative social statistics, particularly among children, we want recreational, commercial and tribal fishers working together on fishery issues. We believe in cooperation instead of confrontation. We want to be able to raise our children and work in our communities in an atmosphere of mutual support, where traditional livelihoods and skills are valued and honored. Measure 81 contradicts those values.

### Please vote NO on Measure 81:

Helena Barbey Lankton	Lori B. Flexer
Norma Paulus	Betsy Johnson
Ginny Goblirsch Small Business Owner	Joan Dukes Former State Senator
Connie Hunt ORLA, Past Chairman of the Board (Oregon Restaurant Lodging Association)	Jenny Holmes Environmental Ministries Director Ecumenical Ministries of Oregon
June Spence	N. Kathryn Brigham
Heather Munro Mann	Shirley Kalkhoven
Lisa Tarabochia Clement Owner – Clemente's Restaurant	

*(This information furnished by Helena Barbey Lankton.)*

## Argument in Opposition

As a former operator of an Oregon salmon charter business and past Chairman of the Pacific Fishery Management Council, I know that successful salmon conservation depends on all players (sport, commercial, tribal, and environmental) working together and professional fishery managers setting science-based rules. Measure 81 violates both of these principles and should be defeated.

Columbia River salmon harvest is strictly regulated by federal, tribal, and inter-state compact rules. Science drives the system; only after conservative escapement requirements are met and tribal harvest needs satisfied do we allow sport and commercial catch. Measure 81 uses the ballot box, not the knowledge of fisheries scientists, to decide who catches fish. Measure 81 doesn't save fish; it tells commercial fishermen that they can't participate but then increases sport catch so that sport fishermen alone harvest the former commercial share.

Commercial fishermen pay landing taxes and license fees, which fund restoration and enhancement projects, money that will be lost if Measure 81 passes. Commercial, sport, and tribal fishermen together advocate habitat improvements, hatchery reform, and changes in hydropower operations to enhance salmon survival. Increased salmon runs benefit all three groups. Kicking out one group only weakens salmon advocacy.

Not everyone can catch their own fish. Measure 81 prevents Oregon consumers from enjoying their local bounty.

Shutting down the commercial gillnet fishery hurts lower river communities. I have seen the devastating effects of fisheries depletion on the cultural values in coastal communities when we've drastically reduced catches to protect fish stocks. Measure 81 would create those same effects by arbitrarily removing fishermen from the river without producing any conservation benefits.

At a time when Americans are increasingly angry with polarized government, we should not create the same antagonism here in Oregon. Let's work together to provide healthy natural salmon runs on the Columbia River. Please join me in voting "NO" on Measure 81.

Frank Warrens

*(This information furnished by Frank Warrens.)*

## Argument in Opposition

### Professor Emeritus of Marine Economics Opposes Measure 81

Recovering wild salmon and steelhead in the Columbia River is complicated and involves difficult scientific questions. Fisheries are an important piece of recovery, and decisions about their management must be based on the best scientific information available, with full assessment of alternatives and impacts.

[In my 30 years as an academic researcher and advisor to fishery management](#) I have seen firsthand the benefit of taking collaborative approaches to tough fishery problems. [That's why I think Ballot Measure 81 is a bad idea.](#)

Oregon is fortunate to have good collaborative processes already in place for making informed decisions about fisheries. The Oregon Fish and Wildlife Commission conducts regular public meetings to decide how to conserve fish and balance competing interests. The Oregon Department of Fish and Wildlife made extensive use of scientific advice and stakeholder involvement to develop the Oregon Lower Columbia River Conservation and Recovery Plan for Oregon Populations of Salmon and Steelhead.

These processes are open, transparent, and informed by the best available scientific information. They have a record of

success in meeting conservation standards and milestones while balancing competing interests. Oregonians can take pride in these processes.

Measure 81 will upend established practice without ensuring improvements in passage of wild salmon and steelhead. It is about allocation, not conservation.

Recreational anglers will benefit at the expense of commercial fishermen, seafood dealers, restaurants and consumers. Oregon consumers will be prohibited from purchasing Columbia River salmon and sturgeon and will lose the benefit of their investment in good management, without any evidence that fish will be saved.

Oregon citizens deserve better. We should all working together to achieve good outcomes for our Columbia River fishery resources through existing public processes that are committed to recovery, science-based decisions and balance. This is a stronger basis for fish recovery than slogans and images of a ballot measure campaign.

Susan Hanna, Ph.D  
Professor Emeritus of Marine Economics  
Oregon State University

*(This information furnished by Susan Hanna, Ph.D, Professor Emeritus of Marine Economics, Oregon State University.)*

## Argument in Opposition

The Association of Northwest Steelheaders has worked with the Oregon Legislature and the Oregon Department of Fish and Wildlife on the issue of gill nets in the Columbia River since the Association started in 1960. We have achieved many victories for conservation and sport fishing since then, including eliminating gill nets from Coos Bay and establishing steelhead as a game fish, preventing their commercial harvest. Now we near the finish line of this longstanding objective.

Ballot Measure 81 is already a success with the directive from Governor Kitzhaber to the ODFW Commission in August. This directive will achieve the goals of the initiative's member organizations, their members and the thousands of Oregonians who helped put the initiative on the ballot. In many ways the direction and objectives the Governor gave to ODFW and its Commission is more complete and a better solution than Measure 81 for all concerned: conservationist, sport anglers, and commercial fishermen alike.

The ODFW Commission and agency leadership have both expressed commitment to achieve the Governor's directive. The Governor's directive and the ODFW Commission's response are the start of a very significant improvement in fish conservation, while at the same time increasing sport fishing seasons and expanding sport fishing catch, and also ensuring commercial fishing opportunities, thereby helping the Oregon economy.

The Association of Northwest Steelheaders therefore thanks our Measure 81 coalition partners, our members, and the thousands of conservation-minded Oregonian's who have supported getting Measure 81 on the ballot, but we now ask them all to show support for the Governor's directive. Getting the initiative on the ballot made it possible, but now we must work to ensure adoption of the Governor's directive and trust the integrity of the ODFW Commission and ODFW leadership to deliver on that directive. The Northwest Steelheaders asks all to vote "No" on Measure 81 in order to achieve the Governor's directive for the Columbia River.

*(This information furnished by Joseph Domenico, Association of Northwest Steelheaders.)*

## Argument in Opposition

### Got Salmon? Not if Measure 81 Passes

Customers at my Eugene fish market love salmon and sturgeon from the Columbia River. Whether they're putting on a barbecue or buying the catch of the day for their restaurant, the Columbia's great bounty is a part of Oregon's heritage and an on-going tradition. But that won't be the case if Measure 81 passes.

It would prohibit Oregonians from purchasing Columbia River salmon caught with gillnets and ban Oregon commercial fishermen (but not Washington State fisherman) from using what is currently the only legal means of bringing this resource to market.

Under Measure 81, the only way Oregonians will be able to enjoy Columbia River salmon and sturgeon is if they're sport-fishermen and can catch their own. Currently, sport-fishermen with Oregon licenses and tags constitute less than 6 percent of all Oregonians. Thus, Measure 81 would prevent Oregon taxpayers who help pay for the hatcheries that produce the Columbia runs from enjoying the fruits of their investment.

**Oregonians won't even be able to purchase Columbia River salmon and sturgeon that Washington commercial fisherman will still be able to catch legally under Measure 81.**

This set of facts highlights the unfairness of Measure 81. Over the last decade, the sport-fishermen have caught 80% of the Columbia River Spring Chinook Salmon, while commercial gillnet fishermen only caught 20% of these fish.

Measure 81 takes the allotment that currently goes to Oregon commercial fishermen and consumers and gives it to sport-fishermen. **So Measure 81 is not about protecting, much less increasing, Columbia River fish runs. It has nothing to with conservation. It's nothing more than a re-allocation grab by sport-fishing interests.**

This ban will hurt Oregon seafood wholesalers, retailers, canners, restaurants, fish markets in addition to the many Oregon commercial fishing families it will put out of business. But it will ultimately hurt Oregon consumers – some of whom are my customers. Please, join me in opposing Measure 81.

*(This information furnished by Dwight Collins, Owner of Newman's Fish Market.)*

## Argument in Opposition

### Workers in Oregon's fish-processing industry could lose jobs

I believe I speak for many workers in Oregon's fish processing industry when I write that Measure 81 scares and angers me.

My job is one of many that could be eliminated if the Oregon commercial fishermen are prohibited from using gillnets on the Columbia River. I make a decent salary and have a good health and retirement plan through my employer. A measure that would cut incomes of Oregon commercial fishermen and industry employees and prohibits Oregon consumers from buying Columbia River salmon is scary. These days, you don't have to work in fish processing and support a family on a modest income to worry about your job, healthcare costs and tuition payments to wonder why we would harm another Oregon industry and cut Oregon jobs.

What's maddening is that one Washington resident contributed over half a million dollars or 89% of the funds to pay for the signatures to get measure 81 on the Oregon ballot. It would take me a lifetime of paychecks to write that kind of contribution, and some rich Washington guy basically buys his way onto the Oregon ballot with a measure that could put me and many not-so-rich Oregonians out of work.

What's more maddening is that [Measure 81 prohibits Oregon food processors, wholesalers and consumers from buying any gillnet-caught fish – even those caught legally by Washington commercial fishermen under the measure.](#)

So who gains under 81, besides Washington commercial fishermen? Well, the sport-fishing interests who sponsored Measure 81? You see, **all the salmon and sturgeon that Oregon commercial fishermen are now allowed to catch on the Columbia River's main stem would go instead to Washington sport or commercial fisherman under the measure.**

Who loses? Oregon consumers who will no longer be able to enjoy these fish as well as Oregon fishermen and workers who help bring Oregon's bounty to market. Please vote no on 81.

Darren E. Carlson

*(This information furnished by Darren Carlson, fish processing industry worker.)*

## Argument in Opposition

### A Fishing Guide and Sport-fisherman Opposes Measure 81's Re-Allocation Masked as Conservation

I've been a fishing guide for 14 years and an avid sport-fisherman for 54. Much of my time guiding and fishing has been in the Columbia River basin. My observations from sport-fishing and the research I've done lead me to oppose Measure 81.

[I totally favor having more fish available for sport-fishermen but let's get it done by working together to get more fish returning for everyone.](#) Rather than fight over a few thousand fish [let's work together to solve problems](#) such as avian predation that, if rationally addressed, can add hundreds of thousands of adult fish to the Columbia basin.

[As a lifelong Oregonian fighting to survive in today's economy I don't think it's productive to pass measures that will inflict economic harm, particularly on rural communities. Measure 81 would help put more commercial fishing families out of business.](#) It holds out the false hope of switching to other gear types, without considering the costs and feasibility. It would also hurt other Oregon seafood-related businesses.

**Measure 81 is pitched as a conservation measure, but it's not. I won't save a single Columbia River salmon. It would simply re-allocate the commercial fishermen's share to sport-fishermen. I guess I'm supposed to like this as a sport-fisherman and guide, but I don't. It's not the Oregon way.**

Finally, here are some facts about Measure 81 you might not know:

- If it passes, Washington commercial fishermen could still use gillnets on the Columbia – and sell their catch to customers everywhere but Oregon.
- For the last decade, [main-stem Columbia River sport-fishermen have caught 80% or more of the allowable Spring Chinook catch while commercial fishermen have only caught 20% or less.](#)
- In 2012, the Spring Chinook commercial tangle-net fishery consisted of one 12-hour and one 6-hour opener and caught less than 5000 fish.

[Let's defeat Measure 81 and work together to get more fish for everyone.](#)

*(This information furnished by Bob Spelbrink, fishing guide/sport fisherman.)*

## Argument in Opposition

### Sport-fishing Group's Bid to Take All the Columbia River Fish Via Measure 81 Should Embarrass True Sport-fishermen

I'm a sport-fisherman. I've caught a few salmon on the Columbia in 50 years in Oregon. The rhythm of the river, the tug on your line, the cry of "Fish On" and the taste of fresh Spring Chinook. I guess I'm supposed to like Measure 81's ban on commercial gillnet fishing in Oregon, because it would take commercial fishermen off the river and give their share of fish to us sports fishermen. But the fact is I oppose Measure 81. It's selfishness masquerading as conservation.

Measure 81 won't save one fish. It's about re-allocation, not conservation.

Sure, I'd like to catch more fish. What sport-fisherman wouldn't? But not at another Oregonian's expense. Measure 81 would devastate commercial fishermen and hurt Oregon consumers who depend on them when they go to a fish market or restaurant.

I'm fortunate enough to be able to catch my own salmon and sturgeon. Not every Oregonian wants to or can. Only 6 percent of Oregonians have fishing licenses, much less a salmon tag. Should they be forbidden from buying Columbia salmon in Oregon? They will under Measure 81, even if it's caught by Washington State commercial gillnet fishermen. Yes, Washington commercial fishermen could still use gillnets under Measure 81, which is a whole other story.

It's not like sport-fishermen don't get our share. I mean, we've caught 80% of the Columbia River Spring Chinook over the last ten years compared to commercial fishermen who've landed 20%. And now some sport-fishermen want 100 percent of this run. That's not sportsmanship. That's greed.

It's embarrassing. The only thing that makes it less embarrassing is that Measure 81 was essentially put on Oregon's ballot by a Washington resident who paid half-a-million or 89% of the cost of collecting signatures for the measure.

Please join me standing up for all Oregonians. Vote "No." on Measure 81.

*(This information furnished by Jon Hickerson, sport fisherman.)*

## Argument in Opposition

### Oregon Restaurant & Lodging Association (ORLA) Opposes the Ban on Commercial Fishing in the Columbia

**Measure 81** would ban Columbia River commercial fishing with gillnets for Oregon fishermen only. Remember, the State of Washington decides what happens on the other side of the Columbia.

ORLA recognizes the importance of all of the players in the Columbia River fishing debate; both sport and commercial fishing play a vital role in Oregon's tourism industry. Often times, a harsh one-sided solution is proposed by a single player to try and force people into choosing sides; this is one of those times. We should be working together on this issue, not pitting one side against the other.

This measure does not save fish because Washington fishermen would still be able to use gillnets on the Columbia River, and the existing commercial fishermen's share of salmon and sturgeon would be reallocated to sport fishermen. Ironically, the sport fishing industry has caught 80 percent of the Columbia River spring Chinook salmon, while commercial fishermen have caught only 20 percent of these fish over the past 10 years, according to numbers from the Oregon and Washington Departments of Fish and Wildlife.

Further, this measure specifically forbids Oregonians from buying gillnet-caught Columbia River fish in their fish



markets, grocery stores and restaurants, even if they were caught legally in areas outside of Oregon. This restriction will not save fish, but will drive up the prices for Oregon consumers. Consumers will indeed pay more for northwest salmon in Oregon restaurants and grocery stores.

This measure, if passed, will destroy the Oregon commercial salmon fishing industry and result in a sharp decrease in jobs, and an increase in salmon prices.

#### Vote No on Measure 81

*(This information furnished by Bill Perry, Oregon Restaurant & Lodging Association.)*

### Argument in Opposition

#### Former Director of the Oregon Department of Fish and Wildlife Speaks Out Against Measure 81

While serving as the Director of the Oregon Department of Fish and Wildlife and, before that, Captain of the Oregon State Police Fish and Wildlife Division, I needed all voices to speak in support of Oregon's fisheries. **Measure 81, seeks to eliminate commercial gillnetting on the Columbia River for Oregon, though it would allow Washington commercial fishermen to use this gear.** By passing Measure 81, Oregon may lose a critical voice in support of our Columbia River fisheries.

**Over the last decade, sport fishing harvested 80% of the allocated Columbia River Spring Chinook Salmon, while commercial fishing harvested 20%. Is this parity? Sharing the harvest of our fishery resources is an Oregon tradition. Why would we want to change that?**

We need all parties to advocate for our fishery resources just as the commercial fishermen did in the 1930s when promoting a fish ladder at Bonneville Dam while it was being constructed. Today, at Bonneville Dam, people view migrating salmon, and the fish are counted to ensure conservation measures are employed.

**Measure 81 would do more than eliminate an Oregon voice in support of our Columbia fisheries. It will also eliminate jobs and reduce income in Oregon. It will likely transfer jobs and income to Washington as its residents continue to fish and sell Columbia River fish in their stores.**

Like you, I am concerned about the management of our fish and wildlife resources. The Oregon Fish and Wildlife Commission passes rules governing seasons as well as harvest allocations and methods. In addition, the Oregon Department of Fish and Wildlife director has emergency rule making authority to immediately halt any season or harvest in the interest of conservation. This system has worked well for Oregon over my lifetime.

**Let's keep all the advocates we have today for our fishery, as well as Oregon jobs. Vote no on Measure 81.**

*(This information furnished by Lindsay Ball, Former Director of the Oregon Department of Fish and Wildlife.)*

### Argument in Opposition

#### A SMALL BUSINESS OWNER SHOWS HOW MEASURE 81 WILL HURT OREGON'S FISH PROCESSING BUSINESS AND THE DAMAGE WILL RIPPLE THROUGH OUR COMMUNITIES

Business is about bottom lines. As you think about Measure 81, I'd like to explain how this measure will be bad for my company and my community's – and our state's – bottom line.

I'm an Oregon native and the owner of fish processing business in Astoria. We've done business here for 30 years. Salmon and sturgeon from the Columbia River commercial fisherman are a significant component of my company's business plan. This won't be the case if Measure 81 for two reasons:

- One, it prohibits Oregon commercial fishermen from using gillnets on the Columbia River. This would virtually end all fishing by Oregon commercial fishermen on the river, because all Columbia River commercial fishermen use gillnets.
- Two, Measure 81 bans Oregon retailers, wholesalers and consumers from purchasing Columbia River fish caught by non-tribal commercial gillnet fishermen – even if the fish are legally caught by Washington commercial gillnet fishermen, as the measure allows.

**Measure 81's ban on commercial gillnet fishing in Oregon will devastate Oregon seafood wholesalers and retailers, restaurants, local fish markets, marine supply dealers. Well-paying jobs with good benefits will be lost, and incomes will be cut.**

This will mean less revenue for Oregon whether through the income tax or the taxes fish processors pay on the fish we take out of the Columbia. At a local level, it will mean business in the seafood industry will have less disposable income to donate to the charities, schools or youth activities.

Our industry provides season employment in our communities for young people. It always has. The money from these summer jobs has helped Oregon students and their parents with tuition payments so our kids – Oregon's kids – can make their own life choices.

The bottom line for Oregon: Measure 81 is bad for all of us. Please help defeat it.

*(This information furnished by Steve Fick, Owner, Fishhawk Fisheries.)*

### Argument in Opposition

#### The Lower Columbia Alliance for Sustainable Fisheries Hopes You VOTE NO On Measure 81

The Lower Columbia Alliance for Sustainable Fisheries was formed in 2003 to help keep commercial and sport fishermen fishing by working to keep as much area open to fishing as possible. Our 100+ members consist of commercial fishing families, local charter fishing operations and sport fishermen, as well as businesses that depend on fishermen to stay open.

Why should you Vote No on 81?

One, this measure has nothing to do with sustainable fisheries. It simply takes the share of the Columbia River catch that currently goes to commercial fishermen and their customers and gives it to sport-fishermen.

Two, Measure 81 won't benefit the majority of Oregonians. It will cut the amount of available locally caught salmon for our local restaurants and fish markets, thereby increasing the cost to you. People from Portland and the Willamette Valley want to come to the North Coast, eat some locally caught salmon, and visit our fish markets and take some home with them. Measure 81 will make this much more difficult. Measure 81 prohibits Oregon consumers from being able to buy fresh gillnet-caught Columbia River Spring Chinook salmon and sturgeon anywhere in Oregon

Three, Measure 81 really doesn't make sense. It says that gillnetting on the main stem of the Columbia will be replaced by seining. Saying seining is a better way of fishing, isn't really true. Besides, even if seines made sense and federal authorities ultimately allowed their use, Measure 81 provides no compensation for new equipment and nets that could cost Oregon commercial fishermen at least \$150,000.

Our local gillnetters have been cut back drastically over the last 30 years. We hope you see through this latest attempt by the few to take away your right to buy some locally caught salmon at an affordable price.

(This information furnished by Bernie Bjork, Lower Columbia Alliance for Sustainable Fisheries.)

## Argument in Opposition

### Democratic Central Committee of Clatsop County Opposes Measure 81

#### Measure 81 Hurts Oregon Fishing Families and Consumers and Does Nothing to Help Columbia River Salmon and Sturgeon

Clatsop County Democratic Central Committee approved the following resolution on August 27, 2012

WHEREAS Measure 81's ban on commercial gillnet fishing in Oregon would put Oregon's local commercial fishing families out of business

WHEREAS Passage of Measure 81 would virtually end all fishing by Oregon commercial fishermen on the Columbia River, because all Columbia River commercial fishermen use gillnets.

WHEREAS Passage of Measure 81 would drastically cut the incomes of Columbia River commercial fishermen and their families and lead to greater poverty and other negative social consequences in Oregon's rural communities.

WHEREAS Measure 81's ban on commercial gillnet fishing in Oregon will harm Oregon seafood wholesalers and retailers, restaurants, local fish markets, marine supply dealers, and consumers of locally caught salmon and sturgeon.

WHEREAS Measure 81 would prevent Oregon consumers from being able to buy fresh Columbia River salmon anywhere in Oregon

WHEREAS Washington commercial fishermen would still be allowed to use gillnets on the Columbia River while Oregon commercial fishermen would be banned under Measure 81.

WHEREAS Measure 81 does nothing to save endangered fish, but simply reallocates the existing commercial fishermen's share of fish to sports fishermen.

WHEREAS Commercial gillnet fishing in the Columbia River is approved and regulated by federal and state agencies charged with the protection of fish, birds and mammals.

THEREFORE BE IT RESOLVED on this day that the **Democratic Central Committee of Clatsop County opposes Measure 81** on the November 2012 ballot

(This information furnished by Larry Taylor, Clatsop County Democratic Central Committee, Chairman.)

## Argument in Opposition

Peter Galbreath, PhD Zoology  
Dale McCullough, PhD Fisheries  
Jeffrey Fryer, PhD Fisheries  
Phillip Roger, PhC Fisheries

**Cooperation is a hallmark of fishery conservation and management.** State, federal and tribal fisheries management agencies, local governments and public interest groups are demonstrating their ability to work in concert to help restore salmon and salmon fisheries. Cooperation is the right approach. In contrast, **Measure 81 is not cooperative**, it adds complexity and does not offer a conservation benefit.

Columbia River fisheries management is important. Effective long-term fish management plans require consideration of the best scientific information available as well as social needs. Collaborative fisheries management is effective, resulting in record numbers of salmon headed up the Columbia River above Bonneville Dam to return to communities and spawning grounds throughout the Basin. **Since 2001, the nine top annual returns of chinook, the top five returns**

**of coho, and the top four returns of steelhead have crossed Bonneville Dam, constructed in 1938. In the past three years, the two highest returns of sockeye salmon have crossed Bonneville Dam.**

While much work remains, **by working cooperatively it has been possible to design programs and manage resources to:**

- **Improve water quality**, water flow, and fish passage commitments in the Columbia and Snake rivers and their tributaries;
- **Restore salmon habitat** damaged decades ago by mining and other practices that did not account for fish needs;
- **Reform hatchery practices** to rebuild wild spawning salmon populations using state of the art scientific tools;
- **Sustainably manage salmon harvest** on a coast-wide basis with the cooperation of scientists from Alaska, Canada, Washington, Oregon, California, Idaho, and more than 24 Indian tribes

**Measure 81 would transfer catch impacts from one fishery to another, not saving salmon, but threatening the cooperative approaches that have been successful in producing record numbers of salmon.** Continued cooperative efforts will help rebuild salmon runs. Favoring one harvest group over another as Measure 81 proposes will not restore salmon runs.

(This information furnished by Babtist Paul Lumley, Columbia River Inter-Tribal Fish Commission.)

## Argument in Opposition

### A Sport-fisherman and Seafood Business Owner Sees Measure 81 as allocation battle initiated by Sport-fishing Interests

Don't be misled by **Measure 81**, proposed Columbia River gill-net ban on the November ballot. It **has nothing to do with "protecting fish and wildlife."** This measure is strictly an allocation battle initiated by some sport fishermen against commercial fishermen.

It's a shame because the two have so much in common, and I say this as someone who's been a sport-fisherman for 60 years and the owner of a small, family-owned seafood business (Oregon's Choice Gourmet Albacore) for 34 years. Instead of fighting, **we should all be working together** to increase our salmon resources for all user groups.

The losers, if Measure 81 passes, will be Oregon consumers, who love to eat their seasonally delicious salmon and sturgeon. Columbia River spring and summer Chinook salmon are world-famous for their quality, flavor and high omega-3 content.

**Oregon's renewable fishery resources belong to all the people, not just a select few who own the boats and equipment to catch fish for themselves. The public's access to its fish is through commercial fishermen.** Public tax money raises the hatchery salmon that are harvested (wild salmon must be released unharmed). Will Congress continue to fund federal hatcheries if there is no "food fish" harvest?

**There is no other fishery standing by to replace gill nets, despite the "pie in the sky" claims from ban promoters. The sport-fishing industry behind this ban measure currently catches 80% the allowable quota, so it's not like they're short of fish.**

It has a lot to do with eliminating their competition. They claim to respect the rights of commercial fishermen to represent the consumer, but will their next targets after gill-netters be ocean salmon trollers, inshore crab and sardine fishermen?

The various promoters of the Columbia River gill-net ban rate "pants on fire-10" for proposing to replace fishery management with a political decision. Vote "No" on 81.

*(This information furnished by Herb Goblirsch, Fish Market Owner, Oregon Choice Gourmet Albacore.)*

## Argument in Opposition

Statement of the  
Confederated Tribes of the Umatilla Indian Reservation  
Confederated Tribes of the  
Warm Springs Reservation of Oregon  
Confederated Tribes and Bands of the Yakama Nation, and  
Nez Perce Tribe

**We oppose Measure 81 because it is the wrong approach to salmon restoration. All Oregonians, including commercial, sport, and tribal fishers, should be working together to improve salmon runs, not trying to put each other out of business.**

Our tribal creation story teaches us that we were created in this landscape, relying on the natural resources of the Columbia River Basin to sustain us. The tribes have demonstrated by their actions that cooperative salmon rebuilding efforts are effective:

- Columbia Basin salmon runs are growing and during the last decade, **75-year record returns of sockeye and spring chinook have crossed Bonneville Dam**, as well as strong and consistent returns of summer chinook, fall chinook, coho, and steelhead.
- Working together, we removed Condit Dam and **welcomed the first salmon, steelhead, and lamprey to the White Salmon River in 100 years.**
- Salmon are spawning in the Deschutes River above Round Butte Dam for the **first time in 50 years** due to a joint commitment of Portland General Electric and the Warm Springs Tribe.

These successes are the direct result of partnerships. The Columbia River Basin will be able to recover salmon populations to healthy and abundant levels only if the region works together. **Ballot Measure 81 distracts the public from constructive solutions like improving salmon habitat and reforming hatchery practices.**

Forgoing one fishery in lieu of another will not put any more fish back on to the spawning grounds.

*(This information furnished by Baptist Paul Lumley, Columbia River Inter-Tribal Fish Commission.)*

## Argument in Opposition

The Northwest Sportfishing Industry Association and  
NW Guides and Anglers Association  
**encourage a "NO" vote on Measure 81.**

The Northwest Sportfishing Industry Association (NSIA) and NW Guides and Anglers Association (NWGAA) applaud and support Governor Kitzhaber's leadership directing the Oregon Fish and Wildlife Commission to resolve century-old salmon issues between sports fishing interests and commercial gillnetters on the Columbia River.

Governor Kitzhaber recognizes that status quo is not acceptable, leads to continued conflict between the commercial and recreational industries and negatively impacts the Endangered Species Act listed salmon and steelhead populations on the Columbia River. His plan to move Columbia River commercial gillnetters into designated off-channel fishing areas (SAFE areas) and out of the main stem Columbia River will create jobs statewide, preserve commercial fishing jobs and result in tens of millions of dollars of additional economic benefit to both Oregon and Washington.

**Despite an earlier endorsement in support of Measure 81, NSIA and NWGAA withdraw that support as a result of the**

**Governor's action and encourage voters to vote "no" on the ballot measure.**

SAFE areas are an undisputed success for the commercial fishing industry. In the last two years, commercial gillnet landings in the SAFE zones grew larger than the sport harvest in the entire lower Columbia River. Additionally, the outlook is even brighter for future SAFE area harvests. In recent years, Oregon and Washington increased the transfer of smolts into SAFE areas by nearly 40%. NSIA and NWGAA support these SAFE areas and will continue to work to insure their sustainability.

To be clear, we have concerns with some elements of the Governor's plan, but we understand that bold change does not come without some trade-offs from everyone.

We hope Oregonians will support Governor Kitzhaber's proposal to the Oregon Fish and Wildlife Commission to adopt a fair, equitable, and scientific approach that maximizes the economics of Columbia River salmon now and for the future.

*(This information furnished by Liz Hamilton, Northwest Sportfishing Industry Association.)*

## Argument in Opposition

Statement of the  
Columbia River Inter-Tribal Fish Commission

Ballot Measure 81 is the wrong approach; it is fundamentally a **transfer of fish harvest from one type of fishery to another with no gain in rebuilding.** Instead, tribes, commercial, and sports fishers should be working together to improve salmon runs.

For over thirty years, the tribes and many others have been working on that goal. They have been conserving and improving thousands of acres of salmon habitat and changing hatcheries into **wild salmon nurseries** that are designed to give the fish a better start to life and allow the adult returns to rebuild **healthy and abundant naturally-spawning populations** over time.

These cooperative efforts have been working, with independent science validating that salmon populations are rebuilding:

- Wild spring chinook salmon are **returning to restored ecosystems** in the Umatilla, Yakima and Klickitat rivers.
- Coho in the Clearwater River in Idaho are **now abundant after being declared extinct** in 1994.
- In the Snake River Basin, the fall run of chinook has been **brought back from the brink of extinction.** Last year, more than 10,000 wild fall chinook crossed Lower Granite Dam.

Ballot Measure 81 fails to recognize these salmon restoration successes. It paints a picture of scarcity and proposes harvest measures that have been tried before and failed. Measure 81 is not a solution. **Instead, by working to rebuild abundance to the Columbia River system, we can all benefit from healthy and sustainable fish populations.**

Created in 1977 by the Warm Springs, Umatilla, Yakama and Nez Perce tribes, the Columbia River Inter-Tribal Fish Commission serves as a technical and coordinating agency for these tribes on salmon policy and treaty fishing rights on the Columbia River. Tribal governments are leaders in salmon recovery and have helped bring salmon runs up to their highest levels in years through habitat improvements and hatchery reform.

*(This information furnished by Baptist Paul Lumley, Columbia River Inter-Tribal Fish Commission.)*

## Argument in Opposition

Ballot Measure 81 arises out of decades of conflict between user groups over fishing on the lower Columbia River. While I appreciate their frustration and agree with the desire to more selectively catch fish from the River, I oppose Ballot Measure 81.

Ballot Measure 81 will further divide Oregonians instead of advancing economic and conservation gains that a more thoughtful effort can achieve. Instead of recreational vs. commercial fishing interests, rural vs. urban interests or business vs. environmental interests – the interests of Oregon are best served when Oregonians find ways to advance mutual benefits instead of mutual division.

Measure 81 would impose sweeping changes on Columbia River fish management. Such management decisions are best made by Oregon's publicly appointed Fish and Wildlife Commission. The Commission is staffed by professional fish and wildlife experts that can address this issue with their counterparts in Washington, engage federal agencies and sovereign tribal governments, and bring meaningful conservation strategies to lower Columbia fish management.

My concerns over Ballot Measure 81 stem from my view that it would:

- Significantly harm Oregon's commercial fishing community, threatening families, jobs and culture that are important to Oregon.
- Fail to achieve adequate conservation gains for salmon, steelhead and sturgeon.
- Lead to uncoordinated management between Oregon and Washington.

I believe we need to change the way fish are managed in the Columbia River, but not the way Ballot Measure 81 proposes. I have proposed a solution through Oregon's Fish and Wildlife Commission that, unlike Measure 81, can find the right balance between economic interests as well as protecting and restoring threatened fish.

I encourage voters to reject Measure 81, and expect both recreational and commercial fishing interests to work in good faith with the Oregon Fish and Wildlife Commission to achieve a more balanced and sustainable resolution of this long-standing dispute.

John A. Kitzhaber

*(This information furnished by John A. Kitzhaber, M.D., Governor, State of Oregon.)*

## Argument in Opposition

**I'm a commercial fisherwoman and mom, and I ask you to Vote "NO" on 81**

I've seen more substance and less fabrication in "fish stories" about "the one that got away" than in the Measure 81 sponsors' claims about their proposed ban on gillnets on the Columbia River.

For starters, their measure won't save one single fish. It simply reallocates the commercial fishermen's share of salmon and sturgeon to...sport-fishermen. It's a reallocation disguised as conservation. I don't know what sport-fishing guys call this, but I call it bait and switch.

It's amazing when you consider that the sports fishing industry has caught 80% of Columbia River Spring Chinook Salmon, while commercial fishermen caught only 20% over the last ten years. Now sport-fishing interests want 100% and are willing to put Oregon commercial fishing families out of business to get what they want. This at a time we should be encouraging Oregon industries and growing jobs.

Even worse, this ban only applies to *Oregon* commercial fishermen. *Washington* commercial fishermen would still be allowed to use gillnets on the Columbia.

Of course, we fish for consumers. Under Measure 81, only sport-fishermen with the ability, means and inclination to catch their own fish – under 6% of Oregonians – could still enjoy Columbia River salmon. In fact, the measure forbids Oregonians from buying Columbia River fish in their fish markets, grocery stores and restaurants – even if those fish were caught legally by Washington commercial fishermen.

By law, commercial fishing here is highly selective and heavily regulated. Commercial fisherman wouldn't be allowed to fish if they were a threat to the Columbia's salmon and sturgeon populations. And the Oregon Department of Fish and Wildlife wouldn't approve the use of gillnets if they threatened the river's fish and wildlife.

Voters shouldn't abandon the scientific management of the Columbia salmon harvest in order to create a monopoly for sport-fisherman at the expense of Oregon consumers. Please vote "No" on 81.

*(This information furnished by Brenda Wall, commercial fisherman.)*

## Argument in Opposition

**Measure 81 "Allocation Grab" Won't Say Fish, Says Former Chair of Oregon Fish and Wildlife Commission and Retired Oregon State Professor**

I'm an avid Columbia River sport-fisherman I devoted my career as a marine extension agent and full professor with Oregon State University, and as a past member and chair of the Oregon Fish and Wildlife Commission to **protecting Oregon's natural resources for the benefit all Oregonians, not a select few. That's why I oppose Measure 81.**

Measure 81 would virtually end all fishing by Oregon commercial fishermen on the Columbia River, because these commercial fishermen – who fish for consumers – use gillnets. Oregonians who want to enjoy eating Columbia River salmon and sturgeon, but don't sport-fish, would be out of luck. Measure 81's gillnet ban will harm Oregon seafood wholesalers and retailers, restaurants, local fish markets and consumers of locally caught salmon and sturgeon. The measure specifically prohibits Oregonians from purchasing fish caught with gillnets.

So who benefits? Well, **Washington commercial fishermen would still be allowed to use gillnets on the Columbia** while Oregon commercial fishermen would be banned, though salmon caught legally by Washington commercial fishermen could not be sold to Oregonians. No wonder a major contributor to Measure 81 is a Washington resident who contributed over half a million dollars or 89% of the funds to put this measure on the ballot.

And sport-fishermen would certainly benefit. **Measure 81 simply reallocates the existing commercial fishermen's share of fish to sports fishermen. This measure does nothing to save endangered fish. The sport-fishing industry is just trying to eliminate its competition. That's awfully greedy, given that over the last 10 years the sports fishing industry has caught 80% of Columbia River Spring Chinook Salmon, while commercial gillnet fishermen only caught 20% of these fish.**

Columbia River is one of the most regulated fisheries in United States. It should remain a vital fishery for *all* Oregonians. Please join me in voting against Measure 81.

*(This information furnished by Bob Jacobson, Former Chairman of the Oregon Fish and Wildlife Commission.)*

## Argument in Opposition

### AN OREGON COMMERCIAL FISHERMAN TELLS HOW MEASURE 81 WILL KEEP HIM FROM FISHING FOR OREGON'S CONSUMERS

I'm a native Oregonian and commercial fisherman. I've fished the Columbia River since 1977. Commercial fishing is my life and livelihood, but I don't fish for myself alone. I fish for consumers of salmon and sturgeon in Oregon and beyond. Measure 81's ban on commercial gillnet fishing in Oregon would force many of our local commercial fishing families out of business.

Measure 81 would pretty much end all fishing by Oregon commercial fishermen on the Columbia River, because we use gillnets.

Obviously, I have a stake in this. Measure 81 would slash incomes of Oregon's Columbia River commercial fishermen and their families. While the measure talks about using other nets, this change of boats and equipment would cost us at least \$150,000 – and provides us no compensation.

What's unfair is Washington fishermen would still be able to fish while Oregonian commercial fishermen would be wiped off the Columbia under Measure 81.

But this is about more than the jobs and incomes of Oregon commercial fishermen. This ban will harm Oregon seafood wholesalers and retailers, restaurants, local fish markets, marine supply dealers, and consumers of locally caught salmon and sturgeon. Under Measure 81, Oregon consumers couldn't buy fresh Columbia River Spring Chinook salmon anywhere in Oregon – even if it were legally caught by Washington commercial fishermen.

What Measure 81 is definitely not about is protecting endangered fish, which commercial fishermen care about, since our livelihoods' depend on a healthy fishery. The fact is this measure won't save one fish. Its secret is that it re-allocates the commercial fishermen's share of salmon to sports fishermen. They'll be able to fish more while Oregon commercial fishermen – and our consumers – will go without.

Measure 81 is about re-allocation, not conservation.

Join me in opposing Measure 81 so Oregonians can continue to enjoy fresh Columbia River Chinook salmon and sturgeon.

*(This information furnished by Jim Wells, commercial fisherman, President of Salmon For All.)*

Proposed by initiative petition to be voted on at the General Election, November 6, 2012.

## Ballot Title

# 82

Amends Constitution: Authorizes establishment of privately-owned casinos; mandates percentage of revenues payable to dedicated state fund

<b>Estimate of Financial Impact</b>	<b>78</b>
<b>Text of Measure</b>	<b>79</b>
<b>Explanatory Statement</b>	<b>80</b>
<b>Citizens' Review Statement</b>	<b>81</b>
<b>Arguments in Favor</b>	<b>82</b>
<b>Arguments in Opposition</b>	<b>85</b>

### Result of "Yes" Vote

"Yes" vote amends state constitution to authorize privately-owned casinos; requires such casinos to give percentage of monthly revenue to State Lottery for specified purposes.

### Result of "No" Vote

"No" vote maintains current state of the law, which does not authorize any privately-owned casino within state; tribal casinos authorized pursuant to gaming compacts.

### Summary

Amends constitution. Currently, Oregon Constitution prohibits the operation of privately-owned, non-tribal casinos within the state. Under measure, State Lottery shall permit the operation of privately-owned casinos within the state, provided that the particular operation is approved through an initiative law. Privately-owned casinos must be located within an incorporated city, and city electors must also approve casino location. The privately-owned casino shall pay 25% of adjusted gross revenues each month to a dedicated state fund for the purposes of fostering job growth, educational achievement, vibrant local communities, protecting and improving natural environment, and supporting all federally recognized Indian tribes in Oregon. Amendment prohibits the operation of privately-owned casino within 60-mile radius of existing tribal casino operating on reservation land.

### Estimate of Financial Impact

This measure has an indeterminate financial impact. Currently the Constitution prohibits casinos in Oregon, and this measure amends the Constitution to allow casinos. However, if the measure is adopted, there may be a financial impact to certain local government entities that receive revenue derived from tribal gaming operations, because tribal gaming revenues may decline.

## Text of Measure

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

**Section 4.** (1) Except as provided in subsections (2), (3), (4), (8), [and] (9) and (11) of this section, lotteries and the sale of lottery tickets, for any purpose whatever, are prohibited, and the Legislative Assembly shall prevent the same by penal laws.

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

(b) As used in this section:

(A) "Adjusted gross revenues" means the total of amount of cash and property, except nonredeemable credits, received from games at the taxpaying casino, less the amount of cash, cash equivalents, credits and prizes paid to patrons of the games.

(B) "Charitable, fraternal or religious organization" means such organizations or foundations as defined by law because of their charitable, fraternal, or religious purposes.

(C) "Net proceeds of the State Lottery" means the net proceeds from the sale of tickets or shares to the public and the revenues received from a taxpaying casino permitted under subsection (11) of this section, after paying prizes and expenses as described in subparagraphs (C) and (D) of paragraph (d) of subsection (4) of this section.

(3) There is hereby created the State Lottery Commission which shall establish and operate a State Lottery. All proceeds from the State Lottery, including interest, but excluding costs of administration and payment of prizes, shall be used for any of the following purposes: creating jobs, furthering economic development, financing public education in Oregon or restoring and protecting Oregon's parks, beaches, watersheds and native fish and wildlife.

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

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

(c) The Director shall implement and operate a State Lottery pursuant to the rules, and under the guidance, of the Commission. The State Lottery may operate any game procedure authorized by the commission, except parimutuel racing, social games, and the games commonly known in Oregon as bingo or lotto, whereby prizes are distributed using any existing or future methods among adult persons who have paid for tickets or shares in that game; provided that, in lottery games utilizing computer terminals or other devices, no coins or currency shall ever be dispensed directly to players from such computer terminals or devices. **The limitations on game procedures and prohibition of dispensing coins and currency described in this paragraph do not apply to a taxpaying casino operating as permitted under subsection (11) of this section.**

(d)(A) There is hereby created within the General Fund the Oregon State Lottery Fund which is continuously appropriated for the purpose of administering and operating the Commission and the State Lottery.

(B) The State Lottery shall operate as a self-supporting revenue-raising agency of state government and, **except as provided in subsection (11) of this section**, no appropriations, loans, or other transfers of state funds shall be made to it.

(C) The State Lottery shall pay all prizes [and all of its expenses] out of the revenues [it] that the State Lottery receives from the sale of tickets or shares to the public.

(D) The State Lottery shall pay all expenses out of the revenues that the State Lottery receives from:

(i) The sale of tickets or shares to the public; and

(ii) A taxpaying casino under subsection (11)(e) of this section.

(E) The State Lottery shall [turnover] turn over the net proceeds [therefrom] from the State Lottery to a fund to be established by the Legislative Assembly from which the Legislative Assembly shall make appropriations for the benefit of any of the following public purposes: creating jobs, furthering economic development, financing public education in Oregon or restoring and protecting Oregon's parks, beaches, watersheds and native fish and wildlife. Effective July 1, 1997, 15% of the net proceeds from the State Lottery shall be deposited, from the fund created by the Legislative Assembly under this [paragraph] subparagraph, in an education stability fund. Effective July 1, 2003, 18% of the net proceeds from the State Lottery shall be deposited, from the fund created by the Legislative Assembly under this [paragraph] subparagraph, in an education stability fund. Earnings on moneys in the education stability fund shall be retained in the fund or expended for the public purpose of financing public education in Oregon as provided by law. Except as provided in subsection (6) of this section, moneys in the education stability fund shall be invested as provided by law and shall not be subject to the limitations of section 6, Article XI of this Constitution. The Legislative Assembly may appropriate other moneys or revenue to the education stability fund. The Legislative Assembly shall appropriate amounts sufficient to pay lottery bonds before appropriating the net proceeds from the State Lottery for any other purpose. At least 84% of the total annual revenues from the sale of all lottery tickets or shares by the State Lottery shall be returned to the public in the form of prizes and net revenues benefiting the public purpose.

(F) Of the 25% of adjusted gross revenues paid by the taxpaying casino to the State of Oregon pursuant to subsection 11(e) of this section, the casino shall pay:

(i) 80% into the Oregon State Lottery Fund; and

(ii) 20% into a fund to be created by law.

(5) Notwithstanding paragraph (d) of subsection (4) of this section, the amount in the education stability fund created under paragraph (d) of subsection (4) of this section may not exceed an amount that is equal to five percent of the amount that was accrued as revenues in the state's General Fund during the prior biennium. If the amount in the education

stability fund exceeds five percent of the amount that was accrued as revenues in the state's General Fund during the prior biennium:

(a) Additional net proceeds from the State Lottery may not be deposited in the education stability fund until the amount in the education stability fund is reduced to less than five percent of the amount that was accrued as revenues in the state's General Fund during the prior biennium; and

(b) Fifteen percent of the net proceeds from the State Lottery shall be deposited into the school capital matching fund created under section 4, Article XI-P of this Constitution.

(6) The Legislative Assembly may by law appropriate, allocate or transfer any portion of the principal of the education stability fund created under paragraph (d) of subsection (4) of this section for expenditure on public education if:

(a) The proposed appropriation, allocation or transfer is approved by three-fifths of the members serving in each house of the Legislative Assembly and the Legislative Assembly finds one of the following:

(A) That the last quarterly economic and revenue forecast for a biennium indicates that moneys available to the state's General Fund for the next biennium will be at least three percent less than appropriations from the state's General Fund for the current biennium;

(B) That there has been a decline for two or more consecutive quarters in the last 12 months in seasonally adjusted nonfarm payroll employment; or

(C) That a quarterly economic and revenue forecast projects that revenues in the state's General Fund in the current biennium will be at least two percent below what the revenues were projected to be in the revenue forecast on which the legislatively adopted budget for the current biennium was based; or

(b) The proposed appropriation, allocation or transfer is approved by three-fifths of the members serving in each house of the Legislative Assembly and the Governor declares an emergency.

(7) The Legislative Assembly may by law prescribe the procedures to be used and identify the persons required to make the forecasts described in subsection (6) of this section.

(8) Effective July 1, 1999, 15% of the net proceeds from the State Lottery shall be deposited in a parks and natural resources fund created by the Legislative Assembly. Of the moneys in the parks and natural resources fund, 50% shall be deposited in a parks subaccount and distributed for the public purposes of financing the protection, repair, operation, and creation of state, regional and local public parks, ocean shore and public beach access areas, historic sites and recreation areas, and 50% shall be deposited in a natural resources subaccount and distributed for the public purposes of financing the restoration and protection of native fish and wildlife, watersheds and water quality in Oregon. The Legislative Assembly shall not limit expenditures from the parks and natural resources fund, or from the parks or natural resources subaccounts. The Legislative Assembly may appropriate other moneys or revenue to the parks and natural resources fund.

(9) Only one State Lottery operation shall be permitted in the State.

(10) The Legislative Assembly has no power to authorize, and **except as provided in subsection (11) of this section**, shall prohibit, casinos from operation in the State of Oregon.

**(11) The State Lottery Commission shall permit the operation of a taxpaying casino in this state if, and ONLY if:**

**(a) The people of the State of Oregon authorize the operation of the taxpaying casino by law through an initiative law;**

**(b) The taxpaying casino is to be sited in an incorporated city, and the electors of the incorporated city approve the development of the casino on the site;**

**(c) The taxpaying casino is owned and operated by a taxpaying corporation that is incorporated under the laws of the State of Oregon;**

**(d) The taxpaying casino is not within a 60-mile radius of the location of a tribal casino operating on reservation land in Oregon on January 1, 2011; and**

**(e) The taxpaying casino will pay 25% of the casino's adjusted gross revenues to the State of Oregon for the purposes of fostering job growth, educational achievement, vibrant local communities, protecting and improving of the natural environment and supporting all federally recognized Indian tribes in Oregon.**

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

## Explanatory Statement

The Oregon Constitution currently prohibits the Legislative Assembly from authorizing a casino to operate in this state. Ballot Measure 82 would amend the Constitution and authorize the establishment of privately-owned casinos, subject to certain conditions. Under the Ballot Measure amendment, a privately-owned casino may be allowed to operate in this state, only if, all of the following criteria are satisfied: (i) The privately-owned casino must be approved by a separate statewide initiative; (ii) The privately-owned casino must be located in an incorporated city and the electors of that incorporated city must approve the casino's development; (iii) The privately-owned casino must be owned and operated by a taxpaying corporation that is incorporated in Oregon; (iv) The privately-owned casino may not be located within 60 miles of a tribal casino that was operating on reservation land on January 1, 2011; and finally, (v) The privately-owned casino must pay twenty-five (25) percent of its adjusted gross revenues to the State of Oregon. Eighty percent of each payment must be deposited into the Oregon State Lottery Fund and 20 percent must be deposited into a fund established by Ballot Measure 83 (IRR 38). The privately-owned casino will be regulated by the Oregon State Police and Oregon Lottery. The Oregon Lottery is presently required to be self-supporting and the revenues from the private casino will cover all the administrative and regulatory costs as currently required by the Constitution.

### Committee Members:

Stacey Dycus  
Greg Peden  
Rob Greene  
Mike Weatherby  
Chip Lazenby

### 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.)*



## Citizens' Review Statement

This Citizens' Statement, authorized by the 2009 State Legislature, was developed by an independent panel of 24 Oregon voters who chose to participate in the Citizens' Initiative Review process. The panelists were randomly selected from registered voters in Oregon and balanced to fairly reflect the state's voting population based upon location of residence, age, gender, party affiliation, education, ethnicity, and likelihood of voting. Over a period of five days the panel heard from initiative proponents, opponents, and background witnesses. The panelists deliberated the measure and issued this statement. This statement has not been edited, altered, or approved by the Secretary of State.

The opinions expressed in this statement are those of the members of a citizen panel and were developed through the citizen review process. They are NOT official opinions or positions endorsed by the State of Oregon or any government agency. A citizen panel is not a judge of the constitutionality or legality of any ballot measure, and any statements about such matters are not binding on a court of law.

## Key Findings

The following are statements about the measure and the number of panelists who agree with each statement:

- Economists disagree on the long term economic impact of private casinos in Oregon. (22)
- For every dollar of revenue from Video Lottery Terminals, about 65 cents goes to the State lottery. In addition, under Measure 82 for every dollar of revenue produced by private casinos, 25 cents would go to the State lottery. (24)
- Private casinos could negatively affect the gaming revenues of the tribal casinos and the communities they support. (20)
- The Oregon Lottery and businesses with Oregon Video Lottery Terminals that are located within a close proximity of a private casino would likely lose money. (23)
- According to the "Measure 82 Estimate of Financial Impact" Measure 82 will have an unknown impact on state revenue, however, 25% of a private casino's adjusted gross revenue will be given to the State of Oregon for specified purposes. (22)
- In Oregon, the state government has compacts with all nine Tribal governments, however, those agreements do not prohibit private casinos. (21)

## Additional Policy Considerations

The following are statements about the subject matter or fiscal considerations related to the measure and the number of panelists who agree with each statement:

- If Measure 83 passes, approximately 2000 full-time jobs with benefits may be created; however, jobs could be lost at tribal casinos and small businesses as well. (22)

## Citizen Statement in Opposition to the Measure

POSITION TAKEN BY 17 OF 24 PANELISTS

We, 17 members of the Citizens' Initiative Review, oppose Ballot Measure 82 for the following reasons:

Measure 82 changes the Oregon constitution. If this measure passes it will allow more outside influence on gambling within the state. The backers who wrote this measure stand to gain significant profits by changing the Oregon constitution.

The social impact to the overall culture and values of Oregon are at risk with the added casinos that Measure 82 will allow.

Changing the Oregon state constitution, with no clear economic benefit to Oregonians, is not worth the possible negative effects to our citizens.

According to local experts more than 70,000 adult Oregonians have problems with gambling. Our concern is that an increase of private casinos will increase addictions to gambling, alcohol and drugs.

Measure 82 will negatively impact the revenue generated by tribal casinos traditionally used to support tribal communities, nearby rural areas, non-profits and charitable organizations throughout Oregon.

Small businesses near private casinos could stand to lose up to 46% of Video Lottery Terminal revenue on average. We believe this loss would have a substantial impact on businesses.

If Measure 83 passes, the proposed private casino in Multnomah County will negatively impact surrounding communities who have a State vote, but not a local vote. Our concerns are traffic congestion and the possible increase in crime.

Sustained funding for Oregon education shouldn't be dependent upon our citizens' private casino gambling losses.

## Citizen Statement in Support of the Measure

POSITION TAKEN BY 7 OF 24 PANELISTS

We, 7 members of the Citizens' Initiative Review, support Ballot Measure 82 for the following reasons:

Measure 82 changes the Oregon constitution to allow the people of Oregon to decide whether they want private casinos and allows the local communities to vote for or against the measure even if voters approve a casino in a statewide election.

The current funding structure for K-12 schools in Oregon is not sufficient. Private casinos may provide an additional revenue source for education.

Private casino construction and operations will result in additional well-paying jobs and property taxes for the local community.

Research has shown the existence of a casino in a community does not in and of itself increase gambling behavior and does not cause the behavioral problems that many fear.

A casino is a new tourist attraction and may revitalize the surrounding areas.

The casino must be developed in an incorporated city and must be owned and operated by an Oregon tax-paying corporation.

If measure 83 passes and the voters of Wood Village approve the proposed casino, net revenue to State and local governments are estimated to be \$32 million to \$54 million annually to be divided amongst:\*

Public schools  
Job creation  
Oregon tribes  
Problem gambling programs  
Local and state police  
City of Wood Village  
Adjacent cities  
Parks and natural resources

\*Refer to section 3 of Ballot Measure 83

## Argument in Favor

**When you have a chance to help the economy and the middle class, the right vote is “YES.”**

**Labor signer from NW Oregon Labor Council, AFL-CIO**

Like the entire nation, Oregon has been through a tough time economically. Too many Oregonians are unemployed. Too many face the loss of their homes through foreclosure. And the things that middle class families depend on – schools, public safety, and other vital services – have been hit just as hard.

With Measures 82 & 83 we have a chance to help.

NW Oregon Labor Council, AFL-CIO represents thousands of hard-working Oregonians. Our industry depends on the economy around us. When jobs are created anywhere in Oregon, our overall economy feels the benefit.

**Measures 82 & 83 will create thousands of jobs – good jobs with health care and other benefits. And those jobs won't just be in Wood Village and Portland: the project's “Oregon First” policy means new business opportunities throughout the state.**

But Measure 82 & 83 aren't just about jobs. Middle class families and those struggling to get by have borne the brunt of cuts to our schools and other vital services.

**Voting “Yes” on these two Measures will make a real difference in every corner of Oregon. They will pump more than \$100 million a year directly into our schools and other critical public services, all without using a penny of taxpayer dollars or subsidies.**

We need more projects like this, and Measures 82 & 83 are a great start. When we have the opportunity to do so much good for so many Oregonians, we should do it.

**Please join the members of NW Oregon Labor Council, AFL-CIO by voting YES on Measures 82 & 83.**

*(This information furnished by Bob Tackett, Northwest Oregon Labor Council, AFL-CIO.)*

## Argument in Favor

**Over \$100 Million each year to support schools, job creation, and natural resources**

With your “yes” vote on Measures 82 & 83, a proposed \$300 million entertainment and casino destination in Wood Village will become a reality, and so will the benefits it creates for all Oregonians.

Once built, the casino will dedicate 25 percent of gross adjusted gaming revenue to support public schools, other vital services, and local communities. **No taxpayer money will be used to build or run this casino.**

**25% of gross adjusted revenues = \$102.8 million in new revenue each year that you'll see in your communities.**

**Every year The Grange will pay an estimated:**

**\$50 million to Public Schools**  
**\$19 million to Job Creation**  
**\$12 million to Parks and Natural Resources**  
**\$9.3 million to neighboring cities — Gresham, Troutdale, Fairview**  
**\$4.1 million to host city Wood Village**  
**\$3.1 million to Local and State Police**  
**\$3.1 million to Oregon Tribes**  
**\$1.9 million to Gaming Addiction Programs**

This investment in Oregon's future will be made without any tax breaks or special deals. On top of the the revenue-sharing with the state, The Grange will pay its fair share of corporate

and property taxes to the tune of \$19 million a year.

**New money for schools. New money for vital services. New money for local communities...when you vote “yes.”**

**YES ON MEASURES 82 & 83  
 GOOD FOR PUBLIC SERVICES  
 GOOD FOR OREGON**

William E Reid  
 Johnson Reid, LLC

*(This information furnished by William E Reid, Johnson Reid, LLC.)*

## Argument in Favor

**A Parent's Perspective on Measures 82 and 83**

I am a parent with a child in Oregon's public schools. I believe in the public school system and want to continue to keep my child enrolled. But I've watched as constant cutting and lack of stable funding have deeply damaged our local schools. Our kids and teachers deserve better. While it won't solve the entire funding problem, the casino will contribute \$100 million annually for schools and vital services throughout the state. It's definitely a step in the right direction.

Stabilizing school funding means that money has to be dedicated to every school district in the state, every year. We must provide the school days, curriculum, programs, and teachers to ensure that students in Oregon can compete in a quickly changing world.

We can't allow one more day to be cut, one more program to be abolished, or one more teacher to be laid off.

The casino will create jobs and income taxes that go to schools. It pushes us toward economic recovery. And it won't cost Oregon taxpayers a single dime.

Please consider the impact on the next generation of Oregon workers and leaders. They are in the classrooms today and they need our support. Please vote yes to bring these vital resources back to Oregon's public schools.

Ross Day  
 Keizer

*(This information furnished by Ross Day.)*

## Argument in Favor

**Measures 82 and 83 Explained**

**Measure 82** is a constitutional measure that allows a tax-paying casino to be built only if it is approved by a separate statewide measure, and only if the local voters approve it, too. This will ensure that Oregon voters are always in control and will always get to vote on whether, when, and where any privately-funded casino can be built.

Owned and operated by an Oregon company, the casino cannot be located within 60 miles of an existing tribal casino. In addition, 25 percent of the facility's adjusted gross gaming revenue will go to the State of Oregon. The casino will cover the cost of regulation by the Oregon State Police and the Oregon Lottery at no cost to taxpayers.

**Measure 83** allows for creation of a new entertainment destination to be built on the site of the former Multnomah Kennel Club in Wood Village, Oregon. It allocates the 25% of gross adjusted revenue share to the State Lottery, to be distributed as voters mandate to schools, job creation, parks and conservation, and problem gaming. Portions are also distributed to Wood Village, Gresham, Troutdale, Fairview, Multnomah County, Oregon tribes, and the Oregon State Police.

Development of the project will create thousands of new jobs. The project will include a hotel, restaurant, public plaza, farmer's market, casino, performing arts venue, and rooftop

dining with views of Mt. Hood.

For The Grange to happen, both Measures 82 and 83 must pass, and the voters of Wood Village have the final say. The voters decide: not the Legislature. In the end, any future tax-paying casino proposal will require both a statewide vote and a local community vote.

Learn more about the Measures at [www.Yeson82and83.com](http://www.Yeson82and83.com)

*(This information furnished by Stacey Dycus, Yes on 82 and 83.)*

## Argument in Favor

### Vote Yes on 82 & 83

These measures create an Oregon Solution to the recently approved Cowlitz Casino 20 miles outside of Portland, in Washington. Without a response, the Cowlitz Casino will extract gaming dollars, jobs and investment from Oregon. Oregon's resources will go to benefit Washington Tribes and their east coast partners.

### Tribal Casinos & Tax-Paying Casinos Can Co-exist

Other states in the country have both tax-paying casinos and video lottery terminals in bars and restaurants – competing with each other to make each other better and give the customer a better experience and a choice. We should not limit ourselves to just tribal casinos and video lottery terminals in Oregon. The Grange is a very different project attracting a different market.

### The Tax-Paying Casino Protects Tribes

Measure 82 & 83 create a 60 mile competitive barrier, so that a tax-paying casino must give all current tribal casinos room to operate. These measures give millions of dollars yearly to tribes in addition to all the other benefits they share and jobs they create.

### The Washington Casino without an Oregon Solution will be Costly

Without a tax-paying casino response in Portland, the Washington Casino will take jobs and hundreds of millions for schools and other resources that could be invested in Oregon.

### Join me in voting YES on Measures 82 & 83 – they are good for ALL Oregonians.

Joe Vricella  
Member of the Grand Ronde Gaming Commission 2005-2008  
Vice Chairmen 2007-2008

*(This information furnished by Joe Vricella.)*

## Argument in Favor

As a resident of Wood Village, I'm extremely worried about the lack of tax base for our city and schools. I'm also very concerned about the economy both here in our town and across the state. That's why I'm supporting Measures 82 & 83.

The past few years have been tough on my family and on this community. Jobs are scarce in East Portland, and each year our public schools have to make difficult choices with fewer and fewer resources. Here in Wood Village we support The Grange. We know it will bring us many desperately needed jobs along with an overall economic boost.

It will be a place that our whole community can feel proud of; I know my family will want to spend time there. The water park, bowling alley, concert hall, shopping, and restaurants will be places that everyone can enjoy. I can't wait to feed my family fresh Oregon produce from the farmer's market and to attend festivals and outdoor concerts at the community plaza. But do you know what I'm most excited about? Good wages,

health care, and other benefits for the people of East County.

Not only that, but it puts money into every school district and every county in the state, including ours. Wood Village and Oregon schools have had a hard time for long enough. This is an opportunity to start turning education funding around.

My community and my kids deserve this, and so do yours. Vote yes with me on 82 & 83.

Gary Lee Moore, Jr  
Wood Village

*(This information furnished by Gary Lee Moore, Jr.)*

## Argument in Favor

### One Hundred Million Dollars Every Year for Schools, Job Creation, and Conservation

#### The Lottery and its Programs Benefit With "Yes" on Measures 82 & 83

State economists have determined that passing Measures 82 & 83 will give more to the State Lottery: 25% of adjusted gross gaming revenue every year = approximately \$100 Million annually

#### OREGON IS PAID FIRST

The 25% of adjusted gross gaming revenue comes off the top. The law requires that money goes first to the state, before paying the investors or anyone else.

#### And it will benefit Oregon's economy:

For the State:

**3,000 construction jobs and 2,000 jobs with health care and benefits - plus funding for schools, job creation, parks, and natural areas.**

For Locals:

**Revenue for community livability, law enforcement, and traffic improvements. Improved property values.**

- **Measures 82 & 83 require the private casino development to pay its fair share of taxes with no special tax breaks.**
- **\$100 million every year can help fund schools and vital services across the state.**
- **Measures 82 & 83 require that The Grange casino be owned by an Oregon company and pay all corporate, property, transportation, and payroll taxes.**

**Oregon needs jobs and money for schools. Passing Measures 82 & 83 can help.**

*(This information furnished by Stacey Dycus, Yes on 82 and 83.)*

## Argument in Favor

### Vote Yes for jobs and our economy. Vote Yes on Measures 82 & 83.

In these tough economic times, Oregon needs projects that will put people back to work. The proposed entertainment and gaming facility in Wood Village will create 3,000 local union construction jobs and once constructed, will provide 2,000 full-time jobs with benefits and health care. On top of that, the development will embrace an *Oregon First policy* of hiring Oregon workers, using Oregon services, showcasing Oregon agriculture, and selling Oregon products.

**We support Measures 82 & 83.** Voting yes will create jobs for our members that will last for two years or more. We know this project is the right thing to do for Oregon, jobs and money for education and vital services are a big deal.

**Please join our organizations and labor unions in voting yes on 82 & 83:**

Oregon State Building and Construction Trades Council  
IBEW #48  
Sheet Metal Workers Local #16  
Bricklayers and Allied Craftworkers Local #1 Oregon  
Kevin Jensen-Business Manager Ironworkers Local 29  
Laborers Local 320 Portland OR  
Cement Masons Local 555  
UA Local 290 Plumbers & Steamfitters  
United Union of Roofers and Waterproofers Local 49  
Liuna Local 296

*(This information furnished by Alan Keser, International Brotherhood of Electrical Workers #48.)*

## Argument in Favor

### Vote Yes on Measure 82

As a panelist in the Citizen Initiative Review for Measure 82, I participated in a 5-day process that allowed me to listen to all of the arguments for and against the measure. I didn't know very much about the Measure so I took the time to really listen to both sides.

After hours of testimony, discussion, questioning and thoughtful consideration, I recommended a **"Yes" vote on Measure 82**. Here's why:

Measure 82 amends the Oregon Constitution to allow the people of Oregon to decide if they want a taxpaying casino. The local community gets a vote as well. Both must pass before the project could go forward. *This would happen every time a casino is proposed.*

Continued deep cuts to schools and other programs throughout the state are unacceptable. But funding for schools in Oregon is unstable and unreliable. This taxpaying casino will provide much needed additional revenue education and other vital services.

Construction and operations for this project will result in thousands of well-paying jobs and property taxes for the East Multnomah County.

It will also be a new tourist attraction that will revitalize the surrounding areas.

It's my opinion that this casino will be a tremendous lift to the City of Wood Village and to the entire state of Oregon.

### Please vote yes on Measure 82.

Gregory L Barren  
US Air Force, E-4 Senior Airman  
US Army, E-5 Sergeant

*(This information furnished by Gregory L Barren.)*

## Argument in Favor

### Vote "Yes" for Oregon jobs. Vote "Yes" on Measures 82 & 83

Parts of Oregon are finally starting to emerge from the recession. But some areas of the state are still looking for that recovery. The Grange is an extraordinary opportunity to bring badly needed jobs to East Multnomah County and give Oregon a shot in the arm with revenue for schools and vital services.

### Measures 82 & 83 are an opportunity for Oregon.

The Grange's economic benefits are clear: 3,000 construction jobs for two years while the development is being built, and 2,000 permanent jobs created to operate the facility once it opens.

## Rebuilding Oregon schools

In addition, The Grange will dedicate \$100 million in annual revenue to fund schools and other vital state services. With schools laying off teachers and cutting school days, this is a dedicated source of funding with no additional tax burden on our already struggling fellow Oregonians.

### Part of the community

A beautiful, \$300 million LEED-certified project will be built with Oregon materials and Oregon labor. The community will enjoy an open plaza, performing arts space, and restaurants with Oregon chefs and Oregon-sourced ingredients. The Grange will be built and run with the values of our state in mind.

### Please join me in voting "Yes" for a revitalized Oregon. Vote "Yes" on Measures 82 & 83.

Bob Shiprack

*(This information furnished by Bob Shiprack.)*

## Argument in Favor

### WANTED: OREGON'S BEST

It's not often that Oregon has the chance to secure \$300 million in private investment into our state. But that's exactly what Measures 82 and 83 will do.

Large private investments create jobs, generate revenue for government, and build stronger communities, and that is what The Grange and measures 82 and 83 are all about.

### CONSIDER THE ECONOMIC FACTS:

- \$300 million of new private investment in Oregon
- 3,000 jobs created for union construction of The Grange, with a two-year payroll of \$82 million
- 2,000 jobs created to run The Grange, with an annual payroll of \$70 million
- Nearly \$20 million generated each year in new local, state, and federal taxes
- \$50 million in new revenues generated each year to support Oregon schools
- No special tax breaks or insider deals from any politician or government agency

### JOIN OREGON'S BEST TODAY

As Oregonians who have been working to develop this project for several years, we want Oregon workers and businesses to benefit first.

That's why we have adopted an **"Oregon's First"** policy — seeking out Oregonians who can help build, operate and supply The Grange. Learn more about the types of jobs that will be needed at The Grange, and see the lists of suppliers and vendors that will be needed at [www.TheGrangeOregon.com](http://www.TheGrangeOregon.com).

At the end of the day, these measures are about finding an innovative way to create good jobs and generate funding at a time when Oregon needs it most.

Matt Rossman and Bruce Studer  
Chief Co-Petitioners of Measures 82 & 83

### THE GRANGE: FUN FOR YOU. GOOD FOR OREGON. YES ON 82 AND 83

*(This information furnished by Bruce Studer.)*

## Argument in Opposition

Two years ago a big foreign-owned gambling conglomerate asked us to amend our constitution to open the door to a statewide expansion of gambling.

### We said NO. Emphatically. It's Bad for Oregon.

Now they're back, trying to convince Oregonians to change our minds. And these measures are even worse--rewriting the constitution to allow for an unlimited number of privately run casinos in communities across Oregon.

#### Bad for Our Communities

- Measures 82 and 83 are bad for Oregon, bad for our economy and bad for our families, amending the constitution just to benefit two rich executives and the foreign corporations backing them.
- They ask voters to approve a Vegas-style mega-casino in Wood Village just outside of Portland, within a mile of elementary schools, parks and playgrounds, bringing gambling and all the things that come with it closer to our children.
- Measure 82 takes it even further. Instead of one Vegas-style mega-casino in the heart of a family neighborhood, it asks us to amend our constitution to allow an unlimited number of privately run casinos in nearly every community, fundamentally changing our culture and quality of life here in Oregon.

#### Bad for Local Oregon businesses

- The backers of measures 82 and 83 make a lot of big promises, but the truth is that these measures rig the system to hurt small businesses and rural communities. They include a loophole that allows them to skip paying taxes on slot and video poker machines at their casino, one restaurants and taverns must pay. That's not fair.

#### Bad for Law Enforcement

- Across our state law enforcement officials are already overburdened. If these measures pass, law enforcement in every county where a casino pops up will have to deal with more crime, more alcohol and drug abuse and more traffic problems as a result – with taxpayers footing the bill.

### Measures 82 and 83 are Still Bad for Oregon

#### Vote no on Measures 82 and 83.

[www.StillaBadIdeaOregon.com](http://www.StillaBadIdeaOregon.com)

*(This information furnished by Paige Richardson, Still A Bad Idea Committee.)*

## Argument in Opposition

### Local small business owners ask you to Vote NO on Measure 82!

Passage of this ballot measure will take money away from small retail businesses in Oregon.

Proponents argue that critics dislike commercial casinos because they will take money away from the Oregon Lottery. However, redirecting funds from the Oregon Lottery is not the main issue. The real issue is about taking money from small businesses across the state.

The casino ballot measures will not limit commercial casinos to the old dog track in Wood Village. Instead, they open the door to commercial casinos all across the state, depleting discretionary spending in areas where the casinos are built.

Instead of spending money in local shops, bowling alleys, movie theaters, restaurants, motels and on other recreational

uses, which boosts a diversified local economy, these casinos will become the main hub for shopping and dining and will reduce many local choices. Although proponents argue that their ultimate goal is to raise state revenue, the measures actually reallocate money from small businesses and the local economy to casino operators.

Proponents also argue that commercial casinos generate additional revenue for schools. However, the state currently collects 75% of the revenues from video lottery, while this casino measure would only contribute 25% of its gaming dollars to the state. So, money spent at the casino generates 50% less revenue for the state than it would at local small businesses.

The fact that the ballot measure would require commercial casinos to contribute only 25% of its gaming dollars to the state demonstrates the underlying purpose of the ballot measure: to create the opportunity for many ambitious entrepreneurs to open commercial casinos across the state.

In 2010 the casino measure was strongly defeated at the polls. Why are we voting on this again?

### Vote NO on Measure 82, AGAIN!

*(This information furnished by Bill Perry, Oregon Restaurant & Lodging Association.)*

## Argument in Opposition

### Measures 82 and 83 will hurt Oregon Tribes

If these measures pass, the massive private casino owned by an out-of-state gambling conglomerate, will seriously disrupt the economic engine that supports the Grand Ronde and all of Oregon's Indian tribes.

### We have worked hard to become self-sufficient, and by supporting our members we have also been able to lessen the burden on local and state government.

It is not long since our rural reservation was a place of sadness, suffering and unrelenting poverty, a place where our adults had lost hope and our children had no future.

### Now our people have jobs rather than relying on welfare.

The tribal casino, the jobs it provides, and the revenue it generates, have brought our community back from the brink.

### We are now able to provide basic health care for tribal members AND members of the local community as well.

### Our agreement with the state created that opportunity, but we did not stop there.

Along with other tribes, we felt a responsibility to the people of Oregon. Together we volunteered to pay the equivalent of the corporate income tax – more than \$100 million so far -- into a fund that supports charities across Oregon. And we are also committed to buying local – 75% of our purchases come from Oregon vendors, large and small.

That's part of our mutual promise with the people of Oregon to work together for the benefit of all of us. That shared commitment has been working well for years.

### Please do not let outsiders and wealthy corporate interests convince you to break that promise.

The future of Oregon's tribal members depends on it.

### Please vote no on Measures 82 and 83.

Council Members, The Confederated Tribes of the Grand Ronde Community of Oregon

Reyn Leno, Tribal Council Vice-Chair  
Kathleen Tom, Tribal Council

Chris Mercier, Tribal Council  
Toby McClary, Tribal Council  
Steve Bobb, Tribal Council  
June Sell-Sherer, Tribal Council  
Jack Giffen, Jr., Tribal Council

*(This information furnished by Paige Richardson, Still A Bad Idea Committee.)*

## Argument in Opposition

As parents we are acutely aware that the decisions we make as a society today can have serious negative impacts on the future of our children and grandchildren.

Like all parents, we want the best possible for our children and grandchildren: good communities, safe neighborhoods, a strong economy and a society based on strong community values.

**Measures 82 and 83 will open the door to a massive expansion of gambling in nearly every Oregon community—** allowing mega-casinos in populated areas near schools and playgrounds, increasing problem gambling and overwhelming local law enforcement—sending a terrible message to our children about our Oregon values.

**This is a bad idea for Oregon’s children and communities.**

**A major casino and the problems that come with it—increased drug use, drinking and crime -- have no place where our children play.** Opening one major Vegas-style casino outside of Portland, as Measure 83 proposes, is a bad enough idea.

**But even more concerning, Measure 82 would change the Oregon constitution to allow big gambling corporations to set their sights on communities across our state.** By rewriting our constitution in this way, they open the door to turning Oregon into the largest gambling destination in the West outside of Las Vegas.

**That might be good for them, but it is not good for us. We already have enough gambling in Oregon.**

Let’s face it. Relying on privately run, Las Vegas-style casino gambling to solve our state’s economic problems is wrong and sends the wrong message to our kids. If, as Oregonians, our best idea to create a brighter economic future is to build casinos and sell ourselves out to gambling, then we have given up—on ourselves, on our communities and on our children.

**We can do better. Vote NO on measures 82 and 83.**

**Chris Baker, Parent  
Suzanne VanOrman, former Executive Director  
Mid-Columbia Children’s Council**

*(This information furnished by Paige Richardson, Still A Bad Idea Committee.)*

## Argument in Opposition

**I oppose the gambling interests that want to build a casino that could reduce school funding, hurt Indian tribes, and undermine families - and which offers a fake promise of “economic development.”**

I have spent the last twelve years fighting the Oregon Lottery because they overpay tavern owners that have video poker machines, instead of giving a bigger percentage of lottery revenue to schools.

Although the Lottery gives too much money to taverns, most of its money does go to the schools. **The casino, on the other hand, would keep most of the money and give just a fraction to schools. That means that for every gambler who switches from the Lottery to the casino, the schools would lose.**

The United States spent two hundred years abusing Indian tribes. Casinos are one of the few ways the tribes can make money. This private casino would compete with the tribal casinos.

**Casinos are not “economic development.”** Economic development is Intel expanding its factory that makes chips that they sell worldwide, bringing new money to Oregon.

**A casino means Oregonians gambling away money they would otherwise spend at restaurants, or on bicycles for their children, or save for the children’s education.**

Please vote no on Measures 82 and 83

Steve Novick

*(This information furnished by Steve Novick.)*

## Argument in Opposition

As a residents of Fairview Oregon, we are proud of our state and proud of the neighborhoods, towns and cities that reflect our character, unique culture and support local independent businesses.

**And we know that we need to do everything we can to protect our quality of life and maintain the local culture that makes Oregon such a great place to live.**

**What we don’t need is big, new casinos plopped down in nearly every community,** bringing with them the increased drug use, alcohol abuse and crime that come with gambling. Especially in these tough economic times when our community police and county sheriffs are already understaffed and overburdened. **We simply can’t afford it.**

Yet foreign-owned Clairvest, one of the companies bankrolling the measures to expand gambling throughout Oregon, has a history of creating projects that increase crime in the neighborhoods where they open casinos.

**A recent Clairvest casino project in Illinois, similar to the one being proposed near Portland, saw 1,400 police and 200 fire calls in one year to just that facility.**

**And Clairvest has repeatedly proved itself to be a distinctly bad neighbor in other parts of the country.** The foreign-owned company has been linked to a **bribery and influence peddling** scandal in New York, has a documented history of **labor disputes** and **sticking taxpayers with the tab** to upgrade safety in their casinos.

**All evidence points to them repeating their track record of focusing on major profits over what is best for the local community.** Already, the backers of this initiative have written in a loophole that allows them to skip paying taxes on slot and video poker machines at their casino.

**Say NO to Measures 82 and 83.**

Our state doesn’t need major casinos that would damage our way of life and irrevocably change the culture of Oregon’s neighborhoods.

Teresa Bright, Glenda Raulerson, Steve Prom  
Neighbors, Fairview Oregon

*(This information furnished by Paige Richardson, Still A Bad Idea Committee.)*

## Argument in Opposition

As the former Chief of Police for the city of Gresham, Oregon, I’d like to tell you some things about Measures 82 and 83.

**The proposed casino location is in a heavily populated community, surrounded by neighborhoods, churches, schools, playgrounds and parks.**

There are a dozen preschool, elementary and middle schools within a two mile radius of the location of the proposed casino.

**We already have significant traffic congestion and safety issues in the area.** We already have two major safety corridors because there are so many accidents on these roads now. The proposed casino would bring thousands of additional car trips onto our neighborhood streets every day with insufficient resources to handle what we have already, much less the increase.

**Let's talk about crime. It goes up around large gambling facilities, especially when they are located in large population centers.** The proposed facility is located in the heart of neighborhoods, business districts and our community.

Clairvest, the company that will own and operate the casino, recently completed a similar project in Illinois. In the year since that casino opened, there were 1,400 police and 200 fire calls just to that one facility. Wood Village, where the first casino would be located, had only 300 reported crimes last year and doesn't even have its own police force

**Public safety in Multnomah County, or any community across the state simply won't be able to keep up.**

Yet, if these constitutional amendments pass, we will have more casinos and law enforcement across Oregon will have to deal with more crime, more alcohol and drug abuse and more traffic problems.

**Please Vote No on Measure 82 and 83**

Carla Piluso, Gresham Police Chief, Retired

*(This information furnished by Paige Richardson, Still A Bad Idea Committee.)*

## Argument in Opposition

**Oregon Governors—Republican and Democrat Urge a "NO" Vote on Measures 82 and 83**

Oregon is different—and proud of it. We've made a name for ourselves as a place for creative ideas, innovation, and providing a quality of life that is envied across the country. Over the years, Oregonians have voted time and again to preserve what makes our state special.

In that tradition, we urge Oregonians to vote "no" on Measures 82 and 83.

**Measures 82 and 83 set a risky precedent and don't belong in our constitution or our Oregon communities.**

Amending our constitution to allow an unlimited number of privately run casinos across Oregon will fundamentally change our state—and not for the better.

**These measures lock private casinos into our Oregon constitution, and open the door to Las Vegas-style gaming across our state.**

If these measures pass the tidal wave of deep pocketed, out-of-state private casino interests would be nearly impossible to stop.

Private casinos will bring big gambling operations and their related problems into many of Oregon's towns and cities, damaging the quality of life so important to our communities and families.

**Measures 82 and 83 hurt our economy, especially in struggling rural parts of the state, and small local businesses.**

Over 75% of purchases for services and supplies at Tribal casinos come from Oregon businesses. Oregon's voter approved lottery returns 64% of its' revenues to Oregonians

through funding for schools, job creation, parks and watershed restoration.

And Tribal casinos give back to Oregon – their community funds have given over \$100 million to Oregon communities and local charities across the state.

In 2010 Oregon voters overwhelmingly voted no to a very similar initiative. We believe that was a wise choice by Oregonians. We urge you to say no again.

**Please vote "no" on Measures 82 and 83.**

Governor Victor Atiyeh  
Governor Barbara Roberts  
Governor Ted Kulongoski

*(This information furnished by Paige Richardson, Still A Bad Idea Committee.)*

## Argument in Opposition

**Oregon Tribes Give Back to Oregon Keep Oregon's Promise to Indian Tribes  
Vote "NO" on Measures 82 and 83**

Like all of the tribes across Oregon, we are committed to honoring our tribal traditions of sharing and giving back to the community. From hiring local workers, creating living wage jobs and buying supplies and services from Oregon businesses.

**Tribal casinos are keeping a promise to Oregonians to be good neighbors and community members.**

**We see ourselves as part of the solution for our local communities who are facing challenges.** And that's why, twelve years ago, we created the Spirit Mountain Community Fund as way to give back even further by setting aside casino profits to help charities across the street.

**In the last 15 years alone, the Spirit Mountain Community Fund has made donations of over \$56 million** to non-profits and charities across Oregon who care for those most in need. Here are just a few of the over 900 organizations we have donated to:

**Boys & Girls Clubs  
Habitat for Humanity  
Doernbecher  
Oregon Special Olympics**

**Oregon Food Bank  
Red Cross  
Dove Lewis  
OMSI**

Spirit Mountain Community Fund takes great pride in giving back to Oregon, and we have a proven record of doing just that. Unfortunately, we don't believe the same can be said for the big corporate backers of Measures 82-83 who have a documented history of taking profits out of state and out of the country.

**Just as we have honored our promise to Oregon, we are hopeful that the state will continue to honor its promise to the Indian Tribes – a community partner with a history of putting Oregon First.**

Protect the Promise.

Vote "no" on Measures 82 and 83

Sho Dozono, Chairperson  
Spirit Mountain Community Fund

*(This information furnished by Paige Richardson, Still A Bad Idea Committee.)*

## Argument in Opposition

**Bottom line: Measures 82 and 83 won't help our schools, and it sends the wrong message to our kids.**

As educators in Oregon public schools, we know how tough things are right now for education funding. We see it daily.

**We also know that authorizing a massive expansion of gambling, and changing the state constitution to allow dozens of casinos across Oregon -- is a terrible idea.**

Yes, the foreign-owned gambling conglomerate pushing these measures makes big promises about how their casino will solve education funding. But that's all it is: a self-serving promise from a company that has a rotten track record elsewhere of promising big and not delivering.

**We teach our kids that if something sounds too good to be true, it probably is.** The slick corporate spin coming from this company – which got caught in a bribery and influence-peddling scandal in New York when its executives promised jobs and campaign contributions to legislators for approving a casino – is simply not credible.

Most of the public revenue generated by this mega-casino will actually be eaten up in increased law enforcement and social costs, and from lost revenue to small businesses and rural communities devastated by this change.

**We must do better than this.** We can find better, more sustainable ways to pay for education and public services. Ways that don't say to our kids that we are addicted to short cuts and quick fixes to solve our problems as measures 82 and 83 do.

**You don't need to be an educator to know that the foreign company putting up millions to back this casino is not interested in education, or in our kids.** They don't care about protecting our unique culture and quality of life.

**All that really matters to them is separating us from our money at their casino.**

Don't believe the hype. Vote NO on 82 and 83.

Shannon Foxley, Educator, School Counselor  
Dan Zelazek, Educator, School Counselor

*(This information furnished by Paige Richardson, Still A Bad Idea Committee.)*



Proposed by initiative petition to be voted on at the General Election, November 6, 2012.

## Ballot Title

# 83

Authorizes privately-owned Wood Village casino; mandates percentage of revenues payable to dedicated state fund

<b>Estimate of Financial Impact</b>	<b>90</b>
<b>Explanation of Estimate of Financial Impact</b>	<b>90</b>
<b>Text of Measure</b>	<b>91</b>
<b>Explanatory Statement</b>	<b>96</b>
<b>Arguments in Favor</b>	<b>97</b>
<b>Arguments in Opposition</b>	<b>101</b>

### Result of “Yes” Vote

“Yes” vote authorizes a single privately-owned casino in Wood Village; requires casino to give percentage of monthly revenue to State Lottery for specified purposes.

### Result of “No” Vote

“No” vote maintains current state of the law, which does not authorize any privately-owned casino within state; tribal casinos authorized pursuant to gaming compacts.

### Summary

Currently, Oregon Constitution prohibits privately-owned casinos within state. Under measure, State Lottery shall issue renewable 15-year lease permitting owner of former Multnomah Kennel Club in Wood Village to operate gaming devices, table games, keno, and other games of chance at that site. Measure would become operative only if constitution is amended to permit privately-owned casinos within state. Casino operator shall pay 25% of adjusted gross revenues monthly to State Lottery. Lottery shall deposit 20% of adjusted gross revenues into Job Growth, Education and Communities Fund (separate from general fund), and 80% in State Lottery Fund. Moneys in the Job Growth fund are apportioned to the incorporated cities adjoining casino, Indian tribes, law enforcement, and gambling treatment services. Other provisions.

### Estimate of Financial Impact

The financial impact of the measure is indeterminate. This measure authorizes a single privately owned casino in Multnomah County. The measure requires a minimum investment of \$250 million in the casino property. The measure sets limits on the number of slot machines and table games at 3,500 and 150, respectively.

If the casino is built, the following direct financial impacts on state and local government will result (millions of dollars):

	Low estimate of impact	High estimate of impact
25% Casino revenue transferred to State and local governments	\$83	\$94
Reduction in State Video Lottery earnings	-\$51	-\$40
Net Revenue to State and local governments	\$32	\$54

The impacts listed above depend on initial assumptions, including a \$300 million investment in the casino property, as well as 2,200 slot machines and 100 table games. To the extent that actual investment and build differ significantly from these assumptions, the impact to state and local governments would also vary. Thus the overall impact of this measure on state and local government revenue is indeterminate.

### Explanation of Estimate of Financial Impact

Currently, the Constitution prohibits legislative approval of casinos in Oregon. The prohibition does not apply to tribal casinos. Another initiative on this ballot seeks to repeal that prohibition. If the constitutional prohibition on casinos is repealed, passage of this measure would allow a casino to be built and operated in Multnomah County. The casino could only be built if voters in the city of Wood Village approve siting of the facility within their city limits by a separate vote. The casino would be licensed and regulated by the Oregon Lottery Commission.

The measure requires the casino to pay 25 percent of its gaming revenues, after prizes, to the State for specified state and local government purposes. This transfer amount is estimated to total between \$83 million and \$94 million per year when the casino is fully operational.

If a casino is built as authorized by this measure, Oregon video lottery revenues are projected to decline because some of the money people currently spend playing video lottery machines may be spent gaming at the new casino instead. Revenues from video lottery games operated by the Oregon State Lottery, after prizes, are projected to decline between \$61 million and \$78 million per year. Because 65 percent of these video lottery revenues are transferred to state and local government, state and local government revenues are projected to decline. The decline is projected to be between \$40 million and \$51 million when the casino is fully operational.

The measure specifies how the State’s share of the casino’s gaming revenues would be allocated for public purposes: 80 percent to the State Lottery Fund and 20 percent to the Oregon Job Growth, Education and Communities Fund. The Oregon Job Growth, Education and Communities Fund is distributed 75 percent to local governments, 15 percent to tribal governments, and five percent each to the Oregon State Police and to the Problem Gambling Treatment Fund. This is different than the current allocation of lottery funds, which is 58 percent for education, four percent for local government, and the remainder for other public purposes.

The proposed casino would have many indirect impacts on state and local government revenues and expenditures, many of which cannot be accurately predicted. New jobs at the casino would generate income tax revenue, but tax revenue would be lost as a result of the loss of video lottery retailers in the area and the loss of jobs in entertainment and other businesses affected by the shift in consumer spending decisions. Property tax revenues in the area would increase. Cost increases for public safety and infrastructure are offset by casino revenues. Hotel tax and Mass Transit payroll taxes would also be affected.

Considering all direct financial impacts that can be estimated, if a casino is built as authorized by this measure, it would generate between \$32 million and \$54 million per year for public purposes.

**Committee Members:**

- Secretary of State Kate Brown
- State Treasurer Ted Wheeler
- Michael Jordan, Director, Dept. of Administrative Services
- James Bucholz, 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.** Sections 1 to 15 of this 2012 Act and the amendments to ORS 320.011, 409.435, 461.100, 461.110, 461.120, 461.150 and 461.190 by sections 16 to 22 of this 2012 Act shall be known as the Oregon Job Growth, Education and Communities Fund Act.

**SECTION 2.** The Oregon Job Growth, Education and Communities Fund is established separate and distinct from the General Fund. Interest earned by the Oregon Job Growth, Education and Communities Fund shall be credited to the Oregon Job Growth, Education and Communities Fund. The moneys in the Oregon Job Growth, Education and Communities Fund are continuously appropriated to the Oregon State Lottery Commission for the allocations required by section 3 of this 2012 Act.

**SECTION 3.** (1) Not later than the tenth day of each month, the gaming operator licensed under section 5 of this 2012 Act shall pay 25% of adjusted gross revenues from the preceding month to the Oregon State Lottery Commission for the purposes of fostering job growth, educational achievement, vibrant local communities, protecting and improving of the natural environment and supporting all federally recognized Indian tribes in Oregon.

(2) The commission shall deposit:

(a) 80% of the adjusted gross revenues from the preceding calendar month into the Oregon State Lottery Fund.

(b) 20% to the adjusted gross revenues from the preceding calendar month into the Oregon Job Growth, Education and Communities Fund, to be allocated as follows.

(A) 45% to the Oregon Department of Administrative Services to be divided into equal payments to the incorporated cities that adjoin the city in which the destination entertainment and casino complex described in section 5 of this 2012 Act is located.

(B) 20% to the Oregon Department of Administrative Services for payment to the incorporated city in which the destination entertainment and casino complex described in section 6 of this 2012 Act is located.

(C) 15% to the Oregon Department of Administrative Services for payment to federally recognized Indian tribes in Oregon, to be used for creating jobs, furthering economic development, financing education and restoring and protecting tribal lands and native fish and wildlife.

(D) 10% to the Oregon Department of Administrative Services for payment to the county in which the destination entertainment and casino complex described in section 6 of this 2012 Act is located, to be used for law enforcement.

(E) 5% to the Department of State Police for deposit to the State Police Account.

(F) 5% to the Oregon Health Authority for deposit to the Problem Gambling Treatment Fund.

(3) The allocations from payments made under subsection (2) of this section are in addition to and not in lieu of any other payments.

(3) As used in this section, "adjusted gross revenue" means the total of all cash and property, except nonredeemable credits, received from the games authorized by section 6 of this Act at the property identified in section 13 of this 2012 Act, less the amount of cash, cash equivalents, credits and prizes paid to patrons of the games.

**SECTION 4.** (1) As used in sections 3, 4, 5, 7, 8, 9, 11, 12, and 14 of this 2012 Act, "gaming operator" means:

(a) The owner of the property identified in section 13 of this 2012 Act, if the owner is the person operating the games authorized by section 6 of this 2012 Act; or

(b) If the owner of the property identified in section 13 of this 2012 Act is not the person operating the games authorized by section 6 of this 2012 Act, the person that the owner authorizes to operate the games.

(2) As used in this section and sections 6, 7 and 9 of this 2012 Act:

(a) "Gaming area" means the physical locations within the destination entertainment and casino complex described in section 5 of this 2012 Act where the games authorized by section 6 of this 2012 Act are in operation or where transactions related to the games occur.

(b) "Gaming employee" means:

(A) A person employed in the operation or maintenance of the games authorized by section 6 of this 2012 Act;

(B) A person employed in a gaming area except for a person engaged exclusively in preparing or serving food or beverages;

(C) A person who manages an activity on the property identified in section 13 of this 2012 Act that is conducted while games authorized by section 6 of this 2012 Act are in operation; and

(D) Any other person who, in the judgment of the Oregon State Lottery Commission, is so regularly employed to work in a gaming area that licensing the person is in the best interests of the public.

**SECTION 5.** (1) The gaming operator must apply to the Oregon State Lottery Commission, on a form prescribed by the commission, for a license to operate the games authorized under section 6 of this 2012 Act. The commission shall issue a 15-year license to the gaming operator if:

(a) The commission determines that:

(A) The gaming operator:

(i) Is a taxable corporation incorporated under the laws of this state; and

(ii) Will, during the term of the license, construct and operate a destination entertainment and casino complex and make an investment of at least \$250 million in the development of the destination entertainment and casino complex on the property identified in section 13 of this 2012 Act.

(B) The individual who will manage the casino for the gaming operator:

(i) Is of good moral character, honesty and integrity;

(ii) Has a good prior record, reputation, habits and associations;

(iii) Has adequate business competence and experience in gaming;

(iv) Does not pose a threat to the public interest of this State or the effective regulation and control of gaming; and

(v) Is in all other respects qualified and found suitable, consistent with the policy of the State as reflected by the Oregon Job Growth, Education and Communities Fund Act; and

(b) The gaming operator makes the payment required by section 15 of this 2012 Act.

(2) If the voters of the incorporated city in which the destination entertainment and casino complex is to be sited have not approved the development of the casino on the site as provided in section 4 (11), Article XV of the Oregon Constitution at the time the commission issues the license to the gaming operator, the commission shall condition the operation of the games on the approval by the voters of the incorporated city.

(3) The commission shall, at the expiration of a license and upon application by the gaming operator, renew the license for an additional 15 years if the gaming operator and the individual who manages the casino for the gaming operator:

(a) Have the qualifications required by subsection (1)(a) of this section; and

(b) Will, during the term of the renewed license, operate the destination entertainment and casino complex on the

property identified in section 13 of this 2012 Act.

(4) The gaming operator must obtain all necessary building and land use permits for the destination entertainment and casino complex described in subsections (1) and (3) of this section.

(5) The commission shall:

(a) Grant or deny the license required by subsection (1) of this section within 60 days of the commission's receipt of the application for the license.

(b) Grant or deny the renewed license required by subsection (3) of this section within 60 days of the commission's receipt of the application for the renewed license.

(6) If the commission denies or refuses to renew the license required by subsections (1) or (3) of this section, the commission shall serve written notice, in the manner prescribed by ORS 183.415, on the gaming operator, directing the gaming operator to:

(a) Notify the Director of the Oregon State Lottery within 30 days of the service of the notice if the gaming operator seeks a review of the proposed denial or refusal to renew the license in the manner provided for contested case proceedings in ORS 183.413 to 183.470; and

(b) Set forth in any notification under paragraph (a) of this subsection the gaming operator's reasons why the license should be granted or renewed.

(7) The gaming operator may obtain judicial review of the commission's order under ORS 183.484.

**SECTION 6.** (1) The gaming operator licensed under section 5 of this 2012 Act may operate on the property identified in section 13 of this 2012 Act any:

(a) Up to 3,500 electronic gaming devices;

(b) Up to 150 table games or other games; and

(c) Keno.

(2) As used in this section:

(a) "Consideration" means:

(A) A token, coin, bill, ticket or other similar object or thing of value; and

(B) Any other thing of value obtained through the use of any electronic payment system except a credit card or debit card.

(b) "Device" means:

(A) Any mechanical or electrical contrivance, terminal, or machine, regardless of whether the contrivance, terminal, or machine is capable of downloading games from a central server system; and

(B) The associated equipment necessary to conduct the operation of the contrivance, terminal, or machine.

(c) "Electronic gaming device" means a device that, upon payment of consideration, whether by reason of skill or the element of chance or both, may deliver to or entitle the person playing or operating the device to receive:

(A) Cash;

(B) Bills, tickets, tokens or electronic credits to be exchanged for cash;

(C) Merchandise; or

(D) Any other thing of value.

(d) "Other games" means any game of chance other than a table game authorized by law, including but not limited to, mixed-use platforms, networking and progressive gaming.

(e) "Table game" means any house-banked game played with cards, dice, equipment or any device, including but not limited to blackjack, twenty-one, poker, craps, roulette, or any variations of these games approved by the Oregon State Lottery Commission.

(4) An electronic gaming device may use spinning reels or video displays, or both.

(5) An electronic gaming device shall:

(a) Theoretically pay out a mathematically demonstrable percentage of all amounts wagered that is not less than 80 percent for each wager available for play on the device.

(b) Be certified by an independent entity as accurate and functioning properly.

(6) Devices authorized under subsection (1) of this section are specifically exempted from the provisions of 15 U.S.C. § 1172.

(7) The Oregon Job Growth, Education and Communities Fund Act neither authorizes nor prohibits the gaming operator from offering games or activities that are lawful under other state laws, including off-race-course mutuel wagering under ORS 462.700 to 462.740.

(8) The gaming operator may not:

(a) Permit a person under 21 years of age to play the games.

(b) Pay winnings from games to a person under 21 years of age.

**SECTION 7.** (1) A gaming employee who works in a gaming area must hold a license issued by the Oregon State Lottery Commission.

(2) The commission may suspend, revoke or refuse to issue to or to renew the license if the commission determines that the applicant:

(a) Does not have a good record of compliance with the gaming laws and rules of this state or of any other state;

(b) Has been convicted of a crime involving moral turpitude or of any gambling or gambling-related offense;

(c) Has violated a rule adopted to implement the Oregon Job Growth, Education and Communities Fund Act; or

(d) Should not, in the best interest of the safety, welfare, health, peace and morals of the people of the state, be permitted a license.

**SECTION 8.** (1) Not later than February of every year, the Oregon State Lottery Commission shall submit to the people, the Governor, and the Legislative Assembly a report on the gambling activities carried out under the authority of this Oregon Job Growth, Education and Communities Fund Act in the preceding year and the disbursements from the Oregon Job Growth, Education and Communities Fund in the preceding year.

(2) The commission may require the gaming operator to provide periodic reports on gaming activities, including but not limited to all financial, business, management, and operating records directly related to the gaming activity on the property identified in section 13 of this 2012 Act.

(3) The commission shall obtain independent audits of:

(a) Financial records directly related to the gaming activity on the property identified in section 13 of this 2012 Act; and

(b) Payments by the gaming operator to the Oregon State Lottery for deposit into the fund.

(4) Subject to section 9 of this 2012 Act, the commission may include a summary of the information obtained under subsections (2) and (3) of this section in the report required by subsection (1) of this section.

**SECTION 9.** (1) Except as provided in subsection (2) of this section, the Oregon State Lottery may not disclose a record to the extent that the record:

(a) Was provided by a confidential source or informant and relates to the background of the gaming operator, a gaming employee, an applicant for a license under section 7 of this 2012 Act or the owner of the property identified in section 13 of this 2012 Act.

(b) Relates to security measures of the Oregon State Lottery, the gaming operator or the owner of the property identified in section 13 of this 2012 Act.

(c) Consists of personal history forms or questionnaires, disclosure forms, or financial statements and records of the gaming operator, a gaming employee, an applicant for a license under section 7 of this 2012 Act or the owner of the property identified in section 13 of this 2012 Act unless the information in the forms, questionnaires, statements or records is information required to be made public by the Securities Exchange Act of 1934 or regulations adopted pursuant to that Act.

(d) Relates to surveillance and security techniques, procedures, or practices of the Oregon State Lottery, the gaming operator or the owner of the property identified in section 13 of this 2012 Act.

(e) Relates to trade secrets or the design of experimental gaming devices and equipment.

(f) Consists of proprietary architectural construction, schematic or engineering plans, blueprints, specifications, computer programs or software, or economic or financial calculations that relate to authorized gaming activities on the property identified in section 13 of this 2012 Act.

(g) Results from or is part of a background investigation of the gaming operator, a gaming employee, an applicant for a license under section 7 of this 2012 Act or the owner of the property identified in section 13 of this 2012 Act.

(h) Relates to an investigation into a possible violation of law or rule for which the Oregon State Lottery has not made a final determination to seek civil or criminal penalties.

(2) The Oregon State Lottery may disclose records described in subsection (1) of this section:

(a) To a law enforcement officer of the United States, this state or of any political subdivision of this state; or

(b) With the consent of the person providing the information in the record.

**SECTION 10.** (1) The Oregon State Lottery Commission may adopt rules necessary to implement the Oregon Job Growth, Education and Communities Fund Act.

(2) To achieve as much consistency as possible in the regulation of gaming activities among the states that permit gaming activities, when adopting rules to implement the Oregon Job Growth, Education and Communities Fund Act, the commission shall give primary consideration to adopting rules that are consistent with the laws and rules adopted in states that permit gaming.

**SECTION 11.** (1) In addition to any other liability or penalty provided by law, the Oregon State Lottery Commission may impose a civil penalty on the gaming operator licensed under section 5 of this 2012 Act for:

(a) Violation of a term or condition of the license issued under section 5 of this 2012 Act; or

(b) Violation of any provision of the Oregon Job Growth, Education and Communities Fund Act or a rule of the commission adopted to implement the Oregon Job Growth, Education and Communities Fund Act.

(2) Before imposing a civil penalty, the commission shall prescribe a reasonable time for elimination of a violation:

(a) Not to exceed 30 days after first notice of a violation; or

(b) In cases where the violation requires more than 30 days to correct, the time that is specified in a plan of correction found acceptable by the commission.

(3) A civil penalty imposed under this section may be remitted or reduced upon the terms and conditions that the commission considers proper and consistent with the public health and safety.

(4) Any civil penalty under this section shall be imposed in the manner provided in ORS 183.745.

(5)(a) After public hearing, the commission by rule shall adopt a schedule establishing the civil penalties that may be imposed under this section.

(b) In imposing a civil penalty pursuant to the schedule adopted pursuant to this subsection, the commission shall consider the following factors:

(A) The past history of the gaming operator incurring a civil penalty in taking all feasible steps or procedures necessary or appropriate to correct any violation.

(B) Prior violations by the gaming operator of statutes or rules pertaining to gaming.

(C) The extent to which the violation poses an immediate threat to the health, safety and well-being of the public.

(c) A civil penalty imposed under this section shall not exceed \$50,000 for each violation.

(6) All civil penalties recovered under this section shall be paid into the State Treasury and credited to the General Fund.

(7)(a) If the commission determines that the imposition of a civil penalty has been insufficient to cause the gaming operator to remedy a violation, the commission may suspend or revoke the license granted under section 6 of this 2012 Act.

(b) Prior to suspending or revoking the license, the commission shall serve written notice in the manner prescribed by ORS 183.415.

(c) The gaming operator shall have 20 days from the date of receiving the notice to make written application for a hearing before the commission.

(d) The hearing, if requested, shall be conducted as a contested case hearing pursuant to ORS 183.413 to 183.470.

(e) Judicial review of an order made after a hearing under this subsection shall be, at the election of the gaming operator, as review of an order in a contested case under ORS 183.482 or as review of an order in other than a contested case under ORS 183.484.

**SECTION 12.** (1) ORS 167.117, 167.122, 167.127, 167.132, 167.137, 167.147, 167.162, 167.164, 167.166, 461.210, 461.215, 461.217, 461.400, 461.445, 461.535, 461.548, 461.725, and 464.250 do not apply to games and gaming authorized by section 6 of this 2012 Act.

(2) The Oregon Job Growth, Education and Communities Fund Act does not repeal or modify existing state or local laws on gambling except that state or local laws that would prohibit, deter or punish the games and gaming authorized by section 6 of this 2012 Act do not apply to the games authorized by section 6 of this 2012 Act.

(3) A local government as defined in ORS 174.116 may not adopt or enforce an ordinance, rule or regulation that limits the authority conferred by the Oregon Job Growth, Education and Communities Fund Act.

(4) Payments by the gaming operator under sections 3 of this 2012 Act are excluded from Oregon taxable income under ORS chapter 317 and 318.

**SECTION 13.** The games authorized by section 6 of this 2012 Act may be offered only at the location of the former greyhound racing site, historically known as the Multnomah Kennel Club, located generally at 944 NE 223rd Avenue, Wood Village, Oregon, 97060, and more specifically described as follows:

A tract of land located in the Northeast and Northwest one-quarters of Section 34 and the Southeast and Southwest one-quarters of Section 27, in Township 1 North, Range 3 East of the Willamette Meridian, in the City of Wood Village, Multnomah County, Oregon, more particularly described as follows:

Commencing at the Southwest corner of the Addison C. Dunbar Donation Land Claim No. 41,

said point being at the center line intersection of N.E. Glisan Street and N.E. 223rd Avenue; thence North 00°09'30" West along the center line of N.E. 223rd Avenue, a distance of 868.27 feet; thence East; a distance of 45.00 feet to a point on the East right of way line of N.E. 223rd Avenue, 45.00 feet from the center line thereof, measured perpendicular thereto, said point being the true point of beginning of the tract herein described; thence North 00°09'30" West along said right of way line, a distance of 764.71 feet to a point on the South line of Stanley Avenue (now vacated) as dedicated in the plat of Wymore; thence South 89°51'24" East along said South right of way line, a distance of 931.36 feet to a point that is at the intersection of said right of way line and a line 121.00 feet East of the West line of Tract 12 of the plat of Wymore; thence North 00°08'07" East, parallel with the West line of said tract, a distance of 360.00 feet to the center line of Leroy Avenue (now vacated) as dedicated in the plat of Wymore; thence North 89°51'24" West along said center line, a distance of 6.00 feet to a point that is at the intersection of the center line of said avenue, and a line 115.00 feet East of the West line of Tract 5 of the plat of Wymore; thence North 00°08'07" East, parallel with the West line of said tract, a distance of 335.00 feet to the South right of way line of Arata Road, 25.00 feet from the center line thereof, measured perpendicular thereto; thence South 89°51'24" East, along said right of way line, a distance of 527.08 feet; thence South leaving said right of way line, a distance of 1214.83 feet; thence South 89°59'50" West, a distance of 459.07 feet; thence South 21°57'20" West, a distance of 110.34 feet; thence South 89°49'21" West, a distance of 30.02 feet; thence South 00°00'19" East, a distance of 138.79 feet; thence West, a distance of 921.64 feet to the point of beginning.

**SECTION 14.** The Oregon State Lottery Commission may expend funds for the administration of the Oregon Job Growth, Education and Communities Fund Act only from the moneys provided by the gaming operator under sections 3 and 15 of this 2012 Act.

**SECTION 15.** (1)(a) Within 30 days after the effective date of this 2012 Act, the Oregon State Lottery Commission shall by order establish the monthly fee needed for the commission to administer the Oregon Job Growth, Education and Communities Fund Act until the gaming operator makes the payment required by section 3 of this 2012 Act.

(b) A gaming operator may obtain judicial review of the order under ORS 183.484.

(2)(a) With an initial application for a license under section 5 (1) of this 2012 Act, a gaming operator shall pay into the Oregon State Lottery Fund the monthly fee determined under subsection (1) of this section.

(b) If the commission denies the application for a license, the commission shall refund the payment made under paragraph (a) of this subsection less the expenses the commission incurred to process the application.

(3) A gaming operator that obtains a license under section 5 of this 2012 Act shall pay the monthly fee determined under subsection (1) of this section every month until the gaming operator makes the payment required by section 3 of this 2012 Act.

**SECTION 16.** ORS 320.011 is amended to read:

320.011. (1) An excise tax is imposed upon every person for the privilege of operating an amusement device within this state. The tax shall be imposed as provided in subsection (2) of this section and ORS 320.012.

(2) The tax shall be \$125 for operating an amusement device during the tax year.

(3) If an amusement device is not in operation in each

quarter of the tax year, the tax imposed under this section shall be prorated, based on the number of calendar quarters in which the amusement device was operating for one day or more.

(4) The tax imposed by this section is in addition to all other excises, taxes, fees or other charges and shall not be used to reduce amounts otherwise accruing to the State Lottery Fund under contracts or agreements with lottery operators or retailers or in any other manner.

**(5) The tax imposed by this section does not apply to the operation of an electronic gaming device authorized by section 6 of this 2012 Act.**

**SECTION 17.** ORS 409.435 is amended to read:

409.435. (1) There is established in the State Treasury, separate and distinct from the General Fund, the Problem Gambling Treatment Fund. All moneys in the Problem Gambling Treatment Fund are continuously appropriated to the Oregon Health Authority to be expended for the prevention and treatment of gambling addiction and other emotional and behavioral problems related to gambling and for the administration of the programs.

(2) The Problem Gambling Treatment Fund shall consist of:

(a) The net proceeds from the Oregon State Lottery allocated to the fund under ORS 461.549;

(b) Moneys appropriated to the fund by the Legislative Assembly;

(c) Moneys allocated from the Oregon Job Growth, Education and Communities Fund under section 3 of this 2012 Act; and

[c/d] Interest earnings on moneys in the [fund] Problem Gambling Treatment Fund.

**SECTION 18.** ORS 461.100 is amended to read:

461.100. (1) The Oregon State Lottery Commission is hereby created in state government.

(2) (a) The Oregon State Lottery Commission shall consist of five members appointed by the Governor and confirmed by the Senate who shall serve at the pleasure of the Governor.

(b) The members shall be appointed for terms of four years.

(c) Vacancies shall be filled within 30 days by the Governor, subject to confirmation by the Senate, for the unexpired portion of the term in which they occur.

(3) At least one of the commissioners shall have a minimum of five years' experience in law enforcement and at least one of the commissioners shall be a certified public accountant. No person shall be appointed as a lottery commissioner who has been convicted of a felony or a gambling related offense. No more than three members of the commission shall be members of the same political party.

(4) The commission shall exercise all powers necessary to effectuate the purpose of this chapter and the Oregon Job Growth, Education and Communities Fund Act. In all decisions, the commission shall take into account the particularly sensitive nature of the lottery and the games authorized by section 6 of this 2012 Act and shall act to promote and insure integrity, security, honesty and fairness in the operation and administration of the state lottery and the games authorized by section 6 of this 2012 Act.

(5) Lottery commissioners shall be eligible for compensation and expenses under ORS 292.495.

(6) Lottery commissioners shall file a verified statement of economic interest with the Oregon Government Standards and Practices Commission and shall be subject to the provision of ORS chapter 244.

(7) The Governor shall select annually from the membership of the commission a chairperson who serves at the pleasure of the Governor. The chairperson or a majority of the members of the commission then in office shall have the power to call special meetings of the commission.

(8) Meetings of the commission shall be open and public in accordance with state law. Records of the commission shall be open and available to the public in accordance with state law. The commission shall meet with the Director of the Oregon State Lottery not less than monthly to make recommendations and set policy, to approve or reject reports of the director, to adopt rules and to transact other business.

(9) A quorum of the commission shall consist of a majority of the members of the commission then in office. All decisions of the commission shall be made by a majority vote of all of the commissioners then in office.

(10) The commission shall prepare quarterly and annual reports of the operation of the state lottery. Such reports shall include a full and complete statement of State lottery revenues, prize disbursements, expenses, net revenues and all other financial transactions involving state lottery funds. The commission shall, not less than annually, contact interested parties, including those named in ORS 461.180 (3), and provide them with such quarterly and annual reports as they may request.

**SECTION 19.** ORS 461.110 is amended to read:

461.110. (1) Upon the request of the Oregon State Lottery Commission or the Director of the Oregon State Lottery, the office of the Attorney General and the Oregon State Police shall furnish to the director and to the Assistant Director for Security such information as may tend to ensure security, integrity, honesty and fairness in the operation and administration of the Oregon State Lottery **and the games authorized by section 6 of this 2012 Act** as the office of the Attorney General and the Oregon State Police may have in their possession, including, but not limited to, manual or computerized information and data.

(2) In order to determine an applicant's suitability to enter into a contract with or to be employed by the Oregon State Lottery, each applicant identified in this subsection shall be fingerprinted. The Assistant Director for security may submit to the Department of State Police and to the Federal Bureau of Investigation, for the purpose of verifying the identity of the following persons and obtaining records of their arrests and criminal convictions, fingerprints of:

(a) With respect to video game retailers, each person for whom ORS 461.300 or an administrative rule of the Oregon State Lottery Commission requires disclosure of the person's name and address;

(b) With respect to lottery vendors and lottery contractors, each person for whom ORS 461.410 or an administrative rule of the Oregon State Lottery Commission requires disclosure of the person's name and address;

(c) Applicants for employment with the Oregon State Lottery; and

(d) With respect to other persons and entities that apply for contracts or have contracts with the Oregon State Lottery, each person for whom ORS 461.300 requires disclosure of the person's name and address and for whom the assistant Director for Security has prepared written reasons, approved in writing by the director, for requiring the confirmation of the person's identity and records.

(3) For the purpose of requesting and receiving the information described in subsections (1) and (2) of this section, the Oregon State Lottery Commission is a state agency and a criminal justice agency and its enforcement agents are peace officers pursuant to ORS 181.610 to 181.712 and rules adopted thereunder.

(4) Enforcement agents, designated as such by the commission, shall have the same authority with respect to service and execution of warrants of arrest and search warrants as is conferred upon peace officers of this state.

**SECTION 20.** ORS 461.120 is amended to read:

461.120. (1)(a) Except as otherwise provided by law, the provisions of ORS 279.835 to 279.855 and ORS chapters 279A, 279B, 279C, 282 and 283 do not apply to the Oregon

State Lottery Commission unless otherwise provided by this chapter.

(b) Officers and employees of the Oregon State Lottery Commission are in the exempt service for purposes of ORS chapter 240 and other related statutes.

(c) ORS 276.004(2), 276.021, 276.093 to 276.098, 276.410 to 276.426, 276.428, 276.440, 291.038, 291.201 to 291.260 and 292.210 to 292.250 do not apply to the Oregon State Lottery Commission.

(d) ORS 293.075, 293.190, 293.205 to 293.225 and 293.275 do not apply to the Oregon State Lottery Commission.

(e) ORS 279A.100 and ORS chapters 659 and 659A apply to the Oregon State Lottery Commission.

(f) Notwithstanding paragraph (a) of this subsection, the provisions of ORS 282.210 shall apply to the Oregon State Lottery Commission.

(2) The commission shall, in accordance with ORS chapter 183, adopt and enforce rules to carry out the provisions of this chapter **and the Oregon Job Growth, Education and Communities Fund Act**.

**SECTION 21.** ORS 461.150 is amended to read:

461.150. (1) The Governor shall appoint a Director of the Oregon State Lottery, subject to confirmation by the Senate, who shall serve at the pleasure of the Governor. The director shall implement and operate a state lottery **and administer the Oregon Job Growth, Education and Communities Fund Act** pursuant to the rules, and under the guidance, of the commission.

(2) The director shall be qualified by training and experience to direct the operations of a state-operated lottery **and to regulate the games authorized by section 6 of this 2012 Act**. No person shall be appointed as lottery director who has been convicted of a felony or any gambling related offense.

(3) The director shall receive such salary as may be set by the commission with the approval of the Governor, and shall be reimbursed for all expenses actually and necessarily incurred in the performance of official duties. The director shall render full-time service to the duties of office.

(4) The director shall, subject to the approval of the commission, perform all duties, exercise all powers and jurisdiction, assume and discharge all responsibilities and carry out and effect the purposes of this chapter **and the Oregon Job Growth, Education and Communities Fund Act**. The director shall act as secretary and executive officer of the commission. The director shall supervise and administer the operation of the Oregon State Lottery in accordance with this chapter, and the rules adopted by the commission. In all decisions, the director shall take into account the particularly sensitive nature of the state lottery **and the games authorized by section 6 of this 2012 Act**, and shall act to promote and insure integrity, security, honesty and fairness of the operation and the administration of the state lottery **and the games authorized by section 6 of this 2012 Act**.

(5) The director shall recommend to the commission the establishment of rules pertaining to the employment, termination and compensation of all commission staff. The rules shall conform to generally accepted personnel practices based upon merit principles. Under the rules so established, the director may set compensation, prescribe the duties and supervise persons so hired. The director may terminate or otherwise discipline persons so hired. No person shall be employed by the state lottery who has been convicted of a felony or any gambling related offense.

(6) If a lottery employee transfers to a state agency that is subject to ORS chapter 240, the employee is entitled to transfer accrued sick leave, adjusted if necessary to reflect the accrual rate in use for management and unrepresented employees under rules of the Personnel Division.

(7) Subject to approval of the commission, the director may appoint, prescribe the duties of and terminate or

otherwise discipline no more than four assistant directors as the director deems necessary. The compensation of each assistant director shall be established by the director subject to approval of the commission. The director shall supervise the assistant directors.

(8) The director and each assistant director shall file a verified statement of economic interest with the Oregon Government Standards and Practices Commission and shall be subject to the provisions of ORS chapter 244.

**SECTION 22.** ORS 461.190 is amended to read:

461.190. (1) The Assistant Director for Security appointed pursuant to the Constitution of the State of Oregon and this chapter shall be responsible for a security division to assure integrity, security, honesty and fairness in the operation and administration of:

(a) The Oregon State Lottery, including but not limited to, an examination of the background of all prospective employees, lottery game retailers, lottery vendors and lottery contractors.

(b) **The games authorized by section 6 of this 2012 Act, including but not limited to, an examination of the background of the gaming operator, the owner of the property identified in section 13 of this 2012 Act and licensees and applicants for licenses under section 7 of this 2012 Act.**

(2) The Assistant Director for Security shall be qualified by training and experience, including at least five years of law enforcement experience, and knowledge and experience in computer security, to fulfill these responsibilities.

(3) The Assistant Director for Security shall, in conjunction with the Director of the Oregon State Lottery, confer with the Attorney General or designee as the Assistant Director of Security deems necessary and advisable to promote and insure integrity, security, honesty and fairness of the operation and administration of the state lottery **and the games authorized by section 6 of this 2012 Act.** The Assistant Director for Security, in conjunction with the director, shall report any alleged violation of law to the Attorney General and any other appropriate law enforcement authority for further investigation and action.

(4) **As used in this section, "gaming operator" has the meaning given that term in section 4 of this 2012 Act.**

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

## Explanatory Statement

The Oregon Constitution currently prohibits the Legislative Assembly from authorizing a casino to operate in this state and for the provisions of this Ballot Measure that relate to gambling to become operative, the Constitution also must be amended. Ballot Measure 82 (IRR 36), also on this ballot, would amend the Constitution to allow these provisions to become operative. Ballot Measure 83 authorizes the operation of a casino at the former Multnomah Kennel Club located in Wood Village. Under this measure, the owner of the former Multnomah Kennel Club property, or the person that the owner authorizes to oversee the operation of the games, must apply to the Oregon State Lottery Commission for a license to operate the games. To qualify for a license, the applicant must be a taxable corporation incorporated in Oregon, invest at least \$250 million in the development of a destination entertainment and casino complex on the former Multnomah Kennel Club property and meet certain other criteria contained in Ballot Measure 82 (IRR 36). A license is issued for 15 years and must be renewed for 15 years if the licensee continues to meet the qualifications for licensure. The measure also requires licensing of persons who are employed to operate or maintain the games, or who are employed to perform certain other duties related to the operation or maintenance of the games.

The owner of the former Multnomah Kennel Club property, or the person that the owner authorizes to oversee the operation of the casino, must make a monthly payment to the Oregon State Lottery Commission. These monthly payments must total 25 percent of the adjusted gross revenues received from the games during the preceding month. The commission must deposit 80 percent of each payment into the Oregon State Lottery Fund and 20 percent into the Oregon Job Growth, Education and Communities Fund, a dedicated fund established by Ballot Measure 83.

Moneys deposited into the Oregon Job Growth, Education and Communities Fund must be allocated to the Oregon Department of Administrative Services for making payments to Wood Village, Oregon and Multnomah County in which the former Multnomah Kennel Club property is located, to Fairview, Gresham, and Troutdale, Oregon that adjoin the former Multnomah Kennel Club property and to federally recognized Indian tribes located within Oregon's borders. Moneys also must be allocated to the Department of State Police for deposit in the State Police Account and the Oregon Health Authority for deposit in the Problem Gambling Treatment Fund.

### Committee Members:

Stacey Dycus  
Greg Peden  
Rob Greene  
Mike Weatherby  
Chip Lazenby

### Appointed by:

Chief Petitioners  
Chief Petitioners  
Secretary of State  
Secretary of State  
Members of the Committee

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



## Argument in Favor

### Vote YES on Measures 82 and 83

#### Oregon Needs Jobs

Oregon is suffering from a stalled economy while we have a construction industry eager and ready to work. A private investment of \$300 million without any taxpayer subsidies is an opportunity to put thousands of Oregonians like myself and my team back to work. It's an opportunity we cannot afford to let pass us by.

#### Oregon Workers First

The passage of Measures 82 and 83 would approve a private investment with no risk to taxpayers that will create 3,000 direct jobs during the construction phase – all Oregon jobs, for Oregonians. And the materials and supplies to construct the development will be from every corner of the state. From concrete, to timber, stonework and plumbing, these two measures will inject \$300 million into our economy and directly benefit citizens who are ready and able to work.

#### Good for Oregon's Economy

The project will not only help our economy with jobs during construction but also going forward, by creating 2,000 well-paying jobs with health benefits to operate the destination, plus millions of dollars each year to maintain the facilities. Additionally, it will attract new money from across the river and from tourists visiting from other states and other countries. That means millions more in tax revenues for Oregon schools, economic development and other vital services, without any new taxes on Oregonians or any risk to Oregon taxpayers.

#### Good Family Fun

With outdoor parks for music, festivals, and markets; family-friendly, locally-sourced restaurants; a water slide, bowling, movies, and casino that pays taxes for schools – everyone can find something to enjoy, from young kids to older adults. In a community outside of Portland that welcomes this new destination and development, Measures 82 and 83 will open the doors of opportunity for new jobs, new revenue for our state, and a fun place to take the family for the day or overnight.

Carl Boden  
Boden Alexander, Portland

*(This information furnished by Carl Boden, CEO, Boden Alexander.)*

## Argument in Favor

### **OREGON'S CONSTRUCTION TRADES URGE YOU TO VOTE "YES" ON MEASURES 82 & 83**

As we struggle to emerge from the recession, few parts of Oregon's economy have been harder hit than the construction industry. There are 25,000 Oregonians in the building trades alone, and over the last few years, unemployment for these people has reached as high as 60%.

#### **Measures 82 & 83 mean jobs, especially good union construction jobs.**

- **Jobs Now** – Building the casino will create more than **3,000** desperately needed jobs, now, when they are really needed. These jobs go beyond our trades; they include local architects, suppliers, and many others.
- **Jobs for the Future** – The casino will also provide **2,000 permanent jobs** for its ongoing operation. These are good jobs with health care and other benefits.
- **Putting Oregon Jobs First** – The project will have an "Oregon First" policy of hiring local workers and Oregon businesses, while purchasing supplies and materials

within the state whenever possible. That will help farmers and businesses around Oregon.

A "Yes" vote on Measures 82 & 83 will create something extraordinary for Oregon: a family destination that we can all be proud of. We will be proud to build it, and you will be proud to enjoy it. And it will give hope and work to Oregonians who have really struggled during this economic crisis.

**Please join us in voting Yes for a better Oregon future.**

#### **Vote Yes on Measures 82 & 83**

John Mohlis  
Oregon State Building & Construction Trades Council

Columbia Pacific Building Trades

*(This information furnished by John Mohlis, Oregon State Building & Construction Trades Council.)*

## Argument in Favor

### SAY YES TO MEASURES 82 AND 83

Dear Fellow Oregonian:

It's easy to lose track of where Wood Village ends and Gresham, Troutdale and Fairview begin, but together they make up East Multnomah County. Unless you live here, you probably just pass through on the way to Portland, Mt. Hood, and the Gorge.

Like the rest of Oregon, we've had our share of tough times, with job losses and businesses closing.

For many years, the Multnomah Kennel Club in Wood Village was home to dog racing. Generations of Oregonians fondly remember the dog track – the racing, the betting, and the fun. But the track closed in 2004, leaving a hole that created economic hardships in our community. The entertainment destination will change all that.

Part of the solution to overcoming tough times for East County – and for the State of Oregon – is to approve measures 82 and 83.

- They bring \$300 million in private investment into our communities and state
- They create thousands of jobs and generate millions for schools and services
- They build an entertainment destination – a family and community project that includes a hotel, local restaurants and pubs, a bowling alley – even a new public plaza for events

**Measures 82 and 83 don't raise taxes or risk taxpayer money.**

#### **The Casino is Good for East County and Oregon. That's why I support Measures 82 and 83, and I urge you to support them too.**

When complete, The Grange will become a destination for Oregonians and visitors alike. It will be built to the highest design standards, consistent with Oregon values.

Even if you don't gamble or never plan to visit, please support measures 82 and 83. Give East County the chance to responsibly create its own future, while helping all of Oregon along the way.

Sheila Ritz  
Former Wood Village City Administrator 1987-2011.

*(This information furnished by Sheila Ritz, Former Wood Village City Administrator 1987-2011.)*

## Argument in Favor

### A Fun Place to Go...If you Vote "Yes" on 82 & 83

As a central Oregon resident, I'm always looking for fun things to do when I head out of town. Hiking and being outdoors is great in nice weather, but we need more fun, family things to do indoors too.

I'm voting "yes" on Measures 82 and 83 because I want to go to the entertainment destination, for the local chefs and Oregon-grown food, the nice hotel and rooftop bar with views of Mount Hood.

Not everything should be in downtown Portland! Those of us coming from the east side will find this a nice place to visit, somewhere we can take our families and meet our friends.

And, what a benefit that we can fund schools with our fun!

I'm a big "Yes" for Measures 82 and 83.

Vote "Yes" and see you there!

Thanks!  
Cliff Cook, Central Oregon

*(This information furnished by Clifford L Cook.)*

## Argument in Favor

### "Yes" on 82 & 83

Dear Voter,

I run a small business here in Wood Village. Since the closure of the Multnomah Kennel Club in 2004, it's been much harder for businesses in Wood Village to get by. As a business-person, I'm very aware of the need for more economic activity in East Multnomah County. This development project is committed to local sourcing of materials, supplies and labor. It's a potential shot in the arm for my business.

"Yes" on 82 & 83 is a vote to support the new entertainment destination in Wood Village. It will be home to an upscale, smoke-free casino; restaurants featuring local chefs and locally produced food and wine; a four-star hotel with a family-friendly water playground; and an outdoor public plaza open to the community for festivals and farmers markets.

### Good for Oregon

The development's boost for the local economy is clear. But equally important are its benefits to our public schools. Each year, The Grange will generate \$100 million in revenue to fund schools and other vital state services. At a time when schools are laying off teachers and cutting days out of the school year, this represents a new, dedicated source of funding without adding any additional tax burden onto our already struggling businesses. The businesses we represent are just as concerned about a healthy school system for educating our workforce as they are about new economic development opportunities. With The Grange, we get both.

The Grange: Good for Oregon businesses. Good for schools.

*(This information furnished by Dino Bertas, Picoberry LLC.)*

## Argument in Favor

### Measures 82 and 83 by the Numbers What Oregon jobs will the entertainment destination create?

**Oregon needs jobs. Measure 83 creates almost 10,000 jobs for Oregon.**

### Building The Grange

Building the casino will take 18-24 months, and Oregon workers will build it:

- 3,000 union construction jobs created
- 2,900 full-time jobs created via direct, indirect, and induced economic activities from construction

### Running The Grange

Good permanent jobs in more than a dozen professional capacities will be created for operations

- 2,000 full-time jobs
- Average salary: \$35,000 with health care and benefits

To learn more about the types of jobs that will be available, and get on our list for more information, go to [www.TheGrangeOregon.com/jobs](http://www.TheGrangeOregon.com/jobs)

### Buying Oregon First

To keep money local, the casino will have a policy to use Oregon companies first for supplying services and products such as:

- Produce and food
- Construction materials
- Professional services

There will be 1,800 full time jobs created from indirect and induced ripple effects of operations at casino.

**Total new jobs created by completion of project: 9,900 full time jobs.**

If you are interested in learning how your company can do business with The Grange, visit [www.TheGrangeOregon.com/Suppliers](http://www.TheGrangeOregon.com/Suppliers).

William E Reid  
Johnson Reid, LLC

*(This information furnished by William E Reid, Johnson Reid, LLC.)*

## Argument in Favor

### Law Enforcement Costs Covered by Measure 83

Few groups are witness to the impact of an economic downturn on a community like law enforcement.

Looking at the world through that lens, it's an easy decision to support the privately funded \$300 million entertainment destination in Wood Village, featuring restaurants, a public plaza, bowling alley, concert hall, and four-star hotel.

**This project does two positive things from a public safety perspective:**

1. It puts thousands of people back to work by reviving the centerpiece of a community, and
2. It injects millions of dollars of new funding into fighting crime without raising taxes on you or any other Oregonian.

Let's start with the benefit of new jobs. A healthy community is made up of healthy individuals – people who make a decent living, support their family, and become invested in a thriving community. During the two years that it will take to build, the construction project will bring steady work to 3,000 Oregonians from the building trades – one of the industries struggling the most to bounce back from the economic downturn. And when it opens its doors, another 2,000 workers will have full-time jobs with health care and full benefits. This development is a multi-million dollar investment in the well-established link between a vibrant workforce and lower crime rates.

In addition to the jobs created, state and local police will also benefit from the revenue.

**The Multnomah County Sheriff's Office will receive about \$2 million per year – that funding alone would replace the \$1.6 million cut from our budget this year.**

And here's the exclamation point: that new revenue will help prevent more cuts to our police force so they can stay on top of criminals – without a single penny raised from taxpayers

and without a single tax break for developers.

From a public safety perspective, this is good for our workforce, good for police — and good for Oregon.

*(This information furnished by Stacey Dycus, Yes on 82 and 83.)*

## Argument in Favor

### Investing in Oregon Vote Yes on Measure 82 & 83

As one of the major investors for The Grange casino and entertainment destination in Wood Village, and a proud Canadian, I'm delighted to have the opportunity to be a part of a project that **invests in the people of Wood Village and the citizens of Oregon**. We look forward to joining the many other out-of-state organizations who have chosen to invest in the state.

Those who put their money into a development project hope for a financial return. My company is no exception. We invest in many jurisdictions outside of Canada and our history and track record show our commitment to building great companies that **contribute to their communities through good jobs** and giving back. That is why we have our **Oregon First** program for jobs and supplies to build and operate the business.

It's important to us to be a positive part of the community. We've made sure that this project will have an area for a **farmer's market, a performing arts space and community meeting rooms** with access to the public. In addition, the casino will give 25% of gross gaming revenue for schools and vital services, including law enforcement and community infrastructure. We believe in being good neighbors.

This entertainment destination will reinvent East Multnomah County and the community of Wood Village. It's a bigger, bolder, and more fun project than the previous gaming proposal with a community plaza, locally sourced restaurants and several entertainment options. We have engaged local design and architectural firms to ensure we create a uniquely Oregon development.

**Please vote yes on Measures 82 and 83 to make this plan a reality. For all of us.**

**Jeff Parr**  
PDX Entertainment Company

*(This information furnished by Jeff Parr, PDX Entertainment Company.)*

## Argument in Favor

I used to work at the Multnomah Kennel Club. It was the number one tourist destination in the State and the social hub of Wood Village for over 50 years.

On race days, people came from near and far to enjoy the races and the atmosphere. The track was groomed, the lawn was manicured, and the grounds were packed with excitement. The track was not just an entertainment and gambling facility: it was a source of employment, where many young people had their first jobs and others worked until retirement. The track was a great part of the community.

The dog races ended eight years ago and now we live as caretakers, looking over what once was. Ever since then the building has faded right along with the excitement. The park has become overgrown, the building is falling apart, and the facility has become a target for vandalism and crime.

Wood Village needs a project to revitalize the community and bring back the excitement, the entertainment, and the jobs to this historic location. The Grange will be a space for the community to gather and a destination for visitors once again.

The jobs created by the project, in the short term and long term, are needed in Wood Village and East County, and the revenue created by the casino is vital for all of Oregon during these tough economic times. The development will encompass the spirit of the Multnomah Kennel Club and carry on the tradition of family-friendly entertainment in the void left when the races ended.

**Please vote yes on BOTH Measures 82 and 83 to help make this a special place that Wood Village can be proud of once more.**

John Thomas  
Caretaker, former Multnomah Kennel Club site  
Wood Village

*(This information furnished by John Thomas.)*

## Argument in Favor

### Measures 82 & 83

#### An Opportunity for Oregon Local Businesses

With the approval of Measures 82 & 83, local Oregon companies will benefit. While it may be outside of Portland, the benefits will be evident from North to South and East to West – from the jobs it creates to the new money it puts into our state to fund schools and other services.

This opportunity is more than a casino – it's an entertainment destination for the entire family done the right way, the Oregon way. At a location once home to the premier tourist attraction in the state – the Multnomah County Kennel Club – this development reinvents a new kind of fun that creates jobs, pays taxes, supports our state schools and other services and gives families and visitors a place to go for a day trip or overnight.

It's also a place that will represent Oregon, from the construction supplies and the hands that put it together, to the Oregon businesses that will provide products, from produce to beef to our famous microbrews and internationally renowned wines.

It has been too many years since a private investor last brought an idea to Oregon, offered to pay for the project in its entirety without a cent from taxpayers, and committed to doing it the Oregon way with Oregon suppliers, vendors and workers.

#### Oregonians should vote Yes for:

- Oregon Products and Goods
- Oregon Jobs
- Oregon Fun

Oregon needs these jobs. We need this opportunity. We need new taxpaying companies that will generate additional money for our schools and other public services. We need this new opportunity. We need The Grange. Vote "Yes" on 82 and 83.

Barry Greenberg  
Ocean Crystal Seafood

*(This information furnished by Barry Greenberg, Ocean Crystal Seafood - President.)*

## Argument in Favor

### Benefiting East Multnomah County

I am the former Mayor of Gresham. Our city is adjacent to Wood Village, where the proposed entertainment center will be located. I ask you to vote "yes" on Measures 82 and 83.

East County has long been in an economic slump. This new employer - a tax-paying company - will start our economy

moving forward again by injecting millions of new dollars into our cities. Jobs created by this project will bring new consumers to small businesses and stores in our communities, which will in turn need to hire new employees to keep up with demand. The resulting economic boost will help revitalize our region—and all these benefits will occur without the developers receiving a single tax break.

Since the economy took a nose dive, our cities, like cities all over the state, have been forced to slash our budgets. We have struggled to maintain adequate funding for vital services.

Wood Village will receive \$4 million every year. Revenue will be dedicated to supporting the surrounding communities, including Gresham, Troutdale, and Fairview. That's \$3 million for each city.

Why now? This project in Wood Village will be a local business, with local investors using Oregon products and services. Once this project is underway, thousands of construction jobs will be available. Upon completion, thousands more jobs with health care and benefits will be here, in East County, for our residents.

Charles Becker  
Former Gresham Mayor

*(This information furnished by Charles J. Becker.)*

## Argument in Favor

**The more than 2,000 full time jobs will pay an average salary of over \$35,000 per year and will include health care and full benefits.**

Health care and good wages are extremely important to me and my family because it means I can do more for my family than just support their basic needs. At the end of the day, I want my kids to have a future, they deserve to go to college. Working at The Grange, will help me to afford to make that dream a reality.

This project will also help prepare my children for college. **Every year The Grange will pay over \$100 million in taxes, over \$50 million of which goes directly to fund Oregon's public school system.** Revitalizing our schools is very important to me.

I am also looking forward to enjoying the development as a destination for my family. I am not much of a gambler, but it will be great to have a place where I can take my children for some family friendly entertainment. I am excited to take them to the bowling alley and I know that they will love the water slides. Maybe I'll take them to their first concert at performing arts venue.

**Please join me in voting "yes" on Measures 82 and 83. It is Fun for You, it is Good for Oregon, and it will benefit Oregon families like mine.**

Tim Lemke  
Parent & Native Oregonian

*(This information furnished by Timothy Lemke.)*

## Argument in Favor

### WOOD VILLAGE MAYOR ASKS YOU TO VOTE YES ON 82 & 83

As mayor of Wood Village, I ask you to vote Yes on Measures 82 & 83 to help make the entertainment destination happen.

The project would be at the site of what used to be the Multnomah Kennel Club, an abandoned dog racing track with easy access to I-84. Years ago, the racetrack provided jobs for east Multnomah County and entertainment for locals and visitors. Now it sits empty and derelict, doing nothing for the community or the state.

Our city will ensure that the project will be a community-oriented entertainment center with a movie theater, water park, shops, a performing arts venue, and a hotel, along with a casino. It would provide fun family entertainment and attract tourists to Oregon.

The casino will be a good neighbor in Wood Village and the surrounding area. Funds dedicated from the project will go directly to law enforcement and to our city for infrastructure and other needs. This Measure provides resources for Wood Village and our neighbors to cover any costs associated with the facility. Learn more at [www.TheGrangeOregon.com](http://www.TheGrangeOregon.com).

Thank you,  
Patricia Smith  
Mayor of Wood Village

*(This information furnished by Patricia Smith.)*

## Argument in Favor

### Sustainable like Oregon

**In Oregon, we respect our environment. It's part of who we are. This is development done the right way.**

### Reclaiming a derelict site.

Abandoned since 2004, the Multnomah Kennel Club buildings and grounds are decaying. The site once attracted thousands of families and visitors each year but is now a dangerous eyesore. The Grange project promises to renew this already developed parcel without extending urban sprawl or requiring zoning changes.

### Repurposing materials.

The Multnomah Kennel Club is a testament to Oregon craftsmanship. Rather than toss away the glass, metalwork and intricate wood structures of the dog park, the project will reclaim these materials and feature them in the design of The Grange.

### Public transportation and traffic.

Transportation infrastructure is already in place in this part of Wood Village. TriMet serves the area with both bus lines and MAX options. In addition, revenue from the development will go to TriMet along with funds for local municipalities for infrastructure, sidewalks, and roadway improvements.

### A LEED Certified Project.

The project developers are committed to creating an entertainment center Oregonians can be proud of. They will be strictly adhering to LEED Standards defined by the Green Building Certifications Institute. Energy efficiency will be part of every design element, sustainable materials will be reused or sourced locally whenever possible, and smart water reclamation, food composting and renewable energy will be standard.

### Money for Water, Parks, and Recreation.

Oregon rightly takes pride in having many high quality parks and recreation areas. By law, about \$12 million a year from this project will go toward protecting clean water across the state, restoring riparian areas and waterways, and maintaining our state and city parks.

### No Cascade Locks Casino.

Environmental organizations oppose a proposed casino in the Columbia Gorge. The Grange project makes it much less likely that the Cascade Locks project will happen, and thus will help preserve Oregon's scenic Columbia Gorge and keep it pristine for years to come.

*(This information furnished by Stacey Dycus, Yes on 82 and 83.)*

## Argument in Opposition

As parents we are acutely aware that the decisions we make as a society today can have serious negative impacts on the future of our children and grandchildren.

Like all parents, we want the best possible for our children and grandchildren: good communities, safe neighborhoods, a strong economy and a society based on strong community values.

**Measures 82 and 83 will open the door to a massive expansion of gambling in nearly every Oregon community—** allowing mega-casinos in populated areas near schools and playgrounds, increasing problem gambling and overwhelming local law enforcement--sending a terrible message to our children about our Oregon values.

**This is a bad idea for Oregon's children and communities.**

**A major casino and the problems that come with it--increased drug use, drinking and crime -- have no place where our children play.** Opening one major Vegas-style casino outside of Portland, as Measure 83 proposes, is a bad enough idea.

**But even more concerning, Measure 82 would change the Oregon constitution to allow big gambling corporations to set their sights on communities across our state.** By rewriting our constitution in this way, they open the door to turning Oregon into the largest gambling destination in the West outside of Las Vegas.

**That might be good for them, but it is not good for us. We already have enough gambling in Oregon.**

Let's face it. Relying on privately run, Las Vegas-style casino gambling to solve our state's economic problems is wrong and sends the wrong message to our kids. If, as Oregonians, our best idea to create a brighter economic future is to build casinos and sell ourselves out to gambling, then we have given up—on ourselves, on our communities and on our children.

**We can do better. Vote NO on measures 82 and 83.**

**Chris Baker, Parent  
Suzanne VanOrman, former Executive Director  
Mid-Columbia Children's Council**

*(This information furnished by Paige Richardson, Still A Bad Idea Committee.)*

## Argument in Opposition

**Oregon Governors—Republican and Democrat  
Urge a "NO" Vote on Measures 82 and 83**

Oregon is different—and proud of it. We've made a name for ourselves as a place for creative ideas, innovation, and providing a quality of life that is envied across the country. Over the years, Oregonians have voted time and again to preserve what makes our state special.

In that tradition, we urge Oregonians to vote "no" on Measures 82 and 83.

**Measures 82 and 83 set a risky precedent and don't belong in our constitution or our Oregon communities.**

Amending our constitution to allow an unlimited number of privately run casinos across Oregon will fundamentally change our state—and not for the better.

**These measures lock private casinos into our Oregon constitution, and open the door to Las Vegas-style gaming across our state.**

If these measures pass the tidal wave of deep pocketed, out-of-state private casino interests would be nearly impossible to stop.

Private casinos will bring big gambling operations and their related problems into many of Oregon's towns and cities, damaging the quality of life so important to our communities and families.

**Measures 82 and 83 hurt our economy, especially in struggling rural parts of the state, and small local businesses.**

Over 75% of purchases for services and supplies at Tribal casinos come from Oregon businesses. Oregon's voter approved lottery returns 64% of its' revenues to Oregonians through funding for schools, job creation, parks and watershed restoration.

And Tribal casinos give back to Oregon – their community funds have given over \$100 million to Oregon communities and local charities across the state.

In 2010 Oregon voters overwhelmingly voted no to a very similar initiative. We believe that was a wise choice by Oregonians. We urge you to say no again.

**Please vote "no" on Measures 82 and 83**

Governor Victor Atiyeh  
Governor Barbara Roberts  
Governor Ted Kulongoski

*(This information furnished by Paige Richardson, Still A Bad Idea Committee.)*

## Argument in Opposition

Two years ago a big foreign-owned gambling conglomerate asked us to amend our constitution to open the door to a statewide expansion of gambling.

**We said NO. Emphatically. It's Bad for Oregon.**

Now they're back, trying to convince Oregonians to change our minds. And these measures are even worse--rewriting the constitution to allow for an unlimited number of privately run casinos in communities across Oregon.

**Bad for Our Communities**

- Measures 82 and 83 are bad for Oregon, bad for our economy and bad for our families, amending the constitution just to benefit two rich executives and the foreign corporations backing them.
- They ask voters to approve a Vegas-style mega-casino in Wood Village just outside of Portland, within a mile of elementary schools, parks and playgrounds, bringing gambling and all the things that come with it closer to our children.
- Measure 82 takes it even further. Instead of one Vegas-style mega-casino in the heart of a family neighborhood, it asks us to amend our constitution to allow an unlimited number of privately run casinos in nearly every community, fundamentally changing our culture and quality of life here in Oregon.

**Bad for Local Oregon businesses**

- The backers of measures 82 and 83 make a lot of big promises, but the truth is that these measures rig the system to hurt small businesses and rural communities. They include a loophole that allows them to skip paying taxes on slot and video poker machines at their casino, one restaurants and taverns must pay. That's not fair.

**Bad for Law Enforcement**

- Across our state law enforcement officials are already overburdened. If these measures pass, law enforcement in every county where a casino pops up will have to deal with more crime, more alcohol and drug abuse and more traffic problems as a result – with taxpayers footing the bill.

## Measures 82 and 83 are Still Bad for Oregon

### Vote no on Measures 82 and 83.

[www.StillaBadIdeaOregon.com](http://www.StillaBadIdeaOregon.com)

*(This information furnished by Paige Richardson, Still A Bad Idea Committee.)*

## Argument in Opposition

### Oregon Tribes Give Back to Oregon Keep Oregon's Promise to Indian Tribes

#### Vote "NO" on Measures 82 and 83

Like all of the tribes across Oregon, we are committed to honoring our tribal traditions of sharing and giving back to the community. From hiring local workers, creating living wage jobs and buying supplies and services from Oregon businesses.

**Tribal casinos are keeping a promise to Oregonians to be good neighbors and community members.**

**We see ourselves as part of the solution for our local communities who are facing challenges.** And that's why, twelve years ago, we created the Spirit Mountain Community Fund as way to give back even further by setting aside casino profits to help charities across the street.

**In the last 15 years alone, the Spirit Mountain Community Fund has made donations of over \$56 million** to non-profits and charities across Oregon who care for those most in need. Here are just a few of the over 900 organizations we have donated to:

Boys & Girls Clubs  
Habitat for Humanity  
Doernbecher  
Oregon Special Olympics

Oregon Food Bank  
Red Cross  
Dove Lewis  
OMSI

Spirit Mountain Community Fund takes great pride in giving back to Oregon, and we have a proven record of doing just that. Unfortunately, we don't believe the same can be said for the big corporate backers of Measures 82-83 who have a documented history of taking profits out of state and out of the country.

**Just as we have honored our promise to Oregon, we are hopeful that the state will continue to honor its promise to the Indian Tribes – a community partner with a history of putting Oregon First.**

Protect the Promise.

Vote "no" on Measures 82 and 83

Sho Dozono, Chairperson  
Spirit Mountain Community Fund

*(This information furnished by Paige Richardson, Still A Bad Idea Committee.)*

## Argument in Opposition

**Bottom line: Measures 82 and 83 won't help our schools, and it sends the wrong message to our kids.**

As educators in Oregon public schools, we know how tough things are right now for education funding. We see it daily.

**We also know that authorizing a massive expansion of gambling, and changing the state constitution to allow dozens of casinos across Oregon -- is a terrible idea.**

Yes, the foreign-owned gambling conglomerate pushing these measures makes big promises about how their casino will solve education funding. But that's all it is: a self-serving promise from a company that has a rotten track record elsewhere of promising big and not delivering.

**We teach our kids that if something sounds too good to be true, it probably is.** The slick corporate spin coming from this company – which got caught in a bribery and influence-peddling scandal in New York when its executives promised jobs and campaign contributions to legislators for approving a casino – is simply not credible.

Most of the public revenue generated by this mega-casino will actually be eaten up in increased law enforcement and social costs, and from lost revenue to small businesses and rural communities devastated by this change.

**We must do better than this.** We can find better, more sustainable ways to pay for education and public services. Ways that don't say to our kids that we are addicted to short cuts and quick fixes to solve our problems as measures 82 and 83 do.

**You don't need to be an educator to know that the foreign company putting up millions to back this casino is not interested in education, or in our kids.** They don't care about protecting our unique culture and quality of life.

**All that really matters to them is separating us from our money at their casino.**

Don't believe the hype. Vote NO on 82 and 83.

Shannon Foxley, Educator, School Counselor  
Dan Zelazek, Educator, School Counselor

*(This information furnished by Paige Richardson, Still A Bad Idea Committee.)*

## Argument in Opposition

As the former Chief of Police for the city of Gresham, Oregon, I'd like to tell you some things about Measures 82 and 83.

**The proposed casino location is in a heavily populated community, surrounded by neighborhoods, churches, schools, playgrounds and parks.**

There are a dozen preschool, elementary and middle schools within a two mile radius of the location of the proposed casino.

**We already have significant traffic congestion and safety issues in the area.** We already have two major safety corridors because there are so many accidents on these roads now. The proposed casino would bring thousands of additional car trips onto our neighborhood streets every day with insufficient resources to handle what we have already, much less the increase.

**Let's talk about crime. It goes up around large gambling facilities, especially when they are located in large population centers.** The proposed facility is located in the heart of neighborhoods, business districts and our community.

Clairvest, the company that will own and operate the casino, recently completed a similar project in Illinois. In the year since that casino opened, there were 1,400 police and 200 fire calls just to that one facility. Wood Village, where the first casino would be located, had only 300 reported crimes last year and doesn't even have its own police force

**Public safety in Multnomah County, or any community across the state simply won't be able to keep up.**

Yet, if these constitutional amendments pass, we will have more casinos and law enforcement across Oregon will have to deal with more crime, more alcohol and drug abuse and more traffic problems.

**Please Vote No on Measure 82 and 83**

Carla Piluso, Gresham Police Chief, Retired

*(This information furnished by Paige Richardson, Still A Bad Idea Committee.)*

## Argument in Opposition

As a residents of Fairview Oregon, we are proud of our state and proud of the neighborhoods, towns and cities that reflect our character, unique culture and support local independent businesses.

**And we know that we need to do everything we can to protect our quality of life and maintain the local culture that makes Oregon such a great place to live.**

**What we don't need is big, new casinos plopped down in nearly every community,** bringing with them the increased drug use, alcohol abuse and crime that come with gambling. Especially in these tough economic times when our community police and county sheriffs are already understaffed and overburdened. **We simply can't afford it.**

Yet foreign-owned Clairvest, one of the companies bankrolling the measures to expand gambling throughout Oregon, has a history of creating projects that increase crime in the neighborhoods where they open casinos.

**A recent Clairvest casino project in Illinois, similar to the one being proposed near Portland, saw 1,400 police and 200 fire calls in one year to just that facility.**

**And Clairvest has repeatedly proved itself to be a distinctly bad neighbor in other parts of the country.** The foreign-owned company has been linked to a **bribery and influence peddling** scandal in New York, has a documented history of **labor disputes** and **sticking taxpayers with the tab** to upgrade safety in their casinos.

**All evidence points to them repeating their track record of focusing on major profits over what is best for the local community.** Already, the backers of this initiative have written in a loophole that allows them to skip paying taxes on slot and video poker machines at their casino.

**Say NO to Measures 82 and 83.**

Our state doesn't need major casinos that would damage our way of life and irrevocably change the culture of Oregon's neighborhoods.

Teresa Bright, Glenda Raulerson, Steve Prom  
Neighbors, Fairview Oregon

*(This information furnished by Paige Richardson, Still A Bad Idea Committee.)*

## Argument in Opposition

### Measures 82 and 83 will hurt Oregon Tribes

If these measures pass, the massive private casino owned by an out-of-state gambling conglomerate, will seriously disrupt the economic engine that supports the Grand Ronde and all of Oregon's Indian tribes.

**We have worked hard to become self-sufficient, and by supporting our members we have also been able to lessen the burden on local and state government.**

It is not long since our rural reservation was a place of sadness, suffering and unrelenting poverty, a place where our adults had lost hope and our children had no future.

**Now our people have jobs rather than relying on welfare.**

The tribal casino, the jobs it provides, and the revenue it generates, have brought our community back from the brink.

**We are now able to provide basic health care for tribal members AND members of the local community as well.**

**Our agreement with the state created that opportunity, but we did not stop there.**

Along with other tribes, we felt a responsibility to the people of Oregon. Together we volunteered to pay the equivalent of the corporate income tax – more than \$100 million so far -- into a fund that supports charities across Oregon. And we are also committed to buying local – 75% of our purchases come from Oregon vendors, large and small.

That's part of our mutual promise with the people of Oregon to work together for the benefit of all of us. That shared commitment has been working well for years.

**Please do not let outsiders and wealthy corporate interests convince you to break that promise.**

The future of Oregon's tribal members depends on it.

**Please vote no on Measures 82 and 83.**

Council Members, The Confederated Tribes of the Grand Ronde Community of Oregon

Reyn Leno, Tribal Council Vice-Chair  
Kathleen Tom, Tribal Council  
Chris Mercier, Tribal Council  
Toby McClary, Tribal Council  
Steve Bobb, Tribal Council  
June Sell-Sherer, Tribal Council  
Jack Giffen, Jr., Tribal Council

*(This information furnished by Paige Richardson, Still A Bad Idea Committee.)*

## Argument in Opposition

**I oppose the gambling interests that want to build a casino that could reduce school funding, hurt Indian tribes, and undermine families - and which offers a fake promise of "economic development."**

I have spent the last twelve years fighting the Oregon Lottery because they overpay tavern owners that have video poker machines, instead of giving a bigger percentage of lottery revenue to schools.

Although the Lottery gives too much money to taverns, most of its money does go to the schools. **The casino, on the other hand, would keep most of the money and give just a fraction to schools. That means that for every gambler who switches from the Lottery to the casino, the schools would lose.**

The United States spent two hundred years abusing Indian tribes. Casinos are one of the few ways the tribes can make money. This private casino would compete with the tribal casinos.

**Casinos are not "economic development."** Economic development is Intel expanding its factory that makes chips that they sell worldwide, bringing new money to Oregon.

**A casino means Oregonians gambling away money they would otherwise spend at restaurants, or on bicycles for their children, or save for the children's education.**

Please vote no on Measures 82 and 83

Steve Novick

*(This information furnished by Steve Novick.)*

Proposed by initiative petition to be voted on at the General Election, November 6, 2012.

## Ballot Title

# 84

Phases out existing inheritance taxes on large estates, and all taxes on intra-family property transfers

<b>Estimate of Financial Impact</b>	<b>104</b>
<b>Explanation of Estimate of Financial Impact</b>	<b>105</b>
<b>Text of Measure</b>	<b>105</b>
<b>Explanatory Statement</b>	<b>106</b>
<b>Arguments in Favor</b>	<b>107</b>
<b>Arguments in Opposition</b>	<b>110</b>

### Result of “Yes” Vote

“Yes” vote phases out existing inheritance/estate taxes on large estates, death-related property transfers, and taxes on certain intra-family property transfers; reduces state revenue.

### Result of “No” Vote

“No” vote retains existing estate/inheritance taxes on estates with value of at least \$1 million; tax on all income-producing intra-family property transfers.

### Summary

Current state law imposes one-time tax on estate of person dying on/after January 1, 2012, if estate’s gross value—determined by federal law as of December 31, 2010—is at least \$1,000,000. Current law taxes income-producing property sales, regardless of parties’ relationship. Measure incrementally phases out estate/inheritance tax, tax on property transfers between “family members” (defined), and tax on property transferred in connection with person’s death; prohibits imposition of such taxes on property of person dying on/after January 1, 2016. Allows state to cooperate with other states and federal government in administering those entities’ estate/inheritance taxes; permits fees on probate and other transactions that may occur following person’s death. Measure reduces state revenues; provides no replacement. Other provisions.

### Estimate of Financial Impact

This measure phases out existing estate taxes, which will reduce state revenue by approximately \$17 million in fiscal year 2013-14, approximately \$43 million in 2014-15, and approximately \$72 million in 2015-16 as Oregon’s existing estate tax is phased out. Thereafter the measure will reduce state revenue by approximately \$120 million per year, depending upon growth in estate values.

This measure also prohibits all taxes on transfers of property between family members, and phases out existing taxes on those transfers. The current amount of those transfers, and the changes that might occur given elimination of taxes on those transfers are unknown, therefore the impact of this part of the measure is indeterminate.



## Explanation of Estimate of Financial Impact

Upon the death of an Oregon resident whose assets are greater than one million dollars, an estate tax is levied at a rate ranging from 10% to 16% of the value of the deceased person's assets that exceed \$1 million. The estate tax does not apply to property inherited by surviving spouses, and up to \$7.5 million in farm, forest or fishing property used in business is also exempt. Approximately one thousand estates are subject to the tax each year, with an average value of about \$3 million.

This measure will reduce the estate tax due by 25% for deaths that occur in calendar year 2013, 50% in 2014, and 75% in 2015, after which the estate tax would be eliminated.

Current Oregon law also imposes a tax on any capital gain on the sale or transfer of assets between individuals, including from one family member to another family member. The measure phases out taxes on the gains from transfers of assets between family members and eliminates them entirely as of January 1, 2016.

### Committee Members:

Secretary of State Kate Brown  
 State Treasurer Ted Wheeler  
 Michael Jordan, Director, Dept. of Administrative Services  
 James Bucholz, Director, Dept. of Revenue  
 Debra Guzman, Local Government Representative

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

## Text of Measure

The People enact the following statute:

Section 1. This Act shall be known as the Death Tax Phase-Out Act.

Section 2. Except as provided in sections 3 and 6 of this 2012 Act, neither the State of Oregon nor any other unit of government in Oregon shall impose a Death Tax.

Section 3. The Death Tax system in place at the time of passage of this Act shall remain in place but shall be phased out. The phase-out shall be based on the amount of tax collectible as of the date of passage of this Act; the amount collectible during the phase-out shall be a reduced percentage of the tax amount collectible just before passage of this Act. The reduced percentage shall apply as to the year in which a person dies.

- a. 75% of the prior tax shall be collectible as to a person who dies in calendar year 2013.
- b. 50% of the prior tax shall be collectible as to a person who dies in calendar year 2014.
- c. 25% of the prior tax shall be collectible as to a person who dies in calendar year 2015.
- d. 0% of the prior tax shall be collectible as to a person who dies on or after January 1, 2016.

Section 4. A Death Tax is:

- a. Any tax imposed on the estate of any decedent, or
- b. Any inheritance tax, or
- c. Any tax imposed on the transfer of property, or any interest therein, to any person, where the transfer is a result of the death of a person, or
- d. Any tax imposed on the transfer of property, or any interest therein, from one family member to another family member, where the family relationship between the transferor and the transferee is within the third degree of consanguinity.

Section 5. For purposes of this Act, "property" includes, but is not limited to, real property, personal property, and intangible property.

Section 6. This Act does not prohibit the state from collecting income taxes payable by an estate while the estate is administered.

Section 7. This Act does not prohibit the state from cooperating in the processing and collection of Death Taxes imposed by another state or territory of the United States as to a person who, at the time of the person's death, may be subject to Death Taxes in such other state or territory. This Act does not prohibit the state from cooperating in the processing and collection of Death Taxes imposed by the federal government.

Section 8. This Act does not prohibit the imposition of fees as to transactions which may occur following the death of a person, such as fees for processing death certificates or for probate proceedings, provided that the fees do not exceed the cost of the goods or services provided as a result of the death of the person.

Section 9. This Act supersedes any Oregon law which imposes any form of Death Tax. Any Death Tax due, under any Oregon law in existence prior to the effective date of this Act, as to a person who died before this Act became effective, remains collectible under the terms of such preexisting law.

Section 10. This Act is effective January 1, 2013.

## Explanatory Statement

Ballot Measure 84 incrementally reduces, and then eliminates, estate tax or other taxes upon transfer of property at a person's death or upon transfers of property among family members. The measure first applies to estates of decedents who die during calendar year 2013. For 2013 estates, the tax is 75 percent of the tax that would be due if the death occurred just before passage of the measure. Under the measure, the amount of tax is reduced by an additional 25 percent for each subsequent year, with no tax on estates of people dying in 2016 or later.

Except for the amount allowed by the phase-out of any existing estate or inheritance tax, the measure prohibits the imposition, by the state or any other unit of government, of any tax upon transfer of property at a person's death or upon transfers of property among family members. The measure does not prohibit fees and income taxes upon estates or cooperation by this state with other states and the federal government in the collection of estate and inheritance taxes.

Current Oregon law imposes an estate tax if a decedent's taxable estate exceeds \$1 million. It does not impose any tax on the first \$1 million in the taxable estate. The law allows estates to take various additional deductions and exclusions before tax is imposed. Current law also allows a credit, under certain conditions, up to \$7.5 million against estate taxes for property that was used by the decedent in a farm, forestry or fishing business. The rate of estate tax is graduated and ranges from 10 percent of the Oregon taxable estate to a marginal rate of 16 percent for Oregon taxable estates that exceed \$9.5 million.

Current Oregon law imposes a tax on certain transfers of property from one family member to another family member. The measure phases out such taxes and eliminates them entirely as of January 1, 2016.

Ballot Measure 84 would take effect January 1, 2013.

### Committee Members:

Kevin Mannix  
Tyler Smith  
Steve Robinson  
Jody Wiser  
Judge Bill Riggs

### Appointed by:

Chief Petitioners  
Chief Petitioners  
Secretary of State  
Secretary of State  
Members of the Committee

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

## Argument in Favor

Let me share a story with you, so you can understand why I believe so strongly that it is important for Oregon voters to end the Oregon Death Tax (estate tax) by voting **Yes on Measure 84**.

We have a family-owned carpet business. Back in 1944, I was a young man helping with the business. My two brothers were serving in the Army and were taken as prisoners of war, so I was the one person left to help out. My father died suddenly. I still remember how hard we had to work to try to save the family carpet business because of the Death Tax which we had to pay. The business barely survived.

Many years later, as a legislator, I heard a state revenue officer talking about the amount of revenues which had come from Death Taxes. At one point, he said the amount of revenue depended upon "whether there was a fortuitous death" in a given tax year. I still wonder whether that revenue official recognized that people have been paying taxes all their lives, and the Death Tax is a double tax. The death may be fortuitous for the tax collector, but it could well be devastating for a family.

Oregon Death Tax revenues constitute less than 1.5% of the General Fund. Even in difficult economic times, such as these, the General Fund grows at least 4% per biennium. Death Tax revenues are not dedicated to any single purpose. Revenues will continue to grow as we phase out the Death Tax and completely eliminate it by January 2016.

But, the main reason I support ending the Oregon Death Tax is that it is an unfair tax which especially harms family-owned business and farms.

Please join me in voting **YES on Measure 84**.

Vic Atiyeh  
Oregon Governor 1979-1987  
Honorary Chairman, YES on 84 Coalition

*(This information furnished by Governor Vic Atiyeh.)*

## Argument in Favor

I am Robert Zielinski, Jr., one of the Chief Petitioners, who, with 132,000 other Oregonians signed petitions to put Measure 84 on the ballot as a citizen initiative.

We are a multi-generation farm family. My parents were farmers. My wife, Pam, and I are farmers. Our kids are now running the farm. We ask you to vote **YES on Measure 84** to help protect Oregon's legacy of family farms.

Measure 84 ends the Oregon Death Tax, officially called the estate tax. This Death Tax cripples families and businesses and farms. We pay taxes all our lives, and then the state imposes a double tax when we die.

In order to pay the Death Tax, many family farmers are forced to sell all or parts of their farms. Generally, farmland must be sold in sizable chunks, not in small parcels.

All family farms give Oregon open space and a healthy food supply here at home. Help protect this legacy, so we can maintain that open space, but also so we do not have to rely on other countries for our food. I urge you to join us in voting **YES on Measure 84**.

Robert Zielinski, Jr.

*(This information furnished by Robert Zielinski, Jr.)*

## Argument in Favor

### AN IMPORTANT MESSAGE FROM THE OREGON FARM BUREAU

**VOTE YES ON MEASURE 84** and help protect our family farms.

Ask a farmer and they'll tell you how unfair the death tax is. **"Work hard all your life, pay your taxes and when you die pay more taxes so that your family can keep their farm they already own."** Is likely what you'll hear.

**Land-rich and cash-poor isn't just a saying, it's the honest truth about farming. The facts of the death tax are that when you die, a good chunk of your farm will have to be sold off in order to pay the tax!**

It's true that Oregon does provide some tax plans that help out farmers. But planning requires hiring an expensive team of lawyers and accountants...something countless farm families cannot afford to do. **The death tax truly impacts those who need the help most – those farmers or ranchers who spend their time working the land.**

### THE OREGON FARM BUREAU SUPPORTS MEASURE 84

#### HERE IS WHY:

**Sell the farm to pay the tax:** Oregon family farms cannot afford to pay the tax.

**The Death Tax Impacts Small and Medium Sized Farms Most:** The farmers who pay Oregon's death tax are the ones who cannot afford to pay for planning. If you cannot afford to pay for planning, how can you afford to pay the death tax?

**The Death Tax is a double tax:** If you work you pay income taxes. If you own property you pay property taxes. These taxes pay for services we all use. Oregon's death tax doesn't go to any specific service! And **paying taxes to keep property you've already paid taxes on is just wrong! It's a double tax!**

**Oregonians can take great pride in the number of family farms in Oregon. But unless we continue to stand together our farms and ranches are in jeopardy.**

### PLEASE JOIN WITH THE OREGON FARM BUREAU

#### VOTE YES ON BALLOT 84.

*(This information furnished by Barry Bushue, President, Oregon Farm Bureau Federation.)*

## Argument in Favor

### Oregon Women for Agriculture and Oregon Women in Timber Ask You to Vote Yes on Measure 84 for Sustainability

For over 40 years, **Oregon Women for Agriculture** has been educating the public about the importance of agriculture and its effect on the economy, on the environment and on Oregon's families. **Oregon Women in Timber** represent the tradition of sustainable, family owned forests. A vote **YES on Measure 84** will secure this tradition to future generations.

Our mottos, "Almost Everything Starts On A Farm" and "Managed Forests Are Forever", are the basis of our education programs and overall mission to communicate the story of today's natural resources. With these programs, we work with our next generation of farmers, ranchers & foresters, to maintain sustainable practices that will allow our sons and daughters to continue our family farms and forests. The Oregon Death Tax works against these future generations by splitting apart the family farms and forests, reducing operating capital, and costing excessive and unnecessary amounts of money to prepare for the death of a loved one.

Family farms & forests are typically multigenerational. The current generation still strives to meet the founding generation's vision, to provide high quality food and fiber for

Oregonians. This is met with sustainable practices, determination, limitless sweat equity and support of family.

Family farms and forests are torn apart by the Oregon Death Tax, quality Oregon family businesses disappear, jobs disappear, families are forced to move, and the list of negatives goes on and on. Voting **Yes on Measure 84** will allow family farms and forests to span generations in Oregon, bringing with them: family values, ethics, consistent quality in food and fiber, and the “don’t give up” attitude. We ask that you Vote **Yes on Measure 84** and support those who have invested their lives in sustainable industries.

*(This information furnished by Marie Bowers, Oregon Women for Agriculture.)*

### Argument in Favor

Oregon’s death tax hurts small businesses, family owned businesses, farms and ranches. It also hurts Oregon’s economy by impeding the ability and motivation for businesses to risk and grow. And of course, if businesses don’t grow they can’t employ Oregonians.

As a small business owner or family farmer, after paying taxes your entire life, the government will take one last piece of your estate in the form of a death tax. This is a double tax since you’ve already paid taxes on the income you earned and on your home, farm or businesses. You’ve paid all these taxes and still you will need to pay more.

Imagine a small business owner, an individual who has worked hard, built something and grew it to where he or she could hire local people to work in the business. They’ve spent a lifetime in the community, contributing to Little League teams, non-profit organizations and other worthy causes. After passing away, their family has to sell the business and all the assets in it just to pay the estate or death tax.

The family is devastated. What was supposed to be a legacy; a multi-generational family-owned part of the community, now must be sold to pay taxes to the government even though a lifetime of taxes have already been paid.

It doesn’t have to be this way. In fact, eliminating the death tax will help create jobs. Eliminating the death tax will encourage new businesses to locate in Oregon and it’s estimated over the next five years may result in 30,000-44,000 new jobs. Since less than 1.5% of the General Fund comes from the current death tax and Measure 84 is structured to phase out the tax gradually, over time the creation of new jobs will generate replacement revenues. After five years, this should completely replace the revenue previously gained from the death tax.

Please vote Yes on Measure 84 to help create jobs and end Oregon’s death tax.

*(This information furnished by John K. Miller, Salem Area Chamber of Commerce.)*

### Argument in Favor

Vote **YES on Measure 84**. It makes good economic sense for Oregon.

The estate tax is a Death Tax. The Death Tax is imposed on all property a person owns when he or she dies. This includes his or her home, furnishings, car, personal belongings, bank accounts, retirement fund, life insurance, and all other assets. The state will impose a tax ranging from 10% to 16% of market value of those assets referred to as your “estate.”

The state allows a \$1 million deduction before it imposes the tax, but the legislature can change the deduction as long as this tax exists. Measure 84 eliminates this tax as of January 1, 2016. Our goal is to establish fairness by eliminating this tax.

These are some of the organizations endorsing Measure 84:

**Albany Area Chamber of Commerce, Janet Steele, President**  
**Bend Chamber of Commerce**  
**Hermiston Area Chamber of Commerce, Nate Rivera, President**  
**Pacific City - Nestucca Valley Area Chamber of Commerce, Doug Olson, Board Member**  
**Roseburg Area Chamber of Commerce, Debbie Fromdahl, President/CEO**  
**Wilsonville Area Chamber of Commerce, Steve Gilmore, CEO**  
**AG-PAC, Roger Beyer, Chairman**  
**Associated Oregon Industries (AOI)**  
**Associated Oregon Loggers, Jim Geisinger, Executive Vice President**  
**Cascade Foothills Grass Seed Growers Association, John Beitel, President**  
**Central Oregon Builders Association, Tim Knopp, Executive Vice President**  
**Oregon Cattleman’s Association, Kay Teisl, Executive Director**  
**Oregon Farm Bureau, Shawn Cleave, Government Affairs Specialist & Many County Farm Bureaus**  
**Oregon Home Builders Association, Jon Chandler, CEO**  
**Home Builders Association of Lane County, Ed McMahon, Executive Vice President**  
**Oregon Hop Growers Association**  
**Oregon Restaurant and Lodging Association, Bill Perry, Vice President of Government Affairs**  
**TJ Reilly of Oregon Small Business Association**  
**Oregon Association of Plumbing Heating Cooling Contractors**  
**Paulette Pyle, Grassroots Director, Oregonians for Food and Shelter**  
**Dave Hunnicutt, Director, Oregonians In Action PAC**  
**Taxpayers Association of Oregon, Jason Williams, Executive Director**

Find the full list on our website <http://endoregondeathtax.com>.

For fairness and for Oregon, please vote **YES on Measure 84**.

*(This information furnished by Ryan J. Kuhlman, Yes on 84 Coalition.)*

### Argument in Favor

#### **ASSOCIATED OREGON INDUSTRIES URGES YOU TO VOTE YES ON MEASURE 84 ELIMINATING OREGON’S DEATH TAX**

**Associated Oregon Industries** urges you to vote **YES on Measure 84** because it makes good economic sense for the people of Oregon and the state of Oregon.

***AOI supports the measure. Working Oregonians, particularly in small business, farming and forestry, pay taxes their whole lives while building their businesses and estates with after-tax dollars. Oregon’s estate tax is yet another tax bill - a double tax on these hardworking families - that can disrupt or break apart businesses by forcing them to liquidate portions of the business or sell land just to pay the tax.***

Elimination of this tax will make Oregon more competitive in the creation of jobs. Since 2001, 31 states have eliminated their Death Taxes. As more states eliminate these taxes, people who want to develop a family business find other states more attractive. Even California no longer has a Death Tax. Instead of investing in more jobs, family-owned businesses and farms are forced to set aside cash, so they can afford to pay the government when a family member dies. An economic study, published in February of this year, indicates that elimination of this tax will lead to the creation of between 30,000 and 44,500 new jobs in Oregon.

Elimination of the Death tax is also good for the state of Oregon, economically. The current Death Tax revenues are less than 1.5% of the state General Fund revenues. According to the same February 2012 economic study, the income tax

revenues from the creation of new jobs will offset any revenues lost from the elimination of the Oregon Death Tax.

Measure 84 does not end the Death Tax overnight. The tax is phased out over three years. This is a balanced approach to allow the state budget to adjust.

**AOI** asks you to please vote **YES on Measure 84** to help create jobs in Oregon.

*(This information furnished by JL Wilson, Associated Oregon Industries.)*

### Argument in Favor

We own a hardware store in Forest Grove. We have worked hard all our lives to build up a quality family business. We own the building, as well as the inventory. In the hardware business, the inventory is the critical element. We pay taxes on all of this every year, so the Death Tax is truly a double tax.

Under the Oregon estate tax (Death Tax) law, our family will be taxed on the market value of all of our assets. This includes the hardware business, itself, and the building and land. We figure that they will have to sell a big chunk of the hardware inventory just to pay the Death Tax, when we die. That leaves them having to carry on the family business without a full inventory. They have no choice, as they cannot refuse to pay these taxes, and the tax must be paid in cash.

If you believe it is important to keep small businesses in our communities and to help them survive, vote **YES on Measure 84**. Ending the Death Tax will help all family businesses survive. Since family businesses provide most of the jobs in Oregon, this will be an important boost to our economy.

Please vote YES on Measure 84.

Dave Easton

*(This information furnished by Dave Easton.)*

### Argument in Favor

#### NATIONAL FEDERATION OF INDEPENDENT BUSINESS/OR AND OREGON SMALL BUSINESS COALITION TEAM TOGETHER TO VOTE YES ON MEASURE 84

**NFIB/OR** supports eliminating the Oregon Death Tax. Since many small businesses are family owned or closely held, they must plan for the estate tax if they want to keep the business operating after the death of the owner. Protecting small business from the estate tax is important to keep Main Street family businesses operating for future generations. Therefore, **NFIB/OR** supports a vote of **YES on Measure 84**

With our united membership, **Oregon Small Business Coalition** represents approximately 40,000 Oregon businesses. Oregon small business owners are struggling to stay competitive and profitable while dealing with growing government mandates, higher taxes, skyrocketing health care costs and quantum increases in liability insurance premiums. Oregon's Death Tax adds to these costs making Oregon even more anti-business. **OSBC** encourages Oregonians to vote **YES on Measure 84**.

The Oregon Death Tax forces family businesses to dedicate operating capital to insurance, lawyers, and financial planners to keep the doors open after the owner dies. This money could be used to create jobs, increase sales and services, and offer raises and/or benefits to their employees. As well, many family businesses do not hold the large quantities of cash necessary to pay the Death Tax, before the 9 month deadline, following the death of the owner.

A vote of **YES on Measure 84** will show these small businesses that Oregonians appreciate the support they give to

our economy and our communities. **NFIB/OR** and **OSBC** ask you to join them in returning that support to these family businesses by voting **YES on Measure 84**.

*(This information furnished by Jan Meekcoms, State Director, National Federation of Independent Business/OR (NFIB/OR).)*

### Argument in Favor

Oregon's estate tax—more appropriately called a “death tax”—is double taxation at its worst. Oregon, instead of sharing its condolences, punishes families with a large tax bill upon the devastating loss of a loved one.

Oregon's death tax confiscates up to 16% of estates larger than \$1 million, money that has already been subjected to income taxes, property taxes, capital gain taxes and interest taxes. The death tax hits our family farms and forests as well as our family-owned businesses struggling in this weak economic recovery. The vast majority of estates hit by the estate tax have less than \$1.5 million in assets -- illustrating that it is families, not the wealthy or corporations, bearing the burden of this tax.

The death tax in Oregon will raise less than 1.5% of Oregon's state revenue in 2012 and the responsible phase-out of this tax over three years will further spur Oregon's economic growth. Family businesses will be able to expand and businesses can be passed from generation-to-generation without Salem coming for its share of the wealth.

Thirty-one states have repealed their death taxes since 2001, recognizing the huge burden placed on small, family-owned businesses. Oregon is one of only three states west of the Mississippi to still have such a tax.

Now it's time to protect the Oregon dream and for Oregon citizens to send a strong message: End Oregon's Death Tax.

*(This information furnished by Karla Kay Edwards, Americans For Prosperity - Oregon.)*

### Argument in Favor

The Oregon Family Farm Association PAC urges you to vote YES on Measure 84.

Our mission is to help Oregon farm families stay in business and thrive. Whether it's the farmer wishing to open a farm stand to sell fresh produce raised on the farm, or the rancher struggling to understand and comply with a new land use regulation that harms his business, the Oregon Family Farm Association PAC works to ensure that Oregon's many farm families have a powerful voice in Salem.

Death taxes strike a painful blow to farm families. Farmers need land to farm. That land is accumulated over decades, and farmed by successive generations of families.

As land is accumulated over time, the value of the farm increases. But many times, the value of the farm is in the land, not in the money generated by farming itself. You've heard of the “land rich, cash poor” farmer? That describes many Oregon farm families.

When the current owner of the family farm dies, and the death tax bill becomes due, if there's not enough money to pay the bill, part of the farm has to be sold. That means that the business suffers for the next generation of the family, and results in a decrease in the size of the business.

And when the death tax is paid, what's left of the farm is passed down, and the next generation dies, the death tax is charged again on the same land. And again, and again.

At a time when Oregon and the rest of the country needs jobs, a policy that makes life more difficult for businesses to thrive isn't wise. Maybe that's why in the last decade, nearly

every state that had a state death tax has repealed it, whether liberal or conservative.

Please vote YES on Measure 84 to end this unfair Death Tax.

*(This information furnished by David J. Hunnicutt, Oregon Family Farm Association PAC.)*

## Argument in Opposition

### Molalla Tree Farmer Says No to Measure 84

Measure 84 won't help family farms... it will cut the services that help us thrive.

The proponents of this measure want you to believe that this is about family farms, but in reality, **family-owned farms worth up to \$7.5 million are already exempt from paying the estate tax.** Only a small fraction of the very largest farms will benefit from this measure.

**What Measure 84 will really do is give the very wealthy a big tax break.** We all need to pay our share and it's time we said no to more tax breaks for the richest two percent.

I've operated my nursery for over 30 years, and I'm proud of the business we've built here. Family-owned farms and small businesses provide thousands of jobs and are the backbone of Oregon's economy.

As a businessman and a proud member of my community, I know firsthand what Oregon's small businesses and families need in order to prosper. We need excellent schools, good roads, fire and police protection, basic health services for those in need, and a university system that supports the needs of our farms and local industries. These are the very things that make Oregon a great place to live and run a business.

Measure 84 would take us in the wrong direction. It will force **hundreds of millions of dollars in cuts to our schools** and the other basic services essential to our communities and our economy.

Please remember that while only the richest two percent of households will get a tax break from eliminating the estate tax, the rest of us will be forced to pick up the costs.

This life-long Oregonian and 30-year family farmer is voting a big NO on Measure 84.

**Jim Gilbert**  
Northwoods Nursery  
Molalla, Oregon

*(This information furnished by Jim Gilbert, Northwoods Nursery.)*

## Argument in Opposition

### Oregon Teachers Urge a No Vote on Measure 84

The American Federation of Teachers-Oregon (AFT-Oregon), representing over 15,000 members working in K-12 schools, community colleges, higher education, and child care, urges a **NO vote on Measure 84.**

Protecting the future of our students is about making important decisions to fund critical services now. Measure 84 would give away at least \$240 million in tax breaks for the wealthy every two years—that's the equivalent of laying off **1,200 K-12 teachers and school professionals.**

**Don't sacrifice the future of our children** in order to give yet another big tax break to millionaires.

One issue that's especially important to us is reducing class sizes. Compelling evidence shows that smaller classrooms make students perform better. Unfortunately, Oregon's class sizes are the **third largest** in the nation, well above the national average. In order to meet the national average, we would have had to hire 9,000 teachers in 2010. Instead, we have cut 7,000 teaching and school employee positions.

As Oregonians, we need to show that we value our students by providing the funding they need to be successful. Measure 84 would take us in the wrong direction by slashing

school budgets even further just to give the richest 2% a big tax break.

We can't afford to give our children less and cheat them out of a chance for a better future. That is why we urge a NO vote on Measure 84.

**Voting NO on Measure 84** means we value our students' education and are willing to invest in our future.

#### **Help Protect Our Future.**

*(This information furnished by David Rives, American Federation of Teachers-Oregon (AFT-Oregon).)*

## **Argument in Opposition**

### **Oregon Nurseryperson Urges a No Vote on Measure 84**

#### **Measure 84 does not benefit small family farms.**

Family-owned farms worth up to \$7.5 million are already exempt from paying the estate tax. This measure only benefits a few very large farms and is really just a tax break for millionaires and wealthy investors. And because this measure will cost **hundreds of millions in cuts every budget cycle, it will hurt the schools and basic infrastructure that businesses and families like ours depend on.**

#### **Vote NO to protect small businesses and critical public services.**

Measure 84 would force devastating cuts to the services we all depend on, with slashes to K-12 school funding, public safety systems, and support for local business development. When we have all been hit hard by the recession, and family farms are struggling, can we really afford another tax break that only benefits a few millionaires?

#### **Protect family farms.**

We at Whitman Farms are urging voters to support small businesses and make a clear statement this election about protecting our shared values and priorities. We need to protect our local communities by stopping cuts to schools, health care, and services that ensure safe neighborhoods. These are the very things small businesses need to thrive, especially in a tough economy.

#### **Vote to Protect Oregon's Priorities Vote NO on Measure 84**

Whitman Farms  
Lucile Whitman – Owner  
(Small Family Farm)

*(This information furnished by Lucile Whitman, Whitman Farms.)*

## **Argument in Opposition**

### **Ecumenical Ministries of Oregon Urges a NO Vote on Measure 84**

As a voice for many in the faith community and a non-profit provider of social services we urge a NO vote on Measure 84. We believe it is fair and just to ask the wealthiest two percent of estates to share in helping us protect the services, schools, and public safety systems that benefit all Oregonians.

#### **We all need to come together to ensure the health, safety and opportunity of all Oregonians.**

Measure 84 has serious consequences for the well-being of our state; it would result in more than \$120 million a year cut from our health care services, our children's schools, and community safety programs.

Faith-based charities and non-profit organizations alone cannot meet the growing needs that exist in Oregon. But

Measure 84 would further impact critical public services that provide hope and dignity to thousands of Oregonians.

#### **Measure 84 shifts the tax burden onto the middle class and increases inequality.**

The biblical Jubilee Year was a way to ensure that society was not characterized by an ever-increasing gap between the rich and the poor that resulted from wealth accumulated endlessly over generations. Today, the estate tax serves a similar purpose. Its elimination would increase inequality and shift the tax burden onto the middle class.

#### **Measure 84 could reduce charitable donations in Oregon at a time of great need.**

Currently, the estate tax provides strong incentives for individuals to donate from their estates to charitable organizations, since such donations sharply reduce estate tax liability. Eliminate the tax and we eliminate the incentives and thus reduce charitable bequests.

#### **Vote NO on Measure 84 and help protect the most vulnerable Oregonians.**

At a time when the state is increasing class sizes, laying off teachers, and cutting critical services, we cannot afford a tax break that benefits so few, but affects so many.

#### **Join with Ecumenical Ministries of Oregon and Vote NO on Ballot Measure 84**

*(This information furnished by Kevin S. Finney, Ecumenical Ministries of Oregon.)*

## **Argument in Opposition**

### **Oregon Educators Say:**

#### **Measure 84 Is A Tax Break For Millionaires That Our Students Can't Afford**

#### **Vote NO on Measure 84**

This measure creates big tax breaks for the richest two percent of estates, while requiring the rest of us to pick up the bill.

The result of another tax break for millionaires would be a cost to the State of more than \$120 million each year; with potentially hundreds of millions more in a new tax shelter for the rich. Measure 84 would force additional cuts to Oregon's schools.

#### **We have a clear decision to make about our shared priorities.**

At a time when the state is increasing class sizes, laying off teachers, and closing schools due to budget cuts, we cannot afford another tax break for millionaires.

Here are some startling facts:

--Oregon has the third largest class sizes in the nation.

--We spend seven percent less on our classrooms than the national average

--Since 2007, we've **cut more than \$500 million from the K-12 budget**, while the amount we're losing in tax breaks and tax loopholes has grown by **\$3.4 billion**.

Since 2010, Oregon has lost 7,000 teachers and school employees due to budget cuts.

It's time to get our priorities straight. Our schools are already shouldering the brunt of funding shortfalls. Oregon's K-12 students can't afford to pick up the costs of another massive tax break for the wealthy few.

#### **Voting NO on Measure 84 will send a clear message about protecting funding that pays directly for our schools and our classrooms.**

**Please join Oregon's Educators in Voting NO on Measure 84**

*(This information furnished by BethAnne Darby, Oregon Education Association.)*

**Argument in Opposition****Vote No on Measure 84!**

Measure 84 eliminates Oregon's estate tax and the \$100,000,000 (one hundred million) it raises. That revenue equals one week of classes for Oregon's 540,000 K-12 students.

This repeal effort is part of a multi-year nationwide effort by America's anti-tax crowd to eliminate the estate tax completely. It has succeeded in about half of our states, including California.

Eliminating the estate tax is part of a larger effort to unfund & privatize "The Commons".

**What's "The Commons"?**

The Commons are the assets that we as a society hold "in common". They are public assets that we all pay for and benefit from, including public schools, libraries, museums, courthouses, jails, roadways, waterways and water, airspace, parks, public utility systems, police forces, firefighters and emergency services. The Commons also includes more ephemeral assets such as our systems of jurisprudence, government & elections. Paying for such systems with public dollars, not private dollars, makes them accessible by all people, not just the rich and powerful.

Fiscal conservatives have long wanted to seize our public assets and turn them over to corporations for private control. One step in doing this is to reduce public funds available to build and maintain The Commons; thus their on-going emphasis on cutting taxes.

This fight is about control, not fairness.

**Who pays Oregon's estate tax?**

"Killing the death tax" is tricky business. People who will never owe estate taxes have to be bamboozled into repealing it.

Oregon's estate tax is levied on estates worth more than \$1 million.

About 32,000 Oregonians die each year, but only about 730 will have an estate over \$1 million. However all 32,000 will have benefited from The Commons during their lifetimes, even the wealthy. Funding cuts to The Commons hurt ALL Oregonians. Examples: reduced library hours, a backlog of court cases, fewer police & firefighters on the streets, dysfunctional schools.

**Vote No on Measure 84**

**Alliance for Democracy, Portland**  
[www.afd-pdx.org](http://www.afd-pdx.org)  
[www.taxfairnessoregon.com](http://www.taxfairnessoregon.com)

*(This information furnished by Joan Horton, CPA, Alliance for Democracy, Portland.)*

**Argument in Opposition**

**Rural Organizing Project  
Urges a No Vote on Measure 84**

**Join the Rural Organizing Project in Supporting Our Communities**

The effects of the recession and resulting budget cuts are felt most in Oregon's rural communities. If Measure 84 is passed, the wealthy will enjoy yet another tax break, while rural Oregon communities will continue to struggle.

**Measure 84 is another tax break for millionaires.**

Let's be clear: This measure does nothing to help family farms. Family-owned farms worth up to \$7.5 million are already largely exempt from the estate tax. It only benefits farms worth over \$7.5 million.

In fact, Measure 84 is really about giving a big tax break to millionaires. Under this measure, the richest 2% would get a tax break, and the other 98% would have to pick up the cost through big cuts to schools, senior care, and public safety.

Eliminating Oregon's estate tax would cost our schools and critical services **more than \$240 million** every two years.

Schools in rural Oregon have been hit especially hard in the last few years. Teachers have been laid off, class sizes have grown, and schools have even been shut down. How are Oregon's rural children supposed to be successful when we are unwilling to support their future? That's why we urge a No on Measure 84.

Saying No to Measure 84 is critical for rural Oregon families. Saying No to Measure 84 is critical for our future.

**Join us in standing up for our communities.**

**Join us in standing up for rural Oregon.**

**Join us in Voting No on Measure 84.**

The Rural Organizing Project is a non-partisan, non-profit organization made up of rural and small-town Oregonians. ROP works to advance democracy in all of Oregon's 36 counties. ROP's mission is to "strengthen the skills, resources, and vision of primary leadership in local autonomous human dignity groups with the goal of keeping such groups a vibrant source for a just democracy."

*(This information furnished by Cara Shufelt, Rural Organizing Project.)*

**Argument in Opposition****Second-Generation Family Farmer Opposes Measure 84**

Thirty-four years ago, my family started building our vineyard near Salem, literally from the ground up. My mother, father, aunt and uncle put their backs into the work and their savings on the line to start a new dream.

In the time since, **Bethel Heights Vineyard** has grown and prospered, and now the second generation is taking over the family business.

Here's what you need to know about Measure 84: **It won't do anything to benefit family farms.** Family farms worth up to \$7.5 million are already exempt from the estate tax. The average farm in Oregon is worth less than \$900,000 (including equipment)—which is far below the threshold.

Instead, what this measure is about is handing over hundreds of millions of dollars in new tax breaks to the richest two percent. There aren't a lot of family farmers in the richest two percent.

Measure 84 only benefits estates worth more than \$1 million—not anybody else. But it will force deep cuts to the services that all Oregonians care about: Our K-12 schools, in-home care for seniors, and public safety.

It could also result in funding cuts to university agriculture extension services, and protections that keep our air and water clean.

As a small business owner, I know that these are the basics that allow us to have a stable customer base. And as a proud Oregonian, I know that these are the things that make this state great.



Family businesses are part of Oregon's rich heritage. This measure will do nothing to help the state's small businesses and farms, but will cut the services we need just to give a tax break to millionaires.

That's just not right.

We need to invest in what matters. Measure 84 will take us in the wrong direction.

**Mimi Dudley Casteel,  
Bethel Heights Vineyard  
Salem, Oregon**

*(This information furnished by Mimi Dudley Casteel, Bethel Heights Vineyard.)*

## Argument in Opposition

**Protect Our Schools**

**Protect Our Communities**

**Protect Our Future**

### Hazelnut Farmer and Former Educator Says NO to Measure 84

I run a hazelnut farm near Beaver Creek, and I have spent 30 years as an educator. As both a farmer and a former teacher, I know that what our state needs most of all right now is to invest in what matters most: Our schools, our kids, and our future.

Measure 84 would cut hundreds of millions of dollars—as much as **\$500 million per year**—from our K-12 schools, universities, in-home care for seniors, public safety, and other basic priorities. That would mean **even larger class sizes, higher tuition costs for college students, and cuts to services that our seniors need** to stay healthy and independent.

In return for these painful cuts, Measure 84 would give a massive tax break to the richest 2%. This measure only benefits millionaires, while the rest of us will be forced to pick up the tab.

You should know: Measure 84 does nothing to help family farms. Family-owned farms already get an exemption from the estate tax on up to \$7.5 million of their value. That means that Measure 84 only benefits farms worth more than \$7.5 million—those are very, very large farms.

In reality, this measure is about giving away **a tax break to millionaires so they can avoid paying taxes** on their accumulations of wealth.

Measure 84 takes Oregon in the wrong direction. We need to invest in our schools so that our kids and our state are ready to take on the challenges of the new economy.

**I'm voting No on Measure 84, and I hope you will too.**

**Rex Hagans  
Hazelnut Farmer  
Canby, Oregon**

*(This information furnished by Rex Hagans, Hazelnut Farmer.)*

## Argument in Opposition

**Protect Quality Care in Oregon**

**Vote No on Measure 84**

**Join the Elders in Action Commission in voting No on Measure 84**

**Measure 84 would cut the services we all need the most.**

Measure 84 is a massive tax break that only benefits estates worth more than \$1 million, but would force painful cuts to our senior care services, our schools, and other critical services.

For some elders and their caregivers, these cuts could mean the loss of assisted living programs, medication and housing affordability programs, and other vital services that allow our seniors to maintain their dignity and choice in their homes and communities.

Measure 84 would give a big tax break to the wealthy few, and the costs would be picked up by seniors, people with disabilities, and families struggling to make ends meet.

### Who benefits from Measure 84?

- Estates worth more than \$1 million - the richest two percent.

### Who will be negatively affected by Measure 84?

- Seniors and people with disabilities will be hit hard by massive cuts to the critical services they rely on
- Middle-class families will shoulder the burden of millions in cuts to Oregon's critical services that keep our communities healthy and safe
- Our kids will suffer from more cuts to school funding, with continued reduction in pay for teachers and programs

### A tax break for millionaires. The rest of us pay the cost.

The implications for Oregon's future are clear: by cutting services that keep our seniors active participants in the economy, the quality of life for Oregon's elders will decline and their spending power within the state will diminish.

**Let's make sure Oregon's elders, families and communities have the care and services they need and deserve. Vote No on Measure 84.**

*(This information furnished by Steve Weiss, Chair, Elders in Action Commission.)*

## Argument in Opposition

### Vote No on Measure 84.

We are already cutting schools, health care and public safety across the state, and instead of dealing with those problems this measure would add to them by giving the richest 2 percent of Oregonians a huge tax break. Then the rest of us in the 98 percent will have to pick up the tab for those that would inherit millions of dollars. Only estates over \$1 million would be affected. **We can't afford tax giveaways to millionaires.**

The members of the American Federation of State, County and Municipal Employees (Oregon AFSCME Council 75) work hard in the public service. We are drug treatment counselors, corrections officers and other state and local government workers. We stand united opposing this measure. **Why should we give huge tax breaks to millionaires when we are barely able to fund basic services?**

Pleased don't be fooled by advertising — this measure isn't protecting the family farm. We already have protections for family farms in Oregon law. **The proponents of this measure are hiding behind farmers to give tax breaks to millionaires.** Don't let them.

Oregon's tax laws are already full of tax breaks for corporations and the rich — we don't need any more. This won't protect family farms and it has other hidden consequences. The proponents don't mention it, but Measure 84 also contains a loophole that allows millionaires to avoid taxes by moving money to distant relatives. **Can Oregon afford giving millionaires even more tax breaks while middle class people are struggling?**

We need to keep Oregon as fair as possible and not give those with the most even more.

Please Vote **NO** on Measure 84.

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

## Argument in Opposition

### Oregon's Nurses Urge a NO Vote on Measure 84

#### Protect health care coverage for Oregon families.

By eliminating estate taxes for millionaire estates, Measure 84 will cost our state more than \$240 million every two years, forcing additional budget cuts to health care, education, and public safety. It will also cost these basic services millions more by creating a new loophole that will allow wealthy families to avoid paying taxes on property transfers.

#### Measure 84 would hurt Oregon's most critical services.

Measure 84 eliminates estate taxes, which are currently only paid on estates over one million dollars, or two percent of all Oregon estates. At a time when we're constantly cutting the basic health services that allow our communities to thrive and keep people healthy, we simply cannot afford another big tax break.

Voting NO on Measure 84 will help prevent cuts to health services and other vital state services that Oregonians depend on. These cuts would likely have the greatest impact on our most vulnerable citizens.

#### Voting NO is the right thing to do for a healthier Oregon.

Oregon's nurses are on the front lines keeping our families and communities healthy. Our priority is the safety and well-being of our patients, and improving health, and health care, for all Oregonians. This is why we strongly urge a NO vote on Measure 84.

As nurses, we urge a **NO Vote on Measure 84**. Help protect millions in funding for Oregon's most essential services.

(This information furnished by Sarah Baessler, Oregon Nurses Association.)

## Argument in Opposition

### Democratic Party of Oregon Urges a No Vote on Measure 84

#### Protect what matters most by voting No on Measure 84.

We believe the choice is clear: Should the richest 2% get yet another big tax break, or should we protect our schools, health services for seniors, and public safety?

Measure 84 would eliminate estate taxes for estates worth more than \$1 million, and not anyone else. It would result in hundreds of millions of dollars cut from our K-12 schools and basic care for seniors and people with disabilities. These cuts would come at the worst possible time, when we've already cut too much from the services that middle-class families and small businesses need.

For too long, our schools, our children, and our services have suffered in order to give tax breaks to large corporations and the rich. The wealthy do not need yet another tax break. Measure 84 would not only give them another tax break, but it would also place yet another burden on struggling Oregonians through continued cuts to schools and other vital services.

#### Vote No on Measure 84 to stop this massive tax break for the richest 2%!

We can't afford yet another tax break that benefits the richest 2% while the other 98% is forced to pay the costs.

This is another bad idea from initiative profiteer Kevin Mannix, who has made a living by exploiting the initiative system for his own gain.

We need solutions that protect all Oregonians, not just millionaires.

#### Help Us Move Forward.

#### Please join us in Voting No on Measure 84.

(This information furnished by Trent Lutz, Democratic Party of Oregon.)

## Argument in Opposition

### Oregon Alliance for Retired Americans Urge a No Vote on Measure 84

#### Join the Oregon Alliance for Retired Americans in Voting to Protect Vital Services for Our Seniors

Our coalition of community-based and retired union organizations in Oregon **rejects Measure 84**.

The Oregon Alliance for Retired Americans' first priority is the health and economic security of older Americans. Protecting and securing quality services for our seniors means funding those services. Measure 84, which would create a tax break that only benefits millionaires, would seriously jeopardize our ability to ensure the security of our seniors.

#### We can't afford another tax break that only benefits the wealthy.

In an environment of ongoing budget cuts, it is critical that we make tough choices. This, however, is NOT a tough choice. This is a choice between giving the wealthy an enormous tax break, or funding essential programs for Oregon's seniors.

Measure 84 would eliminate the estate tax just for estates worth more than \$1 million. This would cost our schools, health care services, and public safety more than \$240 million every two years, plus hundreds of millions more lost due to a new tax shelter for rich families hidden in the measure.

Not only would programs for seniors be cut, but programs for our children, our grandchildren, and people with disabilities would all be threatened by this unnecessary tax break. Why place another burden on those most vulnerable during these tough economic times? The richest 2% do not need yet another tax loophole that the rest of us have to pay for.

#### Help Put Our Seniors First

#### Please join us in Voting No on Measure 84

(This information furnished by Scott Blau, Oregon Alliance for Retired Americans.)

## Argument in Opposition

### SEIU Local 503 and SEIU Local 49 Urge a No Vote on Measure 84

#### Measure 84 is a tax cut for millionaires, and the rest of us will have to pay the cost.

For too long, Oregon's seniors and middle-class families have shouldered the burden of paying for our schools and our basic services, while tax breaks for large corporations and the rich have grown out of control.

Measure 84 would give the richest 2% another massive tax loophole that would allow them to avoid paying taxes.

That would force cuts to critical services like:

- In-home care for seniors and people with disabilities
- Health care services that keep our communities healthy
- Child welfare programs that protect vulnerable kids
- Local schools, which provide a lifeline for many young people

We can't sacrifice the services that middle-class families depend on just to benefit millionaires.

Measure 84 eliminates estate taxes only for estates worth more than \$1 million. This measure gives us an opportunity to make a decision about our priorities: Protecting our most vulnerable citizens, or creating a new tax shelter for the rich?

### Vote No on Measure 84

Who would benefit from Measure 84?

- The wealthiest 2% of Oregonians would benefit
- Those with estates worth more than \$1 million would benefit

Who would pay the costs of this millionaire tax break?

- The rest of us

Let's protect Oregon's middle-class families.

Let's protect our children, our seniors, and our communities.

Let's protect what matters most.

### Vote No on Measure 84

There are over 60,000 SEIU members in Oregon - frontline workers who help deliver the vital services we all count on every day.

*(This information furnished by Jessica Stevens, SEIU.)*

## Argument in Opposition

**Oregon League of Conservation Voters  
Opposes Measure 84**

**Help Us Protect and Preserve Oregon's  
Unique Quality of Life**

OLCV urges you to vote NO on Measure 84. Opposing Measure 84 would help protect our natural legacy and ensure that Oregon's unique quality of life is preserved for our children and grandchildren.

Measure 84 eliminates estate taxes for the richest two percent of estates, and passes the burden of massive cuts to everyone else.

The state's budget has already been cut to the bone, and we cannot afford another tax break that benefits a few millionaires while leaving us to suffer from the loss of critical services.

Measure 84 is a massive tax break for millionaires. It would cost more than \$120 million each year and contains hundreds of millions more in a hidden tax loophole for the rich. Paying for this massive tax break for millionaires would require additional budget cuts and jeopardizes critical services that keep our air and water clean.

We have a clear decision this election to make it about our shared priorities and the legacy we want for our children. **That choice is only possible if we come together and vote NO on Measure 84.**

By voting NO we can preserve programs protecting Oregon's environment and our health such as:

- Water quality monitoring to ensure safe drinking water for our families
- Air quality and air toxics monitoring to protect our most vulnerable
- Developing Oregon's clean energy economy to bring good jobs to our state
- Ensuring that recreation is accessible for all Oregonians both today and tomorrow

**Join the Oregon League of Conservation Voters in  
Voting NO on Measure 84.**

The Oregon League of Conservation Voters is a non-partisan organization dedicated to protecting Oregon's natural legacy by electing environmental champions, passing strong pro-conservation laws, and by holding all of our elected officials accountable.

*(This information furnished by Doug Moore, Oregon League of Conservation Voters.)*

## Argument in Opposition

**Measure 84 essentially repeals much of the taxes that rich people pay in Oregon:** Estate taxes, and income taxes on the sale of property.

Fewer than three percent of Oregon estates incur an Estate Tax (over \$1 Million of taxable property or \$7.5 Million for most family farms, tree lots, or fishing boats), so **this measure will only benefit a rich few.**

Worse yet, **Measure 84 adds a giant new loophole** in our income tax by allowing rich people to avoid the income tax on appreciated property in most cases. **Rich people already pay a smaller percentage of their income in state and local taxes** than middle class and low income individuals and families, even without this loophole.

**If Measure 84 passes, the rich will pay no taxes to Oregon on large estates and will escape much of the annual income tax they pay now. Middle-class families will pay the cost of this huge tax break through more cuts to K-12 schools, colleges, senior care, and public safety.**

If you think that rich people should pay less in taxes than middle class and poor Oregonians, as a percentage of income, then you might consider voting yes. Otherwise, **vote "NO"**.

If you believe that much of the money inherited by rich people should never be taxed at all, you should consider voting yes, otherwise **vote "NO"**.

If you think our schools, community colleges, universities, long term-care for seniors, and public safety system are over-funded and cutting up to \$750 million or more from the services our kids and seniors depend on is a good thing you might vote yes on Measure 84, otherwise **vote "NO"**.

**If you think the rich should pay their fair share to support schools, long-term care for seniors and public safety, then join me in voting "NO" on Measure 84.**

*(This information furnished by Philip N Barnhart, State Representative, Co-Chair of the House Committee on Revenue.)*

## Argument in Opposition

**Measure 84 creates a huge loophole that has nothing to do with Estate Tax Reform.**

**Measure 84 not only eliminates the estate tax, but also all taxes on intra-family transfers, creating a tax loophole costing Oregon untold millions in revenue.** Losing this revenue will either devastate Oregon's schools, human services, courts and prisons, or lead to more taxes on the middle class.

Measure 84 Section 4d is clear. Any sale between family members results in no tax.

**This Measure 84 loophole could work with any property: a potato crop, an order of rail cars, an office tower, shares of stock, or a business.**

Any competent attorney or CPA will advise clients who sell any property at a significant profit to take the following steps:

- Owner finds a Non-Family Buyer and establishes a price.
- Owner sells the property to a Family Member at the same price using an IOU.

- Family Member then sells the property to the Non-Family Buyer.
- Family Member repays IOU to the original Owner.

The original Owner incurs no Oregon tax because the sale was to a family member. The Family Member has no tax because they sold the property for the same price they paid.

**For example, suppose Dad has some stock purchased for \$100,000 and now worth \$500,000. He transfers it to his daughter for a \$500,000 IOU. She sells the stock the next day for \$500,000. She made no profit and therefore owes no taxes. Then she pays off the IOU. Dad pays no Oregon taxes, even though he just made \$400,000.**

If Measure 84 passes, it will mean more cuts in services or more taxes for the middle class to make up for this tax loophole.

**People from the left and right and middle should agree. Measure 84 is a problem not a solution.**

**While we're firing teachers we shouldn't be creating new tax loopholes.**

**Vote No on Measure 84!**

**Tax Fairness Oregon**  
TaxFairnessOregon.com

*(This information furnished by Jody Wiser, Tax Fairness Oregon.)*

## Argument in Opposition

### AARP Oregon Asks You to Vote No on 84

**Measures 84 threatens services that seniors need the most.**

Measure 84 is a massive tax break that only benefits the richest two percent of estates, and not anyone else. But it would cost our senior care services, our schools, and other critical services hundreds of millions of dollars when they're needed most.

At a time when basic services like in-home care and long-term care for seniors and people with disabilities are threatened, we cannot afford another tax break where two percent get the benefit and ninety-eight percent pick up the costs.

#### Who will be affected by Measure 84?

Measure 84 would result in millions in cuts from those services that help Oregon's elders lead full, independent lives. Eliminating the estate tax would cost more than \$240 million every two years.

But this measure also has serious unintended consequences. It could cost Oregon's schools and senior services hundreds of millions of dollars more by creating a new tax loophole that allows wealthy households to avoid paying capital gains taxes.

For too many elders and their caregivers, these cuts could mean the loss of assisted living programs, medication and housing affordability programs, and other vital services that allow our seniors to maintain their dignity and choice in their homes and communities.

#### Measure 84 benefits very few but harms so many.

By voting NO on Measure 84, we can **protect middle-class families and elders** from shouldering the burden of tax breaks that only benefit a few.

**Let's make sure Oregon elders, families and communities have the care and services they need and deserve.**

**Vote No on Measure 84.**

*(This information furnished by Jerry Cohen, AARP Oregon.)*

## Argument in Opposition

### Business Leaders Warn: Measure 84 Creates a Massive New Tax Avoidance Scheme for the Richest Households

There are two parts to this measure, and they would both harm the schools and services Oregon businesses depend on.

We oppose the elimination of Oregon's estate tax, because it would force hundreds of millions in cuts every two years to schools and basic infrastructure, while providing a tax benefit for only a small handful of wealthy households.

In addition, we're even more concerned about a stealth clause in Measure 84 that will create a giant new loophole that would allow the richest households to avoid paying any capital gains taxes.

The chief sponsors have said explicitly that their intent is to eliminate these capital gains taxes.

By banning taxes on "intra-family property transfers," this new scheme would allow wealthy individuals to sell assets to a family member, and the family member could turn around and sell it to a third party for the same price—and they'd never pay a dime in taxes on this big capital gain.

Capital gains taxes bring in around \$800 million every two years to pay for schools, health care, and public safety. Most of those funds could be jeopardized by Measure 84. That's the equivalent of losing nearly 4,800 teachers.

Businesses depend on educated students and a strong middle class, but we're damaging those things by our lack of investment in schools, courts, and infrastructure. We need to invest, not give away a loophole that allows the richest 2 percent to avoid paying capital gains taxes.

**Please join us in Voting NO on Measure 84.**

#### Equity Alliance Oregon

John A. Calhoun  
Entrepreneur

Roger Johnson  
Investment Advisor

Brendan Barnicle  
Investor

Robert Stoll  
Lawyer

Richard B. Solomon  
CPA

Jim McDermott  
Attorney/Business Litigation

Anna Geller  
Real Estate + Community Development

*(This information furnished by John Calhoun, Equity Alliance Oregon.)*

## Argument in Opposition

### Small Business Urges a NO Vote on Measure 84

**Because it's time to Protect Oregon's Future**

**Main Street Alliance of Oregon urges a NO on Measure 84. Help protect our schools and our local economy.**

In order for Oregon to remain a great place to run a business and raise a family, we need a robust middle-class, stable infrastructure, and an educated workforce ready for a 21st century economy.

Unfortunately, as a state, we've been headed in the opposite direction. We've cut the K-12 school budget by more than \$500 million since 2007, while the amount we're losing to tax breaks and loopholes—many of which go to large corporations and the wealthy few—has jumped by \$3.4 billion.

**Measure 84 is yet another massive new tax break for millionaires that the rest of us will be forced to pay for.**

This measure eliminates the estate tax for estates worth more than \$1 million—the richest 2%—costing our schools, health care, and public safety services hundreds of millions of dollars. The rest of us will be forced to pick up the costs.

It's time for our state to get its priorities in order. If we want our small businesses and middle-class families to be successful, we need to fund our schools, basic health services, and public safety.

**At a time when middle-class families and small businesses are struggling, we can no longer afford to give away hundreds of millions in tax breaks that only benefit the rich.**

Please join small businesses throughout Oregon in making sure we protect our families, our communities and our shared priorities this election.

**Join Main Street Alliance of Oregon in Voting NO on Measure 84**

*(This information furnished by Jim Houser, Co-Chair, Main Street Alliance of Oregon.)*

## Argument in Opposition

**Human Services Coalition of Oregon Urges a NO Vote on Measure 84**

*The Human Services Coalition of Oregon (HSCO) is a statewide group of over 120 individuals and organizations. We work to promote the dignity of all Oregonians through improved public policy and strengthened support for human services.*

**Now is the time to protect Oregon's critical services.**

Measure 84 eliminates estate taxes only for the richest two percent of households, and doesn't benefit anyone else. Everyone else in the state will be forced to shoulder the burden through even deeper cuts to schools, health care services, and public safety.

At a time when we're already making painful cuts to the services that students, seniors, and working families depend on, we can't afford another big tax break for the richest two percent while the other 98 percent picks up the cost.

During the economic crisis many families have seen a reduction in critical services when they have been needed the most.

**Measure 84 Benefits a Select Few and Endangers Oregon's Most Vulnerable**

This measure will have serious unintended consequences. Not only would it cost the state more than \$240 million every two years, the impact could be hundreds of millions of dollars worse because it creates yet another new tax shelter for the richest two percent.

This would mean the Legislature would be forced to make cuts like:

- Reduction in healthcare access for thousands of children, seniors, and people with disabilities;
- Fewer funds for our K-12 schools and health services for children;
- Eliminating or reducing in-home care for thousands of seniors and people with disabilities that allow them to remain independent and in their homes;
- And many more critical services that keep our communities resilient.

**Make your voice be heard by voting NO on Measure 84, and protect what makes our communities strong.**

Please join the **Human Services Coalition of Oregon** in voting NO on Measure 84.  
[www.oregonhsc.org](http://www.oregonhsc.org)

*(This information furnished by Andrew J. Smith, Human Services Coalition of Oregon.)*

## Argument in Opposition

**Don't be fooled!**

**Measure 84 isn't just about estate taxes. It also creates huge income tax loopholes for the wealthy.**

Under current law, individuals pay Oregon income tax when they sell capital assets such as real estate, art, or stock in publicly traded companies. Measure 84 creates a loophole allowing wealthy people who hire pricey lawyers and accountants to completely avoid any Oregon tax. Here's how it works:

*A wealthy New York resident owns \$100 million of Oregon timberland originally purchased for \$1 million. He sells the land to his son for its \$100 million fair market value, but not for cash--the son just gives his father an IOU. The son immediately sells the property for \$100 million and pays off the IOU.*

*Result: on his federal income tax return, the father owes tax on his \$99 million gain. But neither father nor son pays Oregon income tax on the \$99 million gain. The \$99 million in profit has just been legally laundered through Measure 84 to avoid all Oregon tax.*

This "father-son sale" scheme will be used by Oregon residents to avoid any tax on capital gains, while reducing government services for everyone. We predict if Measure 84 is enacted, it will be common for individuals making any large sale to eliminate all Oregon income tax. Indeed, lawyers and CPAs could be sued for failing to recommend this tax dodge to high asset clients.

Measure 84 threatens \$500 million of income and estate tax that Oregon collects annually.

**As Tax Attorneys, CPAs and Investment Advisors we urge you to VOTE "NO" ON MEASURE 84.**

**Christi A. Cawood, CPA  
Del Diebig, Retired Corporate Tax Accountant  
Charles S. Gauger, Attorney and CPA  
Carsten Henningsen, Investment Advisor  
Joan Horton, CPA  
Madeline Moore, Financial Planner  
Richard B. Solomon, CPA**

*(This information furnished by Richard B. Solomon, Vote No on 84.)*

## Argument in Opposition

**We're voting NO on Measure 84**

**As small business owners, educators, healthcare providers, community organizations and advocates dedicated to preserving our communities and keeping our priorities straight, we urge you to vote No on Measure 84.**

**At a time when the state is increasing class sizes, laying off teachers, and closing schools due to budget cuts, we cannot afford another tax break where two percent get the benefit and ninety-eight percent pick up the costs.**

Alliance for Democracy  
American Federation of Teachers- Oregon (AFT – Oregon)  
Asian Pacific American Network of Oregon (APANO)  
Black United Fund of Oregon  
Communications Workers of America, Local 7901  
Democratic Party of Oregon  
Economic Fairness Oregon  
Economic Justice Action Group, First Unitarian Church  
Ecumenical Ministries of Oregon  
Elders in Action Commission  
Equity Alliance Oregon

Eugene/Springfield Solidarity Network/Jobs with Justice  
 Family Forward Oregon  
 Hawthorne Auto Clinic, Inc.  
 Human Services Coalition of Oregon  
 Main Street Alliance of Oregon  
 Mike Roach, Co-Owner – Paloma Clothing  
 Mimi Dudley Casteel, Bethel Heights Vineyard  
 The Mother PAC  
 Multnomah County Democrats  
 Northwest Oregon Labor Council, AFL-CIO  
 Northwoods Nursery  
 Oregon League of Conservation Voters  
 Oregon AFL-CIO  
 Oregon AFSCME  
 Oregon Alliance for Retired Americans  
 Oregon Center for Public Policy (OCPP)  
 Oregon Education Association  
 Oregon Nurses Association  
 Oregon PTA  
 Oregon State Fire Fighters Council  
 Our Oregon  
 Partnership for Safety and Justice  
 Rex Hagans, Hazelnut Farmer  
 Rural Organizing Project  
 SEIU Local 49  
 SEIU Local 503  
 Street Roots  
 Tax Fairness Oregon  
 Whitman Farms  
 Willamette Women Democrats

**To find out more and join the coalition, visit  
[www.defendoregon.org](http://www.defendoregon.org)**

*(This information furnished by Patrick Green, Defend Oregon.)*

## Argument in Opposition

### **Oregon PTA opposes Measure 84. Deep cuts to schools and services will hurt Oregon children and families.**

As parents, we see firsthand the devastating effects spending cuts have in the classroom, with 7,000 jobs lost in our local schools, the third-highest class sizes in the country, and school closures across Oregon. Spending on schools in the state has dropped by more than \$500 million over 5 years, while at the same time tax breaks we give out have massively increased by \$3.4 billion.

### **We need to focus on what's most important – the health and safety of our kids and our communities.**

Measure 84 would add another set of tax breaks for millionaires that would cut funding for schools and public services for children and services like in-home care for seniors. This measure eliminates estate taxes for the richest two percent of estates – not anyone else, while passing the burden to middle-class families. That would mean even deeper cuts to our K-12 schools, physical education and school nutrition programs, services for seniors, and public safety systems.

### **Vote with Oregon PTA and help put Oregon priorities first.**

At a time when the state is increasing class sizes, laying off teachers, and cutting school days due to budget cuts, another tax break where two percent get the benefits and ninety-eight percent pick up the costs is bad for Oregon and bad for our future.

### **We must guarantee that all students have the resources they need to learn and compete in tomorrow's workforce.**

Supporting our students and providing a strong education is vital to rebuilding our economy and ensuring job opportunities for all Oregonians. Voting NO on Measure 84 protects the services and schools that ensure our students are given the tools to compete in the global economy.

### **The Oregon PTA says "Vote NO on Measure 84"**

*(This information furnished by Jackee Duvall, President, Oregon PTA.)*

## Argument in Opposition

### **Join us in Voting "No" on Measure 84.**

### **Measure 84 would create two new tax "loopholes" we well-off Oregonians don't need and didn't ask for.**

We believe it is fair for our heirs to pay a tax on the large estates they will inherit.

We also believe it is fair for us to pay capital gains taxes when we sell assets at a profit.

We choose to live in Oregon because it's an uniquely wonderful state. If we want it to stay that way, we've got to fund our basic shared priorities: our schools, our universities, health care for seniors, public safety and the other important services we all value. Each year Measure 84 would cut hundreds of millions of dollars from these priorities to benefit 730 rich families.

### **Vote "No" on Measure 84**

If Measure 84 passes our taxes will decrease;  
 vital services will be cut or  
 everyone else's taxes will increase.

### **We are willing and can afford to pay our fair share**

Carol Adler, Investor and Inheritor  
 Rex Burkholder, Metro Councilor, Investor  
 Barbara Dudley, Bethel Heights Vineyard  
 Brad S. Eamon, Business Owner, Retail Imaging  
 Gael Foord Hoffman  
 Robert Frisbee, Environmental Executive  
 Lorraine Gardner, Farmer  
 Elinor Gollay  
 Mitch Greenlick  
 Charlie Hales, Candidate for Portland Mayor  
 Elizabeth Henningsen  
 Stanley B. Hoffman  
 Mark R. Kalenscher  
 Ursula K. Le Guin  
 Kenneth Lewis, Former Chair, National "I Have a Dream"  
 Foundation  
 Michael Litt  
 Sandy Polishuk, Inheritor  
 Tangela E. Purdom, Inheritor  
 David Raphael  
 Lydia Rich, Teacher, Inheritor  
 David R. Roth, Inheritor  
 Izetta Smith  
 Elizabeth Steiner Hayward, Inheritor  
 Jody Wisner, Former Farm Owner, Investor

### **And many other wealthy individuals, willing to pay the dues of civilization.**

*(This information furnished by Sandy Polishuk, Vote No on 84.)*

Proposed by initiative petition to be voted on at the General Election, November 6, 2012.

## Ballot Title

# 85

Amends Constitution: Allocates corporate income/excise tax “kicker” refund to additionally fund K through 12 public education

<b>Estimate of Financial Impact</b>	<b>119</b>
<b>Explanation of Estimate of Financial Impact</b>	<b>120</b>
<b>Text of Measure</b>	<b>120</b>
<b>Explanatory Statement</b>	<b>121</b>
<b>Citizens’ Review Statement</b>	<b>122</b>
<b>Arguments in Favor</b>	<b>123</b>
<b>Arguments in Opposition</b>	<b>127</b>

### Result of “Yes” Vote

“Yes” vote allocates the corporate income and excise tax “kicker” refund to the General Fund to provide additional funding for K through 12 public education.

### Result of “No” Vote

“No” vote retains existing corporate income and excise tax “kicker” that requires refund to corporations when revenue exceeds estimated collections by two percent or more.

### Summary

Amends constitution. Before each biennium, the governor must prepare an estimate of revenues expected to be received by the General Fund for the next biennium. The General Fund is the primary funding source for schools, prisons, social services other state-funded programs/services. Current law requires an automatic “kicker” refund to taxpayers of corporate income and excise tax revenue that exceeds estimated collections by two percent or more. Measure allocates the corporate income and excise tax “kicker” refund to the General Fund to provide additional funding for K through 12 public education. Measure does not change the constitutional personal income tax “kicker” provision that requires a refund to individual taxpayers when personal income tax revenue exceeds estimated revenue by two percent or more. Other provisions.

### Estimate of Financial Impact

The financial impact of this measure is indeterminate because it is affected by unknown future events. If corporation tax receipts exceed the state forecast by two percent or more for a two-year budget period beginning July 2013 or later, this measure will increase the amount retained in the state General Fund relative to current law. In addition, state expenditures will increase by the same amount. If this measure had been in place for the past ten budget periods, the increases would have ranged from \$101 million to \$203 million in each of three of those periods.

## Explanation of Estimate of Financial Impact

The Oregon Constitution currently requires that receipts from the corporation income and excise taxes that exceed the close-of-session forecast by two percent or more be returned to corporate income and excise taxpayers. The close-of-session forecast is the last forecast given to the legislature in odd-year sessions, adjusted for laws passed during the session. The Constitution allows the legislature, with a two-thirds majority vote, to suspend the kicker and allow the unexpected additional revenue to be used for discretionary purposes, rather than being returned to corporate taxpayers.

This measure would redirect any future corporate kicker refunds. Instead of returning the revenues to corporate taxpayers, they would be expended on kindergarten through twelfth grade public education.

### Committee Members:

Secretary of State Kate Brown  
 State Treasurer Ted Wheeler  
 Michael Jordan, Director, Dept. of Administrative Services  
 James Bucholz, Director, Dept. of Revenue  
 Debra Guzman, Local Government Representative

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

## Text of Measure

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

**PARAGRAPH 1:** Section 14, Article IX of the Constitution of the State of Oregon, is amended by adding new language (shown in **boldface** type) and deleting existing language (shown in *[bracketed italics]*), so that such section reads as follows:

Sec. 14. (1) As soon as is practicable after adjournment sine die of an odd-numbered year regular session of the Legislative Assembly, the Governor shall cause an estimate to be prepared of revenues that will be received by the General Fund for the biennium beginning July 1. The estimated revenues from corporate income and excise taxes shall be separately stated from the estimated revenues from other General Fund sources.

(2) As soon as is practicable after the end of the biennium, the Governor shall cause actual collections of revenues received by the General Fund for that biennium to be determined. The revenues received from corporate income and excise taxes shall be determined separately from the revenues received from other General Fund sources.

(3) If the revenues received by the General Fund from corporate income and excise taxes during the biennium exceed the amount estimated to be received from corporate income and excise taxes for the biennium, by two percent or more, the total amount of the excess shall be ***[returned to corporate income and excise taxpayers] retained in the General Fund and used to provide additional funding for public education, kindergarten through twelfth grade.***

(4) If the revenues received from General Fund revenue sources, exclusive of those described in subsection (3) of this section, during the biennium exceed the amount estimated to be received from such sources for the biennium, by two percent or more, the total amount of the excess shall be returned to personal income taxpayers.

(5) The Legislative Assembly may enact laws:

(a) Establishing a tax credit, refund payment or other mechanism by which the excess revenues are returned to taxpayers, and establishing administrative procedures connected therewith.

(b) Allowing the excess revenues to be reduced by administrative costs associated with returning the excess revenues.

(c) Permitting a taxpayer's share of the excess revenues not to be returned to the taxpayer if the taxpayer's share is less than a de minimis amount identified by the Legislative Assembly.

(d) Permitting a taxpayer's share of excess revenues to be offset by any liability of the taxpayer for which the state is authorized to undertake collection efforts.

(6)(a) Prior to the close of a biennium for which an estimate described in subsection (1) of this section has been made, the Legislative Assembly, by a two-thirds majority vote of all members elected to each House, may enact legislation declaring an emergency and increasing the amount of the estimate prepared pursuant to subsection (1) of this section.

(b) The prohibition against declaring an emergency in an act regulating taxation or exemption in section 1a, Article IX of this Constitution, does not apply to legislation enacted pursuant to this subsection.

(7) This section does not apply:

(a) If, for a biennium or any portion of a biennium, a state tax is not imposed on or measured by the income of individuals.

(b) To revenues derived from any minimum tax imposed on corporations for the privilege of carrying on or doing business in this state that is imposed as a fixed amount and that is nonapportioned (except for changes of accounting periods).



(c) To biennia beginning before July 1, 2001.

**PARAGRAPH 2. (1) The amendment to section 14 of this Article applies to biennia beginning on or after July 1, 2013.**

**(2) This section (Paragraph 2), setting forth the effective date of this amendment, is repealed on June 30, 2015.**

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

## Explanatory Statement

Ballot Measure 85 changes the “corporate kicker” provision of the Oregon Constitution. Under current law, certain excess corporate income and excise tax revenues collected during a biennium are returned to corporate taxpayers. Under Ballot Measure 85, the excess revenues would be retained in the state’s General Fund and used to provide additional funding for kindergarten through twelfth grade public education. The Legislature has full discretion over how it allocates General Fund moneys, including the total amount of General Fund moneys to kindergarten through twelfth grade public education.

The Oregon Constitution describes how the “corporate kicker” process works. First, at the beginning of each biennium the Governor estimates tax revenues that will be received by the state’s General Fund during the biennium. Estimated revenues from corporate income and excise taxes are determined separate from other General Fund revenues. The General Fund is where most individual and corporate income tax revenues are deposited. The General Fund pays for state services, including schools, prisons and social services. The biennium is the two-year period for which the state budget is prepared. The biennium runs from July 1 of each odd-numbered year to June 30 of the next odd-numbered year.

Second, at the end of each biennium budget, the Governor determines the revenues actually received by the General Fund. Again, revenues received from corporate income and excise taxes are determined separately from other General Fund revenues.

Finally, if revenues actually received by the General Fund from corporate income and excise taxes are at least two percent greater than what was estimated, the excess currently are returned, or “kicked back,” to the corporate income and excise taxpayers.

Ballot Measure 85 amends the Oregon Constitution to provide the “corporate kicker” be retained in the General Fund and used to provide additional funding for public education, kindergarten through twelfth grade. The excess revenues would no longer be returned to the corporate income and excise taxpayers. The Legislature has full discretion over how it allocates General Fund moneys, including the total amount of General Fund moneys to kindergarten through twelfth grade public education.

The Oregon Constitution contains “kicker” provisions for both corporate income and excise taxpayers and personal income taxpayers. Ballot Measure 85 does not affect the “kicker” for personal income taxpayers.

### Committee Members:

Patrick Green  
Otto Schell  
Steve Buckstein  
Senator Larry George  
Judge Bill Riggs

### 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.)*

## Citizens' Review Statement

This Citizens' Statement, authorized by the 2009 State Legislature, was developed by an independent panel of 24 Oregon voters who chose to participate in the Citizens' Initiative Review process. The panelists were randomly selected from registered voters in Oregon and balanced to fairly reflect the state's voting population based upon location of residence, age, gender, party affiliation, education, ethnicity, and likelihood of voting. Over a period of five days the panel heard from initiative proponents, opponents, and background witnesses. The panelists deliberated the measure and issued this statement. This statement has not been edited, altered, or approved by the Secretary of State.

The opinions expressed in this statement are those of the members of a citizen panel and were developed through the citizen review process. They are NOT official opinions or positions endorsed by the State of Oregon or any government agency. A citizen panel is not a judge of the constitutionality or legality of any ballot measure, and any statements about such matters are not binding on a court of law.

## Key Findings

The following are statements about the measure and the number of panelists who agree with each statement:

- The corporate "kicker" funds are not guaranteed to increase K-12 funding because of the Legislature's discretionary spending of the General Fund. This ballot measure earmarks the corporate "kicker" to fund K-12 education, but does not prevent the redirecting of current funding resources to other non-education budgets. (24)
- The corporate "kicker" has had no effect on the stability of Oregon revenue due to its unreliability. (22)
- The corporate "kicker" has the potential to stabilize State spending by introducing unexpected revenues to fill in funding gaps (Oregon Office of Economic Analysis). (24)
- There is no evidence that the corporate "kicker" benefits or harms corporations. (19)

## Additional Policy Considerations

The following are statements about the subject matter or fiscal considerations related to the measure and the number of panelists who agree with each statement.

- The corporate "kicker" has been triggered 8 times over the past 16 budget periods making it an unreliable source of school funding. (24)
- Oregon tax revenues vary greatly in each budget cycle making future revenue predictions difficult. (23)
- Oregon Legislators have spent, on average, 99% of the available General Fund monies each budget cycle (General Fund Budget History). (21)
- Corporate businesses learn about the "kicker" after their operating period, therefore it has no effect on business decisions (Sierra Institute of Applied Economics). (18)
- Corporate businesses do not expect or depend on corporate "kicker" credits. (22)
- Since 2003, the percentage of the General Fund spent on K-12 education has changed from 44.8% to the current 39.1%. (23)

## Citizen Statement in Support of the Measure

POSITION TAKEN BY 19 OF 24 PANELISTS

We, 19 members of the Citizens' Initiative Review, support Ballot Measure 85 for the following reasons:

- Measure 85 does not affect the personal "kicker" and does not increase personal or corporate taxes.
- There is broad bipartisan agreement that the corporate "kicker" is not good public policy. It is unreasonable to refund legally due taxes to corporations as a result of inaccurate revenue projections. We believe Measure 85 is an improvement to current policy.

- Measure 85 would keep the corporate "kicker" dollars in the Oregon economy instead of issuing tax credits to corporations headquartered out of state.
- The intent of this measure is for 100% of the "kicker" to go to K-12 education. Despite the potential for General Funds to be redirected, the wording in the measure specifies the funding would be in addition to and not replace current education funds.
- The K-12 budget is declining due to inflation, the funding of other services, and increased costs. The passage of Measure 85 would demonstrate Oregon's commitment to improving education.

Oregonians and Oregon businesses benefit from keeping money in the state.

## Citizen Statement in Opposition to the Measure

POSITION TAKEN BY 5 OF 24 PANELISTS

We, 5 members of the Citizens' Initiative Review, oppose Ballot Measure 85 for the following reasons:

- As written, Measure 85 cannot assure additional funding for K-12 and may give the public the perception that tax policy and K-12 school funding issues have been solved thus inhibiting the discussion for future, comprehensive budget reform. The Legislature retains control and discretion of the General Fund.
- Measure 85 removes the flexibility to place corporate kicker funds into a rainy day or other reserve fund for future use.
- Due to the history of infrequent Kicker payouts, they are too random and cannot be considered as a reliable source of income.
- Over a 30 year period, Oregon Legislators have, on average, spent 99% of the available General Funds. Demonstrating an inability to prepare for budget shortfalls.

Measure 85 seeks to change the Oregon constitution and should not be passed without serious consideration. This measure removes the flexibility to use the corporate kicker funds where they are most needed at the time of the distribution. We feel that this measure creates an illusion that it is "fixing" the current K-12 economic situation in Oregon. Having spent the majority of the available general funds over the last three decades the Legislature has demonstrated that "if you send it, they will spend it." We feel that real reform is the answer and Measure 85 does not "measure" up.

## Argument in Favor

### American Federation of Teachers-Oregon (AFT-Oregon) Urge a Yes Vote on Measures 85

#### Join the American Federation of Teachers-Oregon (AFT-Oregon) in Voting Yes to Protect Our Schools, Educators, and Families.

As current and retired education professionals, we have seen firsthand the crisis Oregon schools are facing with debilitating funding cuts and closures. The result to our students is that they are not experiencing the schools, programs, and services we once knew.

State spending on K-12 schools has dropped by more than **\$500 million** over the past five years, while tax breaks have massively increased by \$3.4 billion. We need to put our focus on what's most important - our kids and our future.

#### Don't our kids deserve the education we once enjoyed?

Every day, Oregon students face overcrowded classrooms. The state budget cuts have resulted in 7,000 layoffs and positions cut in our local schools. And across the state, districts are cutting school days.

#### Education professionals say a YES to Measure 85 is a YES for Oregon's kids.

- YES we want to begin the process of finally reinvesting in our schools, at a time when they need it most.
- YES we need to take a firm step forward in finally securing funds for our schools, instead of sending as much as 80% of those funds to large, out-of-state corporations.
- YES to ending a massive tax break that only benefits the largest corporations.

#### Help Protect Our Schools.

#### Please join 15,000 Oregon educators, graduate assistants, nurses, and school employees in voting Yes on Measures 85.

(This information furnished by David Rives, American Federation of Teachers-Oregon (AFT-Oregon).)

## Argument in Favor

### Partnership for Safety and Justice Urges a Yes Vote on Measures 85

#### Because Healthy Schools Mean Safer Communities

#### Join public safety advocates in voting "Yes" on Measure 85

Public safety is best served when children are given opportunities to succeed and to become responsible, independent members of their communities.

Yet as school funding continues to be cut, our children receive fewer and fewer opportunities to learn and thrive. The more than \$500 million of cuts to K-12 funding in the past five years has caused a crisis in Oregon classrooms that we can no longer afford to ignore.

As class sizes expand and teacher layoffs increase, the amount of money Oregon has been handing out in tax breaks--largely for corporations and the rich--has grown by \$3.4 billion. It is time to rebalance our spending priorities, and a "Yes" vote on Measure 85 is the best first step.

#### Stand strong for Oregon's youth

The corporate kicker is a major tax loophole that benefits large corporations. Measure 85 would close that loophole and invest the money where there is an urgent need: our local K-12 schools.

An investment in the education of our children is an investment in the long-term health of our communities. Healthy

communities are safe, stable communities, and Oregon needs to focus on giving our children the education they need to protect their futures.

#### Invest in Schools. Invest in Safety.

(This information furnished by David Rogers, Partnership for Safety and Justice.)

## Argument in Favor

### Will Measure 85 Solve Our School Funding Crisis?

No.

#### So, How Can We Create Stable Funding for Schools?

#### There is Only One Sure Way: **More Family Wage Jobs.**

Measure 85 will not produce enough money to make a difference for our schools. It's not even a Band-Aid. There has not been a "corporate kicker" refund to businesses since 2007. The non-partisan state Legislative Revenue Office also estimates there will not be a corporate kicker this budget cycle.

There aren't enough Oregonians with family wage jobs who generate the taxes to give education the funding it deserves. Until Oregon is a great place to start and grow businesses that can employ more Oregonians, the school funding crisis will continue.

#### Essential services like schools are funded mostly by income taxes, so more jobs = more money for families and schools.

The only way to permanently fund services at the levels we all expect is to make sure more people are employed and paying taxes. That's how it works in Oregon.

- More jobs and higher incomes for Oregonians would mean **\$2.6 billion additional tax dollars every two years for public services** like schools, health care and senior services that make Oregonians' lives better.
- If Oregonians' incomes met the national average (we are currently 9% below), we would have billions more dollars flowing through the state for people to save, invest and plan for their economic future.
- We need to make it easier for people to start and expand their businesses so that more of us can have jobs and plan for our own economic future.

More private-sector jobs would mean billions more dollars for services we care about like schools, health care and public safety.

#### It's a Win-Win.

Quality of life starts with family wage jobs. Let's vote for people and policies that will create more of them.

Learn more about how jobs finance our schools at [www.valueofjobs.com](http://www.valueofjobs.com) and [www.oregonprosperity.org](http://www.oregonprosperity.org)

#### **The Oregon Small Business Coalition**

(This information furnished by Darrell Fuller, Oregon Small Business Coalition.)

## Argument in Favor

### Parents Say YES on Measure 85

As parents with kids in Oregon's K-12 schools, we've seen firsthand the impact that years of budget cuts have had on our local classrooms.

We've seen class sizes grow to levels we never thought possible. Oregon now has the third largest class sizes in the country.

We've seen entire programs—like art, music, or shop—slashed or eliminated all together.

We've seen wonderful teachers laid off as the state has reduced basic funding to school districts.

And we've seen the promise of a world-class education for our children become little more than a pipe dream.

Our schools have talented teachers who do their best to reach their students, but there's only so much they can do in a class with 35 or 40 or more pupils. Simply put, Oregon's K-12 schools are no longer the educational experience that we all took for granted just a few years ago.

As a state, we can no longer pretend that education is a priority if our leaders aren't willing to take steps to actually fund our classrooms.

For us, **voting yes on Measure 85 to reform the corporate kicker** is about refocusing on Oregon's priorities. At a time when we're cutting schools days, laying off thousands of teachers, and increasing class sizes, we can no longer afford policies like the corporate kicker, which is a massive tax break for large, out-of-state corporations.

It's time to end the corporate kicker and make sure those funds go to our classrooms, not large corporations who don't need them.

Most of all, it's time for state leaders to get their priorities straight and focus on what's most important—our kids and our future.

Signed,

May M. Chang, Parent of a Student at Franklin High School

Sarah Granger, Parent of an Atkinson Student

Dena Hellums, Parent of North Clackamas Student

Todd Henion, Parent of a Creative Science School Student

Dan Petrillo, Parent of an Atkinson Student

*(This information furnished by Dena Hellums.)*

## Argument in Favor

### Let's Make Oregon Schools Our Shared Priority

#### So Every Child has a Safe and Supportive Environment in which to Learn

Basic Rights Oregon urges a **Yes Vote on Measure 85**.

Basic Rights Oregon is an organization dedicated to ending discrimination based on sexual orientation and gender identity, and promoting equality for everyone. We believe that we all have an interest in standing up for a future that works for all Oregonians. That means ensuring our children receive the education they deserve, our teachers have the training they need, and the most vulnerable student populations have the resources and support they require.

**Our schools should be safe places for all students to learn. That means they need to be adequately funded.**

When school budgets are slashed, that impacts programs that are critical to protecting our lesbian, gay, bisexual, and transgender (LGBT) students, staff, and families. Basic Rights Oregon believes we all have a responsibility to ensure that our schools are equipped to offer a safe environment in which to learn. In particular, our school teachers and staff must have the resources and training they need to recognize and act on instances of bullying and discrimination.

**Measure 85 puts more resources in the classroom, so our children get the education and support they need to succeed.**

**Stand with Basic Rights Oregon in voting YES on Measure 85.**

- Say YES to putting money into Oregon K-12 schools
- Say YES to ensuring every child has a quality education
- Say YES to providing a safe and supportive place for our students to learn

*(This information furnished by Jeana Frazzini, Basic Rights Oregon.)*

## Argument in Favor

### Small Business Urges a Yes Vote on Measures 85

#### Because Our Kids Are Oregon's Future Business Leaders

**Measures 85 will help ensure that Oregon's students get the education they deserve**

Don't our kids deserve the education we once enjoyed? With thousands of teacher layoffs, increased overcrowding in classrooms, and cuts to school programs, today's K-12 students are learning with less.

It's time for Oregonians to take a stand about funding what's important.

#### Vote YES for our kids and for a strong local economy

Small business owners agree with parents, teachers, and community advocates that we should reform the Corporate Kicker, and spend those funds on our kid's education so they can become Oregon's future leaders.

Strong schools are critical to our children's potential and key to Oregon's economic recovery. For Oregon to thrive we need to offer businesses a well-trained workforce, and provide our kids the tools to win the good paying jobs of tomorrow.

#### The Corporate Kicker is a tax break the state can't afford

The Corporate Kicker is a big tax loophole for big corporations. It's time to start closing tax loopholes that only benefit large corporations, and ensure they start paying their fair share. Oregon's small businesses can no longer afford to pay the costs of tax breaks for big corporations.

The choice is simple: We all want to live in the kind of Oregon that does **what's right for our schools and our children's future** so they can succeed in getting the good jobs of tomorrow.

#### Vote YES on Measure 85 to reinvest in our schools and protect Oregon's future

Main Street Alliance of Oregon urges a YES vote on Measure 85 to reform the corporate kicker, and finally begin the process of reinvesting in our K-12 classrooms and our local communities.

*(This information furnished by Jim Houser, Co-Chair, Main Street Alliance of Oregon.)*

## Argument in Favor

### SEIU Local 503 and SEIU Local 49 Urge a Yes Vote on Measure 85

#### Join the SEIU in Voting Yes to Protect Our Future.

For too long, Oregon's working families have shouldered the burden of paying for our schools and basic health care services. Cut after cut has been made to our most basic priorities, while the state continues to give away billions in tax breaks and loopholes, many of which go to large corporations and the rich.

In the last five years, the amount we've given away through these tax breaks has increased by a massive \$3.4 billion, even while seniors, students, and struggling families have seen painful cuts to the basic services they need.

By giving away billions in tax breaks, Oregon has found itself in a crisis that has meant cuts to services like:

- In-home care for seniors and people with disabilities
- Health care services that keep our communities healthy
- Child welfare programs that protect vulnerable kids
- Local schools, which provide a lifeline for many young people

**It's time to stop giving money away to corporations while seniors, students, and struggling families are denied the support they need just to get by.**

Measure 85 is a clear choice. It will stop one big tax break—the corporate kicker refund—which mostly benefits large, out-of-state corporations. Instead, it will put that money into one of Oregon's most basic priorities: our schools.

Reining in out-of-control tax breaks and investing in our future is the right thing to do.

**Help Protect Our Schools.**

**Join SEIU Local 503**

and

**SEIU Local 49**

**in Voting Yes on Measure 85.**

*(This information furnished by Jessica Stevens, SEIU.)*

## Argument in Favor

### Vote Yes on Measure 85.

We can't give continue giving out-of-state corporations an unexpected windfall while Oregon schools are cutting days and laying off teachers.

Oregon is in crisis and our K-12 funding system is a horrible example of that crisis. **When we are laying off thousands of teachers and cutting school days, we can't afford to give out-of-state corporations millions of dollars.** This measure won't solve every problem we face, but it will put resources back in classrooms where they are desperate needed. That's why the members of the American Federation of State, County and Municipal Employees (Oregon AFSCME Council 75) support Measure 85.

We need to focus on what is important. **This tax break doesn't create jobs because it is an unexpected windfall for corporations after the fact.** So let's make sure we are focused on what's important: our children's education.

Our tax system is out of whack when we are giving millions and millions of dollars to out-of-state corporations by way of this massive tax loophole. **We need to start closing these unfair and downright silly tax policies that don't do Oregon any good.** Oregon taxpayers should not be paying out bonuses to out-of-state corporations while cutting school days and laying off teachers. It is unfair, and it simply doesn't make sense.

For these reasons we ask you to Vote **YES** on Ballot Measure 85.

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

## Argument in Favor

**The 45,000 Teachers and School Employees of the Oregon Education Association Urge You to Vote "Yes" on Measure 85**

**Measure 85 is an important step forward in finally funding our schools.**

This election is a chance for all of us to make a decision about the direction of our state. Oregon's educators urge you to

vote Yes on Measure 85 so that we can begin to ensure that our students are prepared for the 21st century.

The funding crisis in our K-12 schools is impossible to ignore. Oregon has cut K-12 budgets by more than \$500 million since 2007, while the amount we're losing to tax breaks and loopholes has grown by \$3.4 billion. The state is handing out massive tax breaks to large corporations and the rich, but it's our K-12 students and their families who are paying the cost.

As educators, we believe that our students should have at least the same opportunities we had when we were students. But a student who enters school now faces overcrowded classrooms, few opportunities, and very little individual instruction.

Since 2010, Oregon has lost 7,000 teachers and school employees due to budget cuts, and our students are now in the third largest class sizes in the country.

Measure 85 will reform the corporate kicker by reinvesting that money back into Oregon's K-12 classrooms, rather than spending millions on tax breaks for large corporations, with little evidence that those funds affect Oregon's economy or local businesses.

**Oregon's schools cannot afford more teacher and school employee layoffs.**

**Our Students Deserve Better.**

**Support Our Schools**

**Join 45,000 teachers and school employees in voting Yes on Measure 85.**

*(This information furnished by BethAnne Darby, Oregon Education Association.)*

## Argument in Favor

**Business Leaders Say Now Is The Time to Reform the Corporate Kicker**

The Corporate Kicker is **random, arbitrary, and unfair.**

The kicker is entirely unpredictable, which means the Corporate Kicker has never factored into any business's investment decisions. In fact, investors are more likely to avoid Oregon because of the revenue instability caused by the kicker, which damages K-12 schools.

Because 80% of the kicker funds go to big corporations headquartered outside of Oregon, this policy penalizes smaller Oregon-based businesses, who receive little if any benefit from the kicker when it is triggered. Oregon-based businesses are actually hurt by the instability in school funding caused by the kicker.

According to a recent study by Ernst and Young for the Council On State Taxation [<http://www.cost.org/>], Oregon already has the lowest business taxes in the U.S. Businesses depend on educated students and a strong middle class, but we're damaging those things by our lack of investment in schools, courts, and infrastructure. We need to invest, not cut business taxes further.

As business leaders, we know that Oregon needs to reinvest in education in order to help businesses thrive. That's why we're **backing a Yes vote on Measure 85, the Corporate Kicker for K-12 initiative.** It's the right thing to do for our schools and for our economy, and it's the best way to start the conversation about our future.

**Please join us in Voting Yes on Measure 85.**

**Equity Alliance Oregon**

John A. Calhoun  
Entrepreneur

Roger Johnson  
Investment Advisor

Brendan Barnicle  
Investor

Robert Stoll  
Lawyer

Richard B. Solomon  
CPA

Jim McDermott  
Attorney/  
Business Litigation

Anna Geller  
Real Estate and  
Community Development

*(This information furnished by John Calhoun, Equity Alliance Oregon.)*

## Argument in Favor

### We're voting YES on Measure 85

**As educators, parents, healthcare providers, small business owners, community organizations and advocates dedicated to funding our schools and doing what's right, we urge you to vote Yes on Measure 85.**

**This measure puts more resources in the classroom where they belong, so our children get the education they need to succeed in the 21st century.**

### Protect Our Children, Our Schools, and Our Future

AARP Oregon  
Adelante Mujeres  
Alliance for Democracy  
American Federation of Teachers – Oregon (AFT-Oregon)  
Asian Pacific American Network of Oregon (APANO)  
Basic Rights Oregon  
Black United Fund of Oregon  
Clatsop County Democratic Central Committee  
Communications Workers of America, Local 7901  
Community Alliance of Tenants  
Democratic Party of Oregon  
Eastside Democratic Club  
Economic Fairness Oregon  
Economic Justice Action Group, First Unitarian Church  
Ecumenical Ministries of Oregon  
Elders in Action Commission  
Equity Alliance Oregon  
Eugene/Springfield Solidarity Network/Jobs with Justice  
Family Forward Oregon  
Hawthorne Auto Clinic  
Human Services Coalition of Oregon  
Main Street Alliance of Oregon  
Mike Roach, Co-Owner - Paloma Clothing  
Mimi Dudley Casteel, Bethel Heights Vineyard  
The Mother PAC  
Multnomah County Democrats  
Northwest Oregon Labor Council, AFL-CIO  
Oregon League of Conservation Voters  
Oregon AFL-CIO  
Oregon AFSCME  
Oregon Alliance for Retired Americans  
Oregon Center for Public Policy (OCPD)  
Oregon Education Association  
Oregon Nurses Association  
Oregon PTA  
Oregon School Employees Association, AFT Local 6732  
Oregon State Fire Fighters Council  
Our Oregon  
Partnership for Safety and Justice  
PCUN  
Planned Parenthood PAC of Oregon  
Portland Jobs with Justice  
Rural Organizing Project  
SEIU Local 49  
SEIU Local 503  
Street Roots  
Tax Fairness Oregon  
Voz Hispana Political Action Committee  
Western States Center

Whitman Farms  
Willamette Women Democrats

**To find out more and join the coalition, visit  
[www.defendoregon.org](http://www.defendoregon.org)**

*(This information furnished by Patrick Green, Defend Oregon.)*

## Argument in Favor

Our kids deserve a world-class education.

As teachers, we pour our hearts into educating Oregon's students.

We wake up every morning excited and inspired to help young minds reach their full potential. We've dedicated our lives to helping the next generation learn the critical thinking skills to help them be successful in the classroom and in life.

Every day, we strive to do our very best for these kids because--simply put--they're worth it.

Unfortunately, no amount of enthusiasm or dedication on our part can break through the stark reality of ever-increasing class sizes. Oregon has the third largest class sizes in the country. According to a recent survey, the average high school class size in Oregon has increased by nearly 30 percent in the last three years.

We know that individual instruction and one-on-one time with students is what they need to thrive in school and beyond. Overcrowded classrooms hinder our ability to concentrate on each student with the individual instruction and one-on-one time they deserve.

Our schools have cut entire programs, including foreign languages, the arts, library, P.E. and programs that help our kids become well rounded.

We can't continue down this road.

For us, reforming the corporate kicker to put those funds into classrooms is about saying that **it's time to get our priorities straight**. It's time to fund our schools and our future.

### We're voting yes on Measure 85. We hope you will too.

Brian Haliski  
1st/2nd Grade Teacher  
Metzger Elementary School

Steve Anderson  
High School Teacher  
Hermiston

Marilyn Post  
Elementary Teacher  
Irrigon

C. John Larson  
High School Teacher  
Hermiston, OR

Sarah Black  
Teacher  
Oregon City

Gary Humphries  
Middle School Teacher  
Pendleton

Lance Masters  
High School Teacher  
The Dalles

*(This information furnished by Brian Haliski.)*

## Argument in Favor

### Oregon PTA Urges a YES Vote on Measure 85

Oregon parents and teachers are saying YES to Measure 85 and reforming the corporate kicker for K-12 schools by putting money back into our children's education where it is needed most.

Imagine what it means for a child to go to school every day in a classroom that is overflowing with students. Because there aren't enough teachers, she gets very little individual attention, and in many cases there aren't even enough desks for everyone.

Despite the great work of Oregon's teachers, the schools we're sending our children to are simply not the schools that we once attended. Thousands of teachers have been laid off and we now have the third-largest class sizes in the country.

In just the past five years, we've cut K-12 funding by more than \$500 million, while the amount of money we're giving away in tax breaks and loopholes has increased by \$3.4 billion. **It's time to get our priorities in order.**

This is an important election for school funding, and Oregon PTA urges you to vote yes and support children and youth in our communities; it's the right step to protecting our classrooms and the future of education in our state.

Voting **YES on Measure 85** is critical in ensuring our kids have the funding that will preserve Oregon's class sizes, protect effective school programs, and make sure that our children are well-prepared to excel in the future.

**Please join Oregon PTA in voting YES on Measure 85. Oregon's kids deserve a quality education.**

**YES on 85**

For more information, please visit [www.oregonpta.org](http://www.oregonpta.org)

*(This information furnished by Jackee Duvall, President, Oregon PTA.)*

## Argument in Favor

**Human Services Coalition of Oregon Urges a YES Vote  
Measure 85 Protects Oregon's Schools**

*The Human Services Coalition of Oregon (HSCO) is a statewide group of over 120 organizations and individuals. We work to promote the dignity of all Oregonians through improved public policy and strengthened support for human services.*

We urge a YES vote on Measure 85.

**This election is about Oregon's Priorities.**

Healthy schools provide safety and resources for kids who are hungry and are in need of critical services. For many children—including a tragic number of homeless students—school provides needed stability. Our schools hold our communities together and should provide equitable opportunity for all students.

Unfortunately, years of budget cuts have reduced the ability of schools to play this critical role.

**Oregon students are in crisis and need our help now.**

How have our classrooms been impacted by years of massive cuts?

- 7,000 teacher and school employee cuts – just since June of 2010
- School closures
- The third-largest class sizes in the country

**Voting YES on Measure 85 is about finally taking steps to reinvest in our K-12 classrooms.**

Measure 85 will reform the corporate kicker by putting money into Oregon K-12 classrooms, rather than back into the pockets of large out-of-state corporations.

Please join the **Human Services Coalition of Oregon** in voting YES on Measure 85  
[www.oregonhSCO.org](http://www.oregonhSCO.org)

*(This information furnished by Andrew J. Smith, Human Services Coalition of Oregon.)*

## Argument in Opposition

**Will Measure 85 Solve Our School Funding Crisis?**

**No.**

**So, How Can We Create Stable Funding for Schools?**

**There is Only One Sure Way: More Family Wage Jobs.**

Measure 85 will not produce enough money to make a difference for our schools. It's not even a Band-Aid. There has not been a "corporate kicker" refund to businesses since 2007. The non-partisan state Legislative Revenue Office also estimates there will not be a corporate kicker this budget cycle.

There aren't enough Oregonians with family wage jobs who generate the taxes to give education the funding it deserves. Until Oregon is a great place to start and grow businesses that can employ more Oregonians, the school funding crisis will continue.

**Essential services like schools are funded mostly by income taxes, so more jobs = more money for families and schools.**

The only way to permanently fund services at the levels we all expect is to make sure more people are employed and paying taxes. That's how it works in Oregon.

- More jobs and higher incomes for Oregonians would mean \$2.6 billion additional tax dollars every two years for public services like schools, health care and senior services that make Oregonians' lives better.
- If Oregonians' incomes met the national average (we are currently 9% below), we would have billions more dollars flowing through the state for people to save, invest and plan for their economic future.
- We need to make it easier for people to start and expand their businesses so that more of us can have jobs and plan for our own economic future.

More private-sector jobs would mean billions more dollars for services we care about like schools, health care and public safety.

**It's a Win-Win.**

Quality of life starts with family wage jobs. Let's vote for people and policies that will create more of them.

Learn more about how jobs finance our schools at [www.valueofjobs.com](http://www.valueofjobs.com) and [www.oregonprosperity.org](http://www.oregonprosperity.org)

**The Oregon Small Business Coalition**

*(This information furnished by Darrell Fuller, Oregon Small Business Coalition.)*



# Resources for Voters with Disabilities

Contact **your county elections office** or call **1 866 673 8683** to request these resources.

## Alternate Format Ballots

- **HTML ballot**, available to voters who are unable to mark a printed ballot. Voters can vote in the privacy of their own home using their own accessible tools. Voters who do not have accessible tools at home may vote the HTML ballot using a **tablet computer**. An accessible computer station is located in every county elections office.
- **Large print ballot**, available to voters with low vision.

## Alternate Format Voting Guides

- **Statewide Voters' Pamphlet**, available in digital audio or accessible text at [www.oregonvotes.gov](http://www.oregonvotes.gov). Request a CD of mp3 format audio files by phone.
- **Easy Voters' Guide**, available in digital audio or accessible text at [www.voteoregon.org/voterinformation/voters-guides](http://www.voteoregon.org/voterinformation/voters-guides). English and Spanish versions are available in print.
- **Standard Voters' Guide**, available in digital audio or accessible text [www.voteoregon.org/voterinformation/voters-guides](http://www.voteoregon.org/voterinformation/voters-guides). Large Print, Braille, CD and NSL compatible versions also are available. Contact Talking Book and Braille Services at **1 800 452 0292** to request this voting guide.

## Additional Resources

- **Large print voter registration card**, available to voters with low vision.
- **Signature Stamp Attestation Card**. If, because of a disability, a person is unable to sign a ballot or registration card, they may use a signature stamp or other indicator that represents their signature. A signature stamp attestation form must be completed along with an updated (or new) voter registration card.



# Voters Assistance

Contact **your county elections office** or call **1 866 673 8683** to request these resources.

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## I need assistance to vote

Any voter with a disability can request assistance to register to vote, vote their ballot and/or return their ballot. You can also request assistance from a caretaker, care provider or someone else you choose.

---

## I want to assist a voter

Your county elections office can suggest resources you can use to help inform voters. Resources must be nonpartisan and unbiased.

---

## Who can provide assistance?

- A County Voting Assistance Team
  - A Facility Voting Assistance Team
  - Someone chosen by the voter
- 

## Who cannot provide assistance?

- The voter's employer
  - An agent of the voter's employer
  - A union officer or agent of a union of which the voter is a member
- 

## What is a facility voting assistance team?

A **congregate living facility** may form a Facility Assistance Team to assist voters living in their facility.

Teams must be made up of **two registered voters** that do not have the same political party affiliation.

## Registering to Vote

To vote in Oregon you need to be registered in the county where you reside.

You can register if you can answer yes to these three questions:

- Are you a resident of Oregon?
- Are you a US citizen?
- Are you at least 17 years of age?

*If you are 17 years of age, you will not receive a ballot until an election occurs on or after your 18th birthday.*

## How to register

You can register to vote online at [www.oregonvotes.gov](http://www.oregonvotes.gov) or 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.gov](http://www.oregonvotes.gov).

To vote in the November 6, 2012, General Election, your completed voter registration card must be either:

- postmarked by Tuesday, October 16, 2012
- delivered to a county elections office by Tuesday, October 16, 2012 or
- delivered to any voter registration agency (e.g., DMV) by Tuesday, October 16, 2012.

If you register to vote online, your registration must be submitted by 11:59pm on Tuesday, October 16, 2012.

## What information is required to register?

To complete your registration you will provide your:

- Full legal name
- Home address
- Date of birth
- Signature
- Valid identification

## What are the identification requirements?

1. If you have a current, valid Driver's License, Permit or ID number issued by the State of Oregon Division of Motor Vehicles (DMV), you must provide it in the boxes on the card.  
  
*A suspended Driver's License is still valid; a revoked Driver's License is NOT valid.*
2. If you do not have a current, valid Driver's License, Permit or ID number issued by the State of Oregon Division of Motor Vehicles, you must affirm this on the card by marking the appropriate circle and you must then provide the last four digits of your Social Security Number.
3. If you do not have a Social Security number, you must affirm this on the card by marking the circle in indicating you do not have a valid Driver's License or Social Security number.
4. If you do not have a Driver's License, Permit, ID number, or a Social Security number, and you are registering by mail, you must provide a copy of one of the following which shows the voter's name and current address:
  - valid photo identification
  - a paycheck stub
  - a utility bill
  - a bank statement
  - a government document
  - proof of eligibility under the Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA) or the Voting Accessibility for the Elderly and Handicapped Act (VAEH)

If you do not provide valid identification, you will not be eligible to vote for Federal races. You will, however, still be eligible to vote for state and local contests.

## Updating your voter registration

Once you have registered, you are responsible for keeping your information up to date. You can do this online at [www.oregonvotes.gov](http://www.oregonvotes.gov) or 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
- will be away from home on election day

If you notify your county elections office of your change of residence address after November 1, 2012, you must request that a ballot be mailed to you or go to your county elections office to get your ballot.



Use online voter resources to register or update your registration status.

**oregonvotes.gov**

**qualifications**

Are you a citizen of the United States of America?  yes  no

Are you at least 17 years of age?  yes  no

*If you mark no in response to either of these questions, do not complete this form.*

**personal information** \*required information

last name\* first\* middle

Oregon residence address (include apt. or space number)\* city\* zip code\*

date of birth (month/day/year)\* county of residence

phone email

mailing address (required if different than residence) city/state zip code

**Oregon Driver's License/ID number**

Provide a valid **Oregon Driver's License, Permit or ID:**

I do not have a valid **Oregon Driver's License/Permit/ID**  
The last 4 digits of my Social Security Number (SSN) are:

**x x x - x x -**

I do not have a valid Oregon Driver's License/Permit/ID or a SSN. I have attached a copy of **acceptable identification**.

**political party**

- Not a member of a party
- Americans Elect
- Constitution
- Democratic
- Independent
- Libertarian
- Pacific Green
- Progressive
- Republican
- Working Families
- Other \_\_\_\_\_

**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.

**registration updates** Complete this section if you are updating your information.

previous registration name previous county and state

home address on previous registration date of birth (month/day/year)

**Baker**

Tamara J. Green  
Baker County Clerk  
1995 3rd St., Suite 150  
Baker City, OR 97814-3398  
541-523-8207  
TTY 541-523-9538  
fax 541-523-8240  
tgreen@bakercounty.org

**Benton**

James Morales  
Benton County Clerk  
Elections Division  
120 NW 4th St., Room 13  
Corvallis, OR 97330  
541-766-6756  
TTY 541-766-6080  
fax 541-766-6757  
bcelections@co.benton.or.us  
www.co.benton.or.us/  
elections

**Clackamas**

Sherry Hall  
Clackamas County Clerk  
Elections Division  
1710 Red Soils Court,  
Suite 100  
Oregon City, OR 97045  
503-655-8510  
TTY 503-655-1685  
fax 503-655-8461  
elections@co.clackamas.or.us  
www.clackamas.us/elections

**Clatsop**

Nicole Williams  
Interim Clatsop County Clerk  
Elections Division  
820 Exchange St.,  
Suite 220  
Astoria, OR 97103  
503-325-8511  
TTY 1-800-949-4232  
fax 503-325-9307  
clerk@co.clatsop.or.us  
www.co.clatsop.or.us

**Columbia**

Elizabeth (Betty) Huser  
Columbia County Clerk  
Courthouse, 230 Strand St.  
St. Helens, OR 97051-2089  
503-397-7214 or  
503-397-3796  
TTY 503-397-7246  
fax 503-397-7266  
Betty.Huser@co.columbia.or.us  
www.co.columbia.or.us

**Coos**

Terri L. Turi, CCC  
Coos County Clerk  
Courthouse, 250 N. Baxter  
Coquille, OR 97423-1899  
541-396-7610  
TTY 1-800-735-2900  
fax 541-396-1013  
elections@co.coos.or.us  
www.co.coos.or.us

**Crook**

Deanna (Dee) Berman  
Crook County Clerk  
300 NE Third, Room 23  
Prineville, OR 97754-1919  
541-447-6553  
TTY 541-416-4963  
fax 541-416-2145  
dee.berman@co.crook.or.us  
www.co.crook.or.us

**Curry**

Reneé Kolen  
Curry County Clerk  
PO Box 746  
Gold Beach, OR 97444  
541-247-3297 or  
1-877-739-4218  
TTY 1-800-735-2900  
fax 541-247-6440  
www.co.curry.or.us/Clerk

**Deschutes**

Nancy Blankenship  
Deschutes County Clerk  
1300 NW Wall St.,  
Suite 202  
Bend, OR 97701  
541-388-6547  
TTY 1-800-735-2900  
fax 541-383-4424  
elections@deschutes.org  
www.deschutes.org

**Douglas**

Patricia Hitt  
Douglas County Clerk  
PO Box 10  
Roseburg, OR 97470-0004  
541-440-4252  
TTY 1-800-735-2900  
fax 541-440-4408  
elections@co.douglas.or.us

**Gilliam**

Rena Kennedy  
Gilliam County Clerk  
PO Box 427  
Condon, OR 97823-0427  
541-384-2311  
rena.kennedy@  
co.gilliam.or.us  
www.co.gilliam.or.us

**Grant**

Brenda Percy  
Grant County Clerk  
201 S. Humbolt, Suite 290  
Canyon City, OR 97820  
541-575-1675  
TTY 541-575-1675  
fax 541-575-2248  
percyb@grantcounty-or.gov

**Harney**

Maria Iturriaga  
Harney County Clerk  
Courthouse,  
450 N. Buena Vista #14  
Burns, OR 97720  
541-573-6641  
fax 541-573-8370  
clerk@co.harney.or.us  
www.co.harney.or.us

**Hood River**

Brian D. Beebe  
Director,  
Records/Assessment  
601 State St.  
Hood River, OR 97031-1871  
541-386-1442  
fax 541-387-6864

**Jackson**

Christine Walker  
Jackson County Clerk  
1101 W. Main St., Suite 201  
Medford, OR 97501-2369  
541-774-6148  
TTY 541-774-6719  
fax 541-774-6140  
walkercd@jacksoncounty.org  
www.co.jackson.or.us

**Jefferson**

Kathy Marston  
Jefferson County Clerk  
66 SE "D" St., Suite C  
Madras, OR 97741  
541-475-4451  
fax 541-325-5018  
kathy.marston@  
co.jefferson.or.us

**Josephine**

Art Harvey  
Josephine County Clerk  
PO Box 69  
Grants Pass, OR 97528-0203  
541-474-5243  
TTY 1-800-735-2900  
fax 541-474-5246  
clerk@co.josephine.or.us

**Klamath**

Linda Smith  
Klamath County Clerk  
305 Main St.  
Klamath Falls, OR 97601  
541-883-5157 or  
1-800-377-6094  
fax 541-885-6757  
KlamathCountyElections@  
Klamathcounty.org  
www.klamathcounty.org

**Lake**

Stacie Geaney  
Lake County Clerk  
513 Center St.  
Lakeview, OR 97630-1539  
541-947-6006  
fax 541-947-0905

**Lane**

Cheryl Betschart  
Lane County Clerk  
275 W. 10th Ave.  
Eugene, OR 97401-3008  
541-682-4234  
TTY 541-682-4320  
fax 541-682-2303  
elections.customer@  
co.lane.or.us  
www.co.lane.or.us/elections

**Lincoln**

Dana Jenkins  
Lincoln County Clerk  
225 W. Olive St., Room 201  
Newport, OR 97365  
541-265-4131  
TTY 541-265-4193  
fax 541-265-4950  
www.co.lincoln.or.us/clerk

**Linn**

Steve Druckenmiller  
Linn County Clerk  
300 SW 4th Ave.  
Albany, OR 97321  
541-967-3831  
TTY 541-967-3833  
fax 541-926-5109  
sdruckenmiller@co.linn.or.us

**Malheur**

Deborah R. DeLong  
Malheur County Clerk  
251 "B" St. West, Suite 4  
Vale, OR 97918  
541-473-5151  
TTY 541-473-5157  
fax 541-473-5523  
countyclerk@malheurco.org  
www.malheurco.org

**Marion**

Bill Burgess  
Marion County Clerk  
4263 Commercial St. SE,  
#300  
Salem, OR 97302-3987  
503-588-5041 or  
1-800-655-5388  
TTY 503-588-5610  
elections@co.marion.or.us  
www.co.marion.or.us/co/  
elections

**Morrow**

Bobbi Childers  
Morrow County Clerk  
PO Box 338  
Heppner, OR 97836-0338  
541-676-5604  
TTY 541-676-9061  
fax 541-676-9876  
bchilders@co.morrow.or.us

**Multnomah**

Tim Scott  
Director of Elections  
1040 SE Morrison St.  
Portland, OR 97214-2495  
503-988-3720  
fax 503-988-3719  
elections@multco.us  
www.mcelections.org

**Polk**

Valerie Unger  
Polk County Clerk  
850 Main St.  
Dallas, OR 97338-3179  
503-623-9217  
fax 503-623-0717  
unger.valerie@co.polk.or.us  
www.co.polk.or.us

**Sherman**

Jenine McDermid  
Sherman County Clerk  
500 Court St.  
PO Box 365  
Moro, OR 97039-0365  
541-565-3606  
fax 541-565-3771  
countyclerk@  
shermancounty.net  
www.sherman-county.com/  
govt\_clerk.asp

**Tillamook**

Tassi O'Neil  
Tillamook County Clerk  
201 Laurel Ave.  
Tillamook, OR 97141  
503-842-3402 or  
1-800-488-8280 ext. 4000  
fax 503-842-1599  
clerk@co.tillamook.or.us  
www.co.tillamook.or.us

**Umatilla**

Patti Chapman  
Director of Elections  
PO Box 1227  
Pendleton, OR 97801  
541-278-6254  
fax 541-278-5467  
pattic@co.umatilla.or.us  
www.co.umatilla.or.us

**Union**

Robin Church  
Union County Clerk  
1001 4th St., Suite D  
LaGrande, OR 97850  
541-963-1006  
fax 541-963-1013  
rchurch@union-county.org  
www.union-county.org

**Wallowa**

Dana Roberts  
Wallowa County Clerk  
101 S. River St., Room 100  
Enterprise, OR 97828-1335  
541-426-4543 ext. 158  
fax 541-426-5901  
wcclerk@co.wallowa.or.us  
www.co.wallowa.or.us

**Wasco**

Linda Brown  
Wasco County Clerk  
511 Washington St.,  
Room 201  
The Dalles, OR 97058  
541-506-2530  
fax 541-506-2531  
lindab@co.wasco.or.us

**Washington**

Mickie Kawai  
Elections Division  
3700 SW Murray Blvd.,  
Suite 101  
Beaverton, OR 97005  
503-846-5800  
TTY 503-846-4598  
elections@co.washington.or.us  
www.co.washington.or.us/  
elections

**Wheeler**

Barbara S. Sitton  
Wheeler County Clerk  
PO Box 327  
Fossil, OR 97830-0327  
541-763-2400  
TTY 541-763-2401  
fax 541-763-2026  
bsitton@co.wheeler.or.us

**Yamhill**

Rebekah (Becky) Stern Doll  
Yamhill County Clerk  
414 NE Evans St.  
McMinnville, OR 97128-4607  
503-434-7518  
TTY 1-800-735-2900  
fax 503-434-7520  
elections@co.yamhill.or.us  
www.co.yamhill.or.us/clerk

## Vote by Mail Frequently Asked Questions

### As a voter, what do I have to do?

Your ballot packet will automatically be mailed to you between October 19 and October 23, 2012. Inside the packet you will find the ballot, a secrecy envelope and a return envelope. Once you vote the ballot, place it in the secrecy envelope and seal it in the pre-addressed return envelope. Be sure you sign the return envelope on the appropriate line. After that just return the ballot either by mail or at a designated dropsite.

### What if I am uncomfortable voting my ballot at home?

There are privacy booths available for you to cast your ballot at your county elections office and there may be others at dropsite locations elsewhere in your county. For further information, call your county elections official.

### What if my ballot doesn't come?

If you are registered to vote and have not received your ballot by October 26th, call your county elections office. They will check that your voter registration is current. If it is, they will mail you a replacement ballot. You can also check the status of your ballot at My Vote at [oregonvotes.gov](http://oregonvotes.gov).

### What if I have moved and have not updated my registration?

If you were registered to vote by October 16 but now have a different address, call your county elections office for instructions on how to update your registration and receive a ballot.

### Do I have to return my ballot by mail?

You have the choice of mailing your ballot or returning it to any county elections office or any designated official dropsite in the state. You can find your nearest dropsite along with a map of how to get there by going to [www.oregonvotes.gov](http://www.oregonvotes.gov) or you may contact your county elections office.

### How much postage is required to mail the ballot back?

Your voted ballot can usually be returned using a single 45¢ first-class stamp. In those instances where additional postage is necessary, it will be clearly indicated on the ballot materials.

### When must the voted ballot be returned?

The voted ballot must be received in any county elections office or designated dropsite by 8pm on election night. Postmarks do not count!

### How do I know if my ballot is received?

You can track the status of your ballot by going online to: My Vote at [www.oregonvotes.gov](http://www.oregonvotes.gov) or you can call your county elections office and ask if they received your ballot. A record is kept showing each voter whose ballot has been returned.

### Can anyone find out how I've voted once I mail my ballot?

No. All ballots are separated from the return envelope before the ballots are inspected. This process ensures confidentiality.

### What if I forget to sign the return envelope?

Your elections office will contact you, if possible, to come to the elections office to sign it.

### Can the public watch the election process?

All steps of the process are open to observation by the public. Contact your county elections official to make arrangements.

### When will election results be known?

Initial results are released at 8pm election night and will continue to be updated through election night until all ballots have been counted. Final certified results will be available 30 days after the election.

## Provisional Ballot Information

You will be issued a provisional ballot if:

- there is a question about your eligibility as a voter (for example, there is no evidence on file that you are an active or inactive voter in Oregon)
- you need to vote at a county elections office in a county other than the one you live in

In order to obtain a provisional ballot, you need to fill out a Provisional Ballot Request Form in person at the county elections office.

Your provisional ballot will not be counted until it is determined that you are eligible to vote.

After you have voted the ballot, you can call 1-866-ORE-VOTE (1-866-673-8683) or the county elections office in which you voted to find out if your ballot was counted. If your ballot was not counted, you can also find out the reason it was not counted.

If it is determined that you are ineligible to vote in this election, the completed Provisional Ballot Request Form will serve as your voter registration for future elections.

## How to File a Complaint

Any registered voter may file a written complaint with the Secretary of State alleging that a violation of an election law or rule adopted by the Secretary of State has occurred. The complaint should state the reason for believing that the violation occurred and provide evidence relating to it. The complaint must be signed by the elector; anonymous complaints will not be accepted. The complaint should be mailed to, or filed at:

Secretary of State, Elections Division  
255 Capitol St NE, Suite 501  
Salem, OR 97310

<b>Name</b>	<b>Page</b>
Avakian, Brad	24
Baldwin, Richard C	25
Boquist, Brian J	19
Brown, Kate	15
Buchal, James L	18
Buehler, Knute	15
Cook, Nena	25
Cox, Tom	17
DeFazio, Peter A	10
Decker, Andrew	21
Egan, James C	26
Frank, Annette	19
Gelser, Sara A	21
Green, Ron	20
Johnson, Gary	9
Lugo, Christina Jean	13
Obama, Barack	8
Olson, Andy	20
Polikoff, Alex	22
Robinson, Art	10
Romney, Mitt	9
Rosenblum, Ellen	18
Schrader, Kurt	12
Starr, Bruce	24
Stein, Jill	8
Swartzendruber, Ross	22
Thompson, Fred	12
Thompson, Jim	23
Volpert, Tim	26
Wheeler, Ted	16
Whitten, Cameron	16
Wolfe, Robert	14
Woolley, Seth	14

**Secretary of State**

Kate Brown  
State Capitol  
Salem, OR 97310-0722

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## **Residential Customer**

**vote!**



**Voters' Pamphlet**  
**Oregon General Election**  
November 6, 2012

**6 Benton**