



This digital document is courtesy of the Oregon State Library.

OR S
c.001
.8V94/2
:2002

A0000111251088

OREGON
OCT 10 2002
STATE LIBRARY

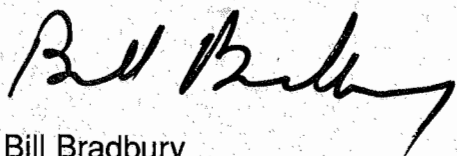
NOT
FOR
LOAN

voters' pamphlet

REMEMBER TO:
**REGISTER
AND
VOTE!**

2002 Voter Outreach Campaign
October 7-15, 2002

Oregon Vote-by-Mail General Election, November 5, 2002



Bill Bradbury
Oregon Secretary of State



BILL BRADBURY

SECRETARY OF STATE

PADDY J. MCGUIRE

DEPUTY SECRETARY OF STATE



STATE OF OREGON
SECRETARY OF STATE
136 STATE CAPITOL
SALEM, OREGON 97310-0722
(503) 986-1523

Dear Oregonian,

As Oregon's Secretary of State, I firmly believe we must do all we can to ensure that every Oregonian has the opportunity to register and vote. Voting is a powerful tool – it gives you the opportunity to determine who leads our country and what laws are passed.

This week we are conducting a voter outreach campaign to make sure that as many Oregonians as possible participate in the November 5 General Election. Our goal is to make participating in Oregon's elections easier and more convenient than it has ever been.

Because the Voters' Pamphlet goes out to every residence in Oregon, many of you reading this may not yet be registered to vote. If you are not registered, I encourage you to do so before the October 15 registration deadline so you can exercise your precious right to vote on November 5.

We'll do more than making registering to vote easy – we'll make it fun! During our statewide "Voter Registration Week" from October 7-15, you'll be able to register to vote at fun community events, including:

- Eugene Saturday Market (Oct. 12)
- Portland Saturday Market (Oct. 12)
- Midnight Madness (Lloyd Center Mall in Portland - Oct. 15)

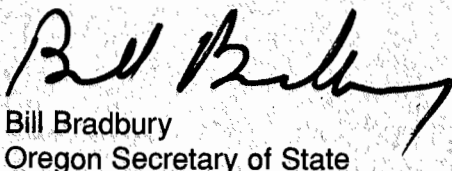
For details about how to register at these events, visit the Oregon Votes 2002 website at www.oregonvotes.org.

There are also many convenient ways for you to register on your own. Visit the Oregon Votes 2002 website and print out a voter registration form, or go to your local county elections office, DMV, or post office.

If you are already registered to vote, I urge you to fill out and send in your ballot early so that it is received by November 5. The Voters' Pamphlet is the most direct and complete source of information on candidates and issues in our state. The Oregon Votes 2002 website is also a convenient source to help you make informed decisions as you vote. I encourage you to use both resources in formulating your opinions.

Remember: the ballot you cast in November will affect all of our lives and the future of our state.

Best wishes,



Bill Bradbury
Oregon Secretary of State

Voter Instructions/Measure Guide

VOTE BY MAIL

As a voter, what do I have to do?

Your ballot packet will automatically be mailed to you between the 18th and 14th days before the election. 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 drop site.

What if I am uncomfortable voting my ballot at home?

Privacy booths are available for you to cast your ballot. There are privacy booths at your county elections office and there may be others at drop site locations elsewhere in your county. For further information, call your county elections official.

What if I make a mistake or need a new ballot?

If your ballot is lost, destroyed, damaged or you make a mistake in marking your ballot, you may call your county elections office and request a replacement ballot. One will be mailed to you as long as you request it by October 31. 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.

What if my ballot doesn't come?

If you are registered to vote and have not received your ballot within a week after they are mailed, call your county elections office. They will check that your voter registration is current. If it is, they will mail you a replacement ballot.

What if I have moved and have not updated my registration?

If you were registered to vote by October 15 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 drop site in the state. The times and locations of drop sites are listed in the Voters' Pamphlet and are also available at your county elections office.

When must the voted ballot be returned?

The voted ballot must be received in any county elections office or designated drop site by 8:00 p.m. on election night. Postmarks do not count!

What if I forget to sign the return envelope?

Generally, your elections office will either return it to you for signing or they will contact you, if possible, to come to the elections office to sign it. If the return envelope does not get signed before 8:00 p.m. on November 5, the ballot will not be counted.

VOTERS WITH DISABILITIES

If you are unable to vote your ballot without assistance, because of a physical disability or because you are unable to read or write, contact your county elections official. They will provide two persons to assist you in voting. In order to assure the county receives your voted ballot by Election Day, contact your county elections office early to arrange for assistance. You may also select someone else of your own choice to assist you.

A cassette edition of the Voters' Pamphlet is available for Oregonians who cannot read standard print due to a visual or physical disability. To order a cassette of the Voters' Pamphlet, please contact Independent Living Resources at 503-232-7411.

GUIDE TO STATE MEASURES

	Page
MEASURE 14	
Amends Constitution: Removes Historical Racial References in Obsolete Sections of Oregon Constitution, Article VII (Original), Article XVIII	6
MEASURE 15	
Amends Constitution: Authorizes State to Issue General Obligation Bonds for Seismic Rehabilitation of Public Education Buildings (Defined)	9
MEASURE 16	
Amends Constitution: Authorizes State to Issue General Obligation Bonds for Seismic Rehabilitation of Emergency Services Buildings (Defined)	14
MEASURE 17	
Amends Constitution: Reduces Minimum Age Requirement to Serve as State Legislator From 21 Years to 18 Years	20
MEASURE 18	
Amends Constitution: Allows Certain Tax Districts to Establish Permanent Property Tax Rates and Divide into Tax Zones	24
MEASURE 21	
Amends Constitution: Revises Procedure for Filling Judicial Vacancies, Electing Judges; Allows Vote for "None of the Above"	29
MEASURE 22	
Amends Constitution; Requires Oregon Supreme Court Judges and Court of Appeals Judges to Be Elected by District	39
MEASURE 23	
Creates Health Care Finance Plan for Medically Necessary Services; Creates Additional Income, Payroll Taxes	54
MEASURE 24	
Allows Licensed Denturists to Install Partial Dentures (Replacement Teeth); Authorizes Cooperative Dentist-Denturist Business Ventures	86
MEASURE 25	
Increases Oregon Minimum Wage to \$6.90 in 2003; Increases for Inflation in Future Years	94
MEASURE 26	
Amends Constitution: Prohibits Payment, Receipt of Payment Based on the Number of Initiative, Referendum Petition Signatures Obtained	106
MEASURE 27	
Requires Labeling of Genetically-Engineered Foods (as Defined) Sold or Distributed in or From Oregon	116

MEASURES 19 AND 20 appeared on the September 17, 2002, Special Election ballot.

Information

GENERAL

Your official 2002 General Election Voters' Pamphlet is divided into two separate volumes.

This is Volume 1 and contains information on the 12 statewide ballot measures, as well as information on registering to vote and obtaining an absentee ballot. Volume 2 will include the list of state candidates, statements submitted by state candidates, political party statements and drop site locations. It will include your county Voters' Pamphlet if your county chooses to produce a Voters' Pamphlet in combination with the state. Volume 2 will be mailed October 16-18.

For each of the 12 statewide measure in this Voters' Pamphlet you will find the following information:

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

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

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

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

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

Additionally, Measures 14 through 18 were referred to Oregon voters by the 2001 Legislature and you will find a "Legislative Argument in Support" for each of these measures. Oregon law allows the Legislature to submit, at no cost, an argument in support of each measure it refers to the people.

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

WEBSITE

Most of the information contained in this Voters' Pamphlet is also available in the Online Voters' Guide on the World Wide Web at <http://www.sos.state.or.us/elections/nov52002/nov52002.htm>

ATTENTION:

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

Each measure argument appears with the measure that is designated by the person submitting the argument, and appears *in favor* or *in opposition* as designated by the submitter.

TABLE OF CONTENTS

	Page		Page
County Elections Offices	138	Vote by Mail Information	3
Disabled Voter Information.....	3	Voter Registration Information	5
Measures	6		

IMPORTANT:

YOUR VOTED BALLOT MUST BE RETURNED (POSTMARKS DO NOT COUNT) TO YOUR COUNTY ELECTIONS OFFICE BY ELECTION DAY, TUESDAY, NOVEMBER 5, 2002.

County Elections Offices are open on election day from 7 a.m. to 8 p.m.

Voter Registration Information

VOTER REGISTRATION

Who May Register to Vote

You may register to vote for the November 5, 2002, General Election if:

- You are a citizen of the United States;
- You will be at least 18 years old by November 5, 2002; and
- You are a resident of Oregon.

How to Register to Vote

To register to vote in the November 5, 2002, election, your completed voter registration card must be either:

- Postmarked by October 15, 2002;
- Delivered to a county elections office by October 15, 2002; or
- Delivered to any voter registration agency (e.g., DMV) by October 15, 2002.

If Your Name, Mailing Address or Political Party Affiliation Has Changed

If you are currently registered to vote in Oregon but your name, mailing address or party affiliation has changed since you last completed a voter registration card, complete a new voter registration card and mail it to your county elections office.

If Your Residence Address Has Changed

If you are currently registered to vote in Oregon but your residence address has changed since you last completed a voter registration card, complete a new voter registration card and mail it to your county elections office.

If you notify your county elections office of your change of residence address after October 15, 2002, you must request that a ballot be mailed to you or go to your county elections office to get your ballot.

Where to Obtain a Voter Registration Card

Voter registration cards can be obtained from the Secretary of State's Office, any county elections office, many state agencies, and most banks and post offices, and are also in some telephone books. It is also available on-line at the Secretary of State's web page at <http://www.sos.state.or.us/elections/other.info/vreg.htm>

Request for Voter Registration Card

(Please Print)

Name: _____

Address: _____

City: _____

Zip Code: _____

Telephone: _____

of forms requested: _____

MAIL TO: Office of the Secretary of State
 Elections Division
 141 State Capitol
 Salem, OR 97310-0722

Measure No. 14

Senate Joint Resolution 7—Referred to the Electorate of Oregon by the 2001 Legislature to be voted on at the General Election, November 5, 2002.

BALLOT TITLE

14 AMENDS CONSTITUTION: REMOVES HISTORICAL RACIAL REFERENCES IN OBSOLETE SECTIONS OF OREGON CONSTITUTION, ARTICLE VII (ORIGINAL), ARTICLE XVIII

RESULT OF "YES" VOTE: "Yes" vote removes historical racial references in obsolete Sections 2, 10, 14 of Article VII (Original), Sections 2, 4, 5, of Article XVIII, Oregon Constitution.

RESULT OF "NO" VOTE: "No" vote retains historical racial references in obsolete Sections 2, 10, 14, of Article VII (Original), Sections 2, 4, 5, of Article XVIII, Oregon Constitution.

SUMMARY: Legislative referral. Amends constitution. Currently, Oregon Constitution, Article VII (Original) (rendered obsolete by Article VII (Amended) and statutes enacted by Legislative Assembly) provides historical threshold for expanding number of Supreme Court Justices on basis of "white" population. Measure removes references in sections 2, 10, 14, to "white" inhabitants and "white population." Currently, Article XVIII, Section 2 lists questions for 1857 election regarding ratification of Oregon Constitution; Section 4 lists proposed text for 1857 election to adopt provision in Bill of Rights excluding "negroes" and "mulattoes" (adopted in 1857 election; repealed in 1925); Section 5 provides for initial legislative apportionment based on county. Measure removes references in Sections 2 and 4 to "negroes" and "mulattoes"; removes Section 5 reference to "white" inhabitants. Corrects misspelled words.

ESTIMATE OF FINANCIAL IMPACT: There is no financial effect on state or local government expenditures or revenues.

TEXT OF MEASURE

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

PARAGRAPH 1. Sections 2, 10 and 14, Article VII (Original), and sections 2, 4 and 5, Article XVIII of the Constitution of the State of Oregon, are amended to read:

Sec. 2. The Supreme Court shall consist of Four Justices to be chosen in districts by the electors thereof, who shall be citizens of the United States, and who shall have resided in the State at least three years next preceding their election, and after their election to reside in their respective districts: [-]The number of Justices, the Districts may be increased, but [shall not exceed five until the white population of the State shall amount to One Hundred Thousand, and] shall never exceed seven; and the boundaries of districts may be changed, but no Change of Districts, shall have the effect to remove a Judge from office, or [require] require him to change his residence without his consent. [-]

Sec. 10. [When the white population of the State shall amount to Two Hundred Thousand the] The Legislative Assembly, may provide for the election of Supreme, and Circuit Judges, in distinct classes, one of which classes shall consist of three Justices of the Supreme Court, who shall not perform Circuit duty, and the other class shall consist of the necessary number of Circuit Judges, who shall hold full terms without allotment, and who shall take the same oath as the Supreme Judges. [-]

Sec. 14. The Counties having less than ten thousand [white] inhabitants, shall be [reimbursed] reimbursed wholly or in part for

the salary, and expenses of the County Court by fees, percentage, & other equitable taxation, of the business done in said Court & in the office of the County Clerk. [-]

Sec. 2. Each elector who offers to vote upon this Constitution, shall be asked by the judges of election this question:

Do you vote for the Constitution? Yes, or No.

And also this question:

Do you vote for Slavery in Oregon? Yes, or No.

[And also this question:]

[Do you vote for free Negroes in Oregon? Yes, or No.]

And in the poll books shall be columns headed respectively.

"Constitution, Yes."

"Constitution, No"

["Free Negroes, Yes"

"Free Negroes, No."]

"Slavery, Yes."

"Slavery, No". [-]

And the names of the electors shall be entered in the poll books, together with their [answers] answers to the said questions, under their appropriate heads. The abstracts of the votes transmitted to the Secretary of the Territory, shall be publicly opened, and canvassed by the Governor and Secretary, or by either of them in the absence of the other; and the Governor, or in his absence the Secretary, shall forthwith issue his proclamation, and publish the same in the several newspapers printed in this State, declaring the result of the said election upon each of said questions. [-]

Sec. 4. If this Constitution shall be accepted by the electors, and a majority of all the votes given for, and against slavery, shall be given for slavery, then the following section shall be added to the Bill of Rights, and shall be part of this Constitution:

"Sec. ___ "Persons lawfully held as slaves in any State, Territory, or District of the United States, under the laws thereof, may be brought into this State, and such Slaves, and their descendants may be held as slaves within this State, and shall not be emancipated without the consent of their owners."

And if a majority of such votes shall be given against slavery, then the foregoing section shall not, but the following sections shall be added to the Bill of Rights, and shall be a part of this Constitution.

"Sec. ___ There shall be neither slavery, nor involuntary servitude in the State, otherwise than as a punishment for crime, whereof the party shall have been duly convicted." [-]

[And if a majority of all the votes given for, and against free negroes, shall be given against free negroes, then the following section shall be added to the Bill of Rights, and shall be part of this Constitution:]

"Sec. ___ No free negro, or mulatto, not residing in this State at the time of the adoption of this Constitution, shall come, reside, or be within this State, or hold any real estate, or make any contracts, or maintain any suit therein; and the Legislative Assembly shall provide by penal laws, for the removal, by public officers, of all such negroes, and mulattoes, and for their effectual exclusion from the State, and for the punishment of persons who shall bring them into the State, or employ, or harbor them."

Sec. 5. Until an enumeration of the [white] inhabitants of the State shall be made, and the senators and representatives apportioned as directed in the Constitution, the County of Marion shall have two senators, and four representatives. [-]

Linn two senators, and four representatives.

Lane two senators, and three [representatives] representatives.

Clackamas and Wasco, one senator jointly, and Clackamas three representatives, and Wasco one representative. [-]

Yamhill one senator, and two representatives.

Polk one senator, and two representatives.

Benton one senator, and two representatives.

Multnomah, one senator, and two representatives.

Washington, Columbia, Clatsop, and Tillamook one senator jointly, and Washington one representative, and Washington and Columbia one representative jointly, and Clatsop and Tillamook one representative jointly. [-]

Douglas, one senator, and two representatives. [-]

Jackson one senator, and three representatives.

Josephine one senator, and one [representative] representative. [-]

Umpqua, Coos and Curry, one senator jointly, and Umpqua

Measure No. 14

one representative, and Coos and Curry one representative jointly.[-]

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, adopted before the Civil War, referred to the state's "white population," "white" inhabitants, "free Negroes" and "mulattoes." These references are obsolete. In some cases, amendments have superseded the references. In other cases, the references are in sections that no longer have any force or effect. Nevertheless, the references to race remain in the constitution. Ballot Measure 14 removes the references to race. The measure does not change the constitution in any other way.

The Oregon Constitution contains language that establishes numerical thresholds for expanding the number of State Supreme Court Justices, requiring that Supreme Court and Circuit Judges be elected by the people, and requiring that counties be reimbursed for certain court costs. The numerical thresholds are not tied to the number of citizens residing in Oregon, but are instead tied to the number of white inhabitants of the state.

The Oregon Constitution was ratified in 1857, prior to the Civil War. Prior to adoption of the Oregon Constitution, the Oregon Territory had enacted two African-American exclusion bills (1844 and 1849) that banned African-Americans from owning property or residing in Oregon.

The 14th Amendment to the United States Constitution was ratified in 1868. The 14th Amendment provides that anyone born or naturalized in the United States is a citizen. The 14th Amendment also bans states from enacting or enforcing laws that deny citizens equal protection or due process of law based on race. In 1925, Oregon voters repealed the constitutional provisions relating to the exclusion of African-Americans. However, the language relating to race remains in the Oregon Constitution.

Ballot Measure 14 removes the references to race in these sections of the constitution, and also corrects some spelling errors. The measure does not change the constitution in any other way, and the original language will remain as part of the historical record.

Committee Members:

Senator Avel Gordly
 Representative Jackie Winters
 Robert F. Ekstrom
 Arnold Ismach
 Dr. Darrell Millner

Appointed By:

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

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

**NO ARGUMENTS, OTHER THAN
 THE LEGISLATIVE ARGUMENT IN SUPPORT,
 WERE FILED WITH THE SECRETARY OF STATE.**

Measure No. 14 Arguments

LEGISLATIVE ARGUMENT IN SUPPORT

The Oregon Constitution currently contains racial provisions that are in violation of the United States Constitution's equal protection clause under the 14th Amendment.

The prohibited language is contained in obsolete sections of the Oregon Constitution that have either been amended or repealed. Allowing this prohibited and biased language to remain is hurtful as well as unconstitutional. It is time to put an unenlightened period of Oregon's history behind us and remove this language from the Constitution.

In 1999, the Oregon Legislature adopted Senate Resolution 3, a Day of Acknowledgement, which resolved to increase public awareness of racial discrimination and work toward the full participation of racial minorities in all aspects of Oregon life. Continuing on that constructive path of racial equality, the 2001 Legislature unanimously referred Ballot Measure 14 to the voters.

One lingering effect of this history causes harm and pain to people of color and limits the quality and dignity of all Oregonians. We believe that an honest acknowledgement of our racial history and open dialogue can lead to racial healing and reconciliation and free us to move constructively into a better future for all. This is an opportunity for us to be all-inclusive as an Oregon people.

Please vote "yes" on Ballot Measure 14.

Committee Members:

Senator Avel Gordly
Representative Steve March
Representative Jackie Winters

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.)

Measure No. 15

Senate Joint Resolution 21—Referred to the Electorate of Oregon by the 2001 Legislature to be voted on at the General Election, November 5, 2002.

BALLOT TITLE

15 AMENDS CONSTITUTION: AUTHORIZES STATE TO ISSUE GENERAL OBLIGATION BONDS FOR SEISMIC REHABILITATION OF PUBLIC EDUCATION BUILDINGS (DEFINED)

RESULT OF "YES" VOTE: "Yes" vote would allow state to issue general obligation bonds for seismic rehabilitation of public education buildings (defined); prescribes sources for repayment; authorizes implementing legislation.

RESULT OF "NO" VOTE: "No" vote would reject authorization for state to issue general obligation bonds for seismic rehabilitation of public education buildings.

SUMMARY: Amends Constitution. Currently, the state constitution forbids the legislature from loaning the state's credit in excess of \$50,000, with some exceptions. Measure would allow the state to issue general obligation bonds to assess need for seismic rehabilitation and to conduct seismic rehabilitation of public education buildings. "Public education buildings" defined as buildings owned by State Board of Higher Education, school district, education service district, community college district, or community college service district. Limits amount of indebtedness to one-fifth of one percent of the real market value of all property in the state. Specifies sources of repayment: General Fund, lottery funds, tobacco settlement funds, and amounts appropriated from other sources, but not including ad valorem property taxes. Authorizes implementing legislation. Other provisions.

ESTIMATE OF FINANCIAL IMPACT: There is no financial effect on state or local government expenditures or revenues.

bear rates of interest as may be provided by statute. The full faith and credit and taxing power of the State of Oregon must be pledged to the payment of the principal, premium, if any, and interest on the general obligation bonds; however, the ad valorem taxing power of the State of Oregon may not be pledged to the payment of the bonds issued under this section.

(3) As used in this section, "public education building" means a building owned by the State Board of Higher Education, a school district, an education service district, a community college district or a community college service district.

SECTION 2. The principal, premium, if any, interest and other amounts payable with respect to the general obligation bonds issued under section 1 of this Article must be repaid as determined by the Legislative Assembly from the following sources:

(1) Amounts appropriated for the purpose by the Legislative Assembly from the General Fund, including taxes, other than ad valorem property taxes, levied to pay the bonds;

(2) Amounts allocated for the purpose by the Legislative Assembly from the proceeds of the State Lottery or from the Master Settlement Agreement entered into on November 23, 1998, by the State of Oregon and leading United States tobacco product manufacturers; and

(3) Amounts appropriated or allocated for the purpose by the Legislative Assembly from other sources of revenue.

SECTION 3. General obligation bonds issued under section 1 of this Article may be refunded with bonds of like obligation.

SECTION 4. The Legislative Assembly may enact legislation to carry out the provisions of this Article.

SECTION 5. This Article supersedes conflicting provisions of this Constitution.

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.

TEXT OF MEASURE

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

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

ARTICLE XI-L

SECTION 1. (1) In the manner provided by law and notwithstanding the limitations contained in section 7, Article XI of this Constitution, the credit of the State of Oregon may be loaned and indebtedness incurred, in an aggregate outstanding principal amount not to exceed, at any one time, one-fifth of one percent of the real market value of all property in the state, to provide funds for the planning and implementation of seismic rehabilitation of public education buildings, including surveying and conducting engineering evaluations of the need for seismic rehabilitation.

(2) Any indebtedness incurred under this section must be in the form of general obligation bonds of the State of Oregon containing a direct promise on behalf of the State of Oregon to pay the principal, premium, if any, interest and other amounts payable with respect to the bonds, in an aggregate outstanding principal amount not to exceed the amount authorized in subsection (1) of this section. The bonds are the direct obligation of the State of Oregon and must be in a form, run for a period of time, have terms and

Measure No. 15

EXPLANATORY STATEMENT

Ballot Measure 15 amends the Oregon Constitution to allow the state to issue general obligation bonds to retrofit or reinforce public education buildings to withstand earthquakes. The aggregate outstanding principal amount of debt incurred is capped by the terms of the measure. The measure requires the state to pledge its full faith and credit to repayment of debt incurred. The measure directs the Legislative Assembly to repay the principal, premium, if any, interest and other amounts payable related to the bonds from taxes, from lottery proceeds or tobacco settlement moneys or from other sources of revenue. The Legislative Assembly may not repay the bonds from property taxes. The measure authorizes the state to issue general obligation bonds for refunding the bonds issued.

The measure applies to state universities; elementary, middle and high schools; education service districts; community colleges; or similar public education buildings.

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

Committee Members:

Senator Peter Courtney
 Representative Alan Brown
 Representative Phil Barnhart
 Representative Tim Knopp
 Representative Janet Carlson

Appointed By:

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

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

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

15

Measure No. 15 Arguments

LEGISLATIVE ARGUMENT IN SUPPORT

EARTHQUAKES AND OUR SCHOOLS

Imagine the terror of not knowing whether your children are surviving a major earthquake. The Oregon Department of Geology says it's not a matter of if, it's a matter of when. And if your children or grandchildren are in a school during an earthquake, will they be safe?

Unfortunately, the answer is no if they're in one of the thousands of buildings that experts say are vulnerable to a major earthquake. The day after a quake, experts estimate that at least one third of school buildings will be closed due to extensive damage. They estimate such an earthquake could result in the deaths of 8,000 people and \$12 billion in property damage.

Ballot Measure 15 is an opportunity to substantially reduce that loss. It is a responsible answer to the warnings from geologists.

Ballot Measure 15 will provide the money necessary to reinforce and upgrade schools, community colleges and universities so that we can minimize the loss of life and damage that will come in a high magnitude earthquake.

Ballot Measure 15 will not raise taxes. But it will help ensure the safety of children and it will help minimize the damage when our state suffers a major earthquake.

Vote YES on Ballot Measure 15

Committee Members:

Senator Peter Courtney
 Representative Alan Brown
 Representative Mark Hass

Appointed By:

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

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

ARGUMENT IN FAVOR

PROTECT OUR UNIVERSITY STUDENTS

VOTE "YES" ON MEASURE 15

When the big earthquake hits, we must be prepared! Tens of thousands of university students in our laboratories, auditoriums, and classrooms need protection. Safeguarding their lives and the lives of faculty and staff, when a quake as strong as magnitude 9 hits, depends upon making our buildings earthquake ready. We can avoid a tragedy by acting now.

The majority of the buildings owned by the state government of Oregon are on the campuses of the seven universities. It would cost more than \$2 billion to replace the investment Oregonians have made over the years in university facilities.

But more important than the cost of buildings is the threat to the lives of as many as 100,000 students, faculty, staff, and visitors who use these buildings during the school year. Recent research has revealed a pattern of big quakes in Oregon, up to Magnitude 9, and the pattern shows the next one could happen at any time.

Help us protect our students, professors, staff, and visitors from the devastation of the next big earthquake. Join us in voting "Yes" on Measure 15.

Richard Jarvis
 Chancellor, Oregon University System*

David Frohnmayer
 President, University of Oregon*

Paul Risser
 President, Oregon State University*

Dan Bernstine
 President, Portland State University*

Phillip D. Creighton
 President, Eastern Oregon University*

Philip W. Conn
 President, Western Oregon University*

Elisabeth Zinser
 President, Southern Oregon University*

Martha Anne Dow
 President, Oregon Institute of Technology*

*Titles used for identification purposes only, and do not constitute an endorsement by the Oregon University System or any of its institutions.

(This information furnished by Grattan Kerans.)

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

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

Measure No. 15 Arguments

ARGUMENT IN FAVOR

Ballot Measure 15 amends Oregon's Constitution to allow the state to issue bonds to retrofit public education buildings to withstand earthquakes.

Scientists have recently discovered that Oregon has experienced large earthquakes in the past, earthquakes that are larger than those experienced frequently in California. These large earthquakes occur on a 300 to 500 year basis. The question is not if Oregon will experience the widespread devastation of an earthquake, but when.

Earthquakes in other west coast states have demonstrated the vulnerability of school buildings to damage, and the potential for loss of life during such events. Many university and college buildings were damaged beyond repair in the 1994 Northridge, California earthquake. The 1993 Scotts Mills earthquake in Oregon damaged the Molalla High School beyond repair.

Both Oregon State University and the Oregon Department of Geology and Mineral Industries estimate a significant earthquake in Oregon could result in massive damage to people and property. These experts forecast up to 8,000 lives lost and 30,000 buildings destroyed with damages exceeding \$12 billion.

Many schools in Oregon were built prior to the adoption of stringent building codes that help to ensure earthquake safe buildings. These school buildings pose a life safety hazard to their occupants: children, teachers, staff, family members and the public. Measure 15 allows the state to provide funding for elementary schools through colleges to retrofit these hazardous buildings.

- Measure 15 allows the state to issue general obligation bonds to provide funding to retrofit hazardous buildings and protect our children.
- Measure 15 helps the citizens of Oregon to protect our investment in our children and our schools.
- Measure 15 does not raise taxes.

Vote "YES" on Ballot Measure 15. Protect our children and our investment in public education facilities.

(This information furnished by Brad Moyes, Vice President, Structural Engineers Association of Oregon.)

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

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

ARGUMENT IN FAVOR

The member unions of the Oregon State Building & Construction Trades Council urge you to vote "YES" on Ballot Measure 15.

Some of Oregon's most essential facilities - schools - are old and were not built to handle a major earthquake. Ballot Measure 15 will provide the money necessary to reinforce and upgrade schools, community colleges and universities so that we can minimize the loss of life and damage that will come in a high magnitude earthquake. Ballot Measure 15 will not raise taxes, but rather allow a capped amount of bonding to ensure these buildings are safe for our kids.

According to the Oregon Department of Geology, we are certain to face an earthquake of devastating proportions. Rather than wait and watch the facilities that house our kids crumble, we must act now.

In addition to providing a safe learning environment, this additional money will provide jobs to Oregonians in these difficult economic times. The more than 30,000 trained, skilled craftsmen and women of the Oregon State Building & Construction Trades Council will work hard to ensure the thousands of vulnerable buildings are properly reinforced and upgraded.

Keep our kids safe and help provide much needed jobs for Oregonians. Vote "YES" on Ballot Measure 15.

(This information furnished by Bob Shiprack, Oregon State Building & Construction Trades Council.)

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

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

Measure No. 15 Arguments

ARGUMENT IN FAVOR

PROTECT STUDENTS AT OREGON'S SCHOOLS AND UNIVERSITIES JOIN US IN SUPPORTING MEASURE 15

Experts expect a significant earthquake to hit the region sometime in the near future causing substantial damage and, unfortunately, injuries and death.

Measure 15 will allow earthquake-prone Oregon to prepare for this unwanted occurrence with a plan of action to bring school and university buildings up to adequate earthquake standards. In a major earthquake, thousands of our children, students, teachers and staff could be in buildings that may not withstand the violent tremors experts predict.

Even after the significant earthquake, these schools and universities will be counted on, to serve as gathering places for communities hardest hit. If these important buildings are not able to withstand the earthquake, then not only are student lives at risk but vital community assets could also be severely damaged.

Oregon's consulting engineers understand the risks if we do not retrofit at-risk schools. Because many educational facilities across Oregon were built prior to the requirement of modern earthquake building codes, they could suffer tremendous damage when a significant quake occurs. Measure 15 is a prudent step help brace us for earthquakes, predicted to be part of our future.

Oregon's investment in our schools and universities is too great to let them collapse into rubble. Ballot Measure 15 will create a process to identify the buildings with the most critical needs and focus resources on them.

We urge you to join us in voting "YES" on Ballot Measure 15.

SAVE OUR SCHOOLS, SAVE OUR STUDENTS SAVE OUR COMMUNITY RESOURCES.

(This information furnished by Mike Unger, President, American Council of Engineering Companies of Oregon.)

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

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

ARGUMENT IN FAVOR

PROTECT YOUR INVESTMENT: VOTE YES ON MEASURE 15

The 1200 member companies of the Associated General Contractors Oregon-Columbia Chapter urge you to protect your investment in public education facilities and vote YES on Measure 15.

Measure 15 would allow general obligation bonds to be issued for seismic rehabilitation of K-12, community college, and higher education buildings. The cost of rebuilding and repairing buildings after small and medium earthquakes puts a significant strain on already tight school budgets, and the financial impact of a major earthquake would be astronomical. By investing in seismic upgrades now, the public will save millions in reconstruction costs down the road.

Measure 15 is also about safety. A medium-sized earthquake during the middle a school day could put hundreds of children in a danger zone. If school facilities have not been properly maintained were not built to the current earthquake standards, even a small earthquake could create a safety hazard.

Measure 15 requires the assessment of risk before actual seismic rehabilitation programs begin. This ensures the most at-risk facilities receive attention first, and helps to ensure the responsible, cost-effective expenditure of public funds.

The members of the Associated General Contractors urge your YES vote on Measure 15. Let's protect our investment for years to come.

(This information furnished by Jessica Harris, Associated General Contractors Oregon-Columbia Chapter.)

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

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

Measure No. 16

Senate Joint Resolution 22—Referred to the Electorate of Oregon by the 2001 Legislature to be voted on at the General Election, November 5, 2002.

BALLOT TITLE

16 AMENDS CONSTITUTION: AUTHORIZES STATE TO ISSUE GENERAL OBLIGATION BONDS FOR SEISMIC REHABILITATION OF EMERGENCY SERVICES BUILDINGS (DEFINED)

RESULT OF "YES" VOTE: "Yes" vote authorizes state to issue general obligation bonds to finance seismic rehabilitation of emergency services buildings (defined); prescribes sources for repayment; authorizes implementing legislation.

RESULT OF "NO" VOTE: "No" vote rejects authorization for state to issue general obligation bonds to finance seismic rehabilitation of specified emergency services buildings.

SUMMARY: Amends Constitution. Currently, the state constitution forbids the legislature from loaning the state's credit in excess of \$50,000, with some exceptions. Measure would allow the state to issue general obligation bonds to assess the need for and to conduct seismic rehabilitation of emergency services buildings. "Emergency services buildings" defined as public buildings used for fire protection services; hospital buildings containing acute inpatient care facilities; police stations; sheriff's offices; and similar facilities used by state or local law enforcement agencies. Limits amount of indebtedness to one-fifth of one percent of the real market value of all property in the state. Specifies sources of repayment: General Fund, lottery funds, tobacco settlement funds, other appropriations, but not including ad valorem property taxes. Other provisions.

ESTIMATE OF FINANCIAL IMPACT: There is no financial effect on state or local government expenditures or revenues.

TEXT OF MEASURE

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

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

ARTICLE XI-L

SECTION 1. (1) In the manner provided by law and notwithstanding the limitations contained in section 7, Article XI of this Constitution, the credit of the State of Oregon may be loaned and indebtedness incurred, in an aggregate outstanding principal amount not to exceed, at any one time, one-fifth of one percent of the real market value of all property in the state, to provide funds for the planning and implementation of seismic rehabilitation of emergency services buildings, including surveying and conducting engineering evaluations of the need for seismic rehabilitation.

(2) Any indebtedness incurred under this section must be in the form of general obligation bonds of the State of Oregon containing a direct promise on behalf of the State of Oregon to pay the principal, premium, if any, interest and other amounts payable with respect to the bonds, in an aggregate outstanding principal amount not to exceed the amount authorized in subsection (1) of this section. The bonds are the direct obligation of the State of Oregon and must be in a form, run for a period of time, have terms and

bear rates of interest as may be provided by statute. The full faith and credit and taxing power of the State of Oregon must be pledged to the payment of the principal, premium, if any, and interest on the general obligation bonds; however, the ad valorem taxing power of the State of Oregon may not be pledged to the payment of the bonds issued under this section.

(3) As used in this section:

(a) "Acute inpatient care facility" means a licensed hospital with an organized medical staff, with permanent facilities that include inpatient beds, and with comprehensive medical services, including physician services and continuous nursing services under the supervision of registered nurses, to provide diagnosis and medical or surgical treatment primarily for but not limited to acutely ill patients and accident victims. "Acute inpatient care facility" includes the Oregon Health and Science University.

(b) "Emergency services building" means a public building used for fire protection services, a hospital building that contains an acute inpatient care facility, a police station, a sheriff's office or a similar facility used by a state, county, district or municipal law enforcement agency.

SECTION 2. The principal, premium, if any, interest and other amounts payable with respect to the general obligation bonds issued under section 1 of this Article must be repaid as determined by the Legislative Assembly from the following sources:

(1) Amounts appropriated for the purpose by the Legislative Assembly from the General Fund, including taxes, other than ad valorem property taxes, levied to pay the bonds;

(2) Amounts allocated for the purpose by the Legislative Assembly from the proceeds of the State Lottery or from the Master Settlement Agreement entered into on November 23, 1998, by the State of Oregon and leading United States tobacco product manufacturers; and

(3) Amounts appropriated or allocated for the purpose by the Legislative Assembly from other sources of revenue.

SECTION 3. General obligation bonds issued under section 1 of this Article may be refunded with bonds of like obligation.

SECTION 4. The Legislative Assembly may enact legislation to carry out the provisions of this Article.

SECTION 5. This Article supersedes conflicting provisions of this Constitution.

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

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

Measure No. 16

EXPLANATORY STATEMENT

Ballot Measure 16 amends the Oregon Constitution to allow the state to issue general obligation bonds to retrofit or reinforce emergency services buildings to withstand earthquakes. The aggregate outstanding principal amount of debt incurred is capped by the terms of the measure. The measure requires the state to pledge its full faith and credit to repayment of debt incurred. The measure directs the Legislative Assembly to repay the principal, premium, if any, interest and other amounts payable related to the bonds from taxes, from lottery proceeds or tobacco settlement moneys or from other sources of revenue. The Legislative Assembly may not repay the bonds from property taxes. The measure authorizes the state to issue general obligation bonds for refunding the bonds issued.

The measure applies to fire stations, hospitals, police stations, sheriff's offices or a similar facility used by a state, county, district or municipal law enforcement agency.

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

Committee Members:

Senator Peter Courtney
 Representative Alan Brown
 Representative Phil Barnhart
 Representative Tim Knopp
 Representative Janet Carlson

Appointed By:

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

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

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

Measure No. 16 Arguments

LEGISLATIVE ARGUMENT IN SUPPORT

EARTHQUAKES AND OUR FIRE STATIONS, HOSPITALS, POLICE STATIONS

It was just another day in Puget Sound area of Washington State on February 28th 2001. Then, at 10:55 a.m. thousands of were jolted by one of the largest earthquakes to strike the Pacific Northwest. The ground shook and buildings rattled for 40 terrifying seconds

Amazingly, the damage was limited to less than \$2 billion dollars and only one death (a heart attack). The 6.8 magnitude of the earthquake was even larger than the deadly Northridge earthquake in southern California in 1994, which claimed 57 lives \$40 billion in damage.

The difference? Seismology experts say although the earthquakes were different in nature, the damage was minimized in Puget Sound by newer buildings that had gone up in recent years, most of it built to adhere to newly required seismic building codes. Those seismic upgrades likely saved lives and billions of dollars.

That's why we think Ballot Measure 16 makes sense. It provides money to upgrade and reinforce buildings that are now vulnerable to a major earthquake – an earthquake that the Oregon Department of Geology says will occur and could happen at any time.

Many of our hospitals, fire stations, and police stations aren't ready for the damaging effects from earthquakes. Our doctors, nurses, paramedics, firefighters, and police officers are the people that we most need in times of a natural disaster and the buildings that house them are critical to our survival. We must make sure that our emergency service people are safe and ready when the quake hits.

Ballot Measure will not raise taxes. This is good business. It's about being prepared. We may not be able to prevent the big one, but we can be ready for it.

Vote Yes on Ballot Measure 16.

Committee Members:

Senator Peter Courtney
Representative Alan Brown
Representative Mark Hass

Appointed By:

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

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

ARGUMENT IN FAVOR

Fire associations support Measure 16!

Events over the past year have shown all too clearly the importance of having immediate emergency response capability that operates efficiently, effectively and – above all – safely.

While we have not seen a large-scale, catastrophic earthquake event in this region in a long while, experts tell us that another “big one” is eventually coming.

It is impossible to be totally prepared for this kind of disaster. The potential is significant for injury, property damage and loss of life. As emergency responders, it is our duty to see to it that we are as prepared as possible and that we take all reasonable steps to protect the safety of you, the citizens we serve. One critical aspect of emergency preparedness is ensuring that our emergency response facilities are able to function immediately following such a disaster.

The fact is, however, there are about 3,500 structures around the state that need to be evaluated for seismic vulnerability – many of which will require rehabilitation to ensure that they remain standing and functioning after an earthquake. If these facilities fail to survive such a disaster, it is possible that ambulances, fire engines and other rescue apparatus will be unable to respond.

Unfortunately, local jurisdictions don't have the money for major assessment and rehabilitation projects.

Voting “yes” on Ballot Measure 16 will provide the necessary funding for seismic rehabilitation of the emergency service buildings that are in the highest risk category. **The money is provided through the issuance of bonds by the state – not through an increase in your property taxes!**

Please support Ballot Measure 16. With your help, we'll be ready to help and to serve – as always – when the time comes.

**Oregon State Fire Fighters Council
Oregon Fire Chiefs' Association
Oregon Fire District Directors Association**

(This information furnished by Ken Armstrong, Oregon Fire Chiefs' Association; Bob Livingston, Oregon State Fire Fighters Council; Burton Weast, Oregon Fire District Directors Association.)

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

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

Measure No. 16 Arguments

ARGUMENT IN FAVOR

Ballot Measure 16 amends Oregon's Constitution to allow the state to issue bonds to retrofit emergency services buildings to withstand earthquakes.

Scientists have recently discovered that Oregon has experienced large earthquakes in the past, earthquakes that are larger than those experienced frequently in California. These large earthquakes occur on a 300 to 500 year basis. The question is not if Oregon will experience the widespread devastation of an earthquake, but when.

Recent earthquakes on the west coast have shown the importance of timely response of emergency services (police, fire fighters, and hospitals) to protect and rescue victims of the disaster. Quick response is key to limiting the casualties and loss of life in an earthquake.

The Oregon Department of Geology and Mineral Industries estimates a large earthquake in Oregon could result in 8,000 lives lost, 30,000 buildings destroyed, and damages exceeding \$12 billion.

Many of the emergency facilities in the state were built prior to the adoption of stringent building codes that help to ensure earthquake safe buildings. These facilities currently house fire, police, and sheriff's offices and some hospitals. These buildings not only pose a life safety hazard to their occupants, but they would be damaged beyond use after an earthquake. The ability of rescue teams to respond to such a disaster would be impaired. The ability of hospitals to treat patients would be limited. Measure 16 allows the state to provide funding for these emergency facilities to identify and retrofit their hazardous buildings.

- Measure 16 allows the state to provide funding needed to retrofit hazardous police and fire stations and hospitals, which will prepare the state for a major earthquake.
- Measure 16 helps the citizens of Oregon to minimize the losses from a major earthquake.
- Measure 16 does not raise taxes.

Vote "YES" on Measure 16. Protect Oregon's public safety facilities.

(This information furnished by Brad Moyes, Vice President, Structural Engineers Association of Oregon.)

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

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

ARGUMENT IN FAVOR

Please Support Ballot Measure 16

VOTE YES

Experts believe it is only a matter of time until there is a major earthquake in Oregon. In recent years, we, as Oregonians, have been made aware of our local potential for earthquake with examples such as the Spring Break Quake, the Klamath Falls and Molalla earthquakes and the more recent one near Olympia, Washington.

Preparing Oregon's emergency buildings, including hospitals and fire and police stations, to withstand a major earthquake is an important step in protecting Oregonians when such an event occurs.

Ballot Measure 16 is one step in reaching a goal to insure that emergency services buildings are able to survive to continue to provide the care and support to Oregonians which will be necessary after an earthquake.

With your yes vote on Ballot Measure 16, you encourage the efforts already begun and provide the means to continue to identify the risks and needs of our hospitals and other emergency services structures, to prioritize those needs so that buildings will survive a major earthquake.

Hospitals and health systems are a key link in the emergency services system and are proud of the role we play in supporting our communities during any disaster. Your support of Ballot Measure 16 will assist in insuring that we are able to provide the emergency care our communities deserve.

The Oregon Association of Hospitals and Health Systems urge you to vote yes in support of Ballot Measure 16.

(This information furnished by Ken Rutledge, Oregon Association of Hospitals & Health Systems.)

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

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

Measure No. 16 Arguments

ARGUMENT IN FAVOR

The member unions of the Oregon State Building & Construction Trades Council urge you to vote "YES" on Ballot Measure 16.

Some of Oregon's most essential facilities - hospitals, police stations, and fire stations - are old and were not built to handle a major earthquake. Ballot Measure 16 will provide the money necessary to reinforce and upgrade these emergency services buildings so that we can minimize the loss of life and damage that will come in a high magnitude earthquake. Ballot Measure 16 will not raise taxes, but rather allow a capped amount of bonding to ensure these buildings are safe.

According to the Oregon Department of Geology, we are certain to face an earthquake of devastating proportions. Rather than wait and watch the facilities we need most in times of crisis crumble, we must act now.

In addition to providing safe hospitals, police stations, fire stations and other emergency services buildings, this additional money will provide jobs to Oregonians in these difficult economic times. The more than 30,000 trained, skilled craftsmen and women of the Oregon State Building & Construction Trades Council will work hard to ensure the thousands of vulnerable buildings are properly reinforced and upgraded.

Keep our emergency services buildings and the people employed in these important fields safe and help provide much needed jobs for Oregonians. Vote "YES" on Ballot Measure 16.

(This information furnished by Bob Shiprack, Oregon State Building & Construction Trades Council.)

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

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

ARGUMENT IN FAVOR

SUPPORT OUR EMERGENCY RESPONSE CAPABILITIES FOR FIRE, POLICE AND HOSPITALS

VOTE "YES" ON MEASURE 16

Many of Oregon's most important buildings are at risk of collapse or other structural failure when a significant earthquake hits our region.

Experts agree Oregon is very likely to experience an earthquake that will damage and possibly crumble many key emergency response buildings across the state. Experts also agree that many of our most at-risk buildings include fire stations, police headquarters and hospitals across the state. Imagine the unnecessary trauma and suffering if these key emergency service buildings collapse leaving personnel and vehicles unable to leave the building. This scenario would leave earthquake victims without timely and adequate emergency response.

However, prudent investment in emergency services buildings can significantly improve the ability of emergency response personnel to protect us from the many earthquakes predicted to be part of our future. If enacted, Measure 16 will make these buildings safer by identifying those with the greatest need and focusing resources on them.

Through general obligation bonds, funds will be used for planning and implementation of seismic rehabilitation of these vitally important emergency services buildings. Evaluations will be performed to prioritize the funding for rehabilitating these important buildings across the state.

Oregon's consulting engineers are very aware of the danger earthquakes present. We understand the necessity of upgrading and seismically strengthening these important emergency service buildings so they will be in working condition during those times when they are most needed.

Please join us in voting "YES" on Ballot Measure #16.

(This information furnished by Mike Unger, President, American Council of Engineering Companies of Oregon.)

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

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

Measure No. 16 Arguments

ARGUMENT IN FAVOR

PROTECT YOUR INVESTMENT AND SAFETY: **VOTE YES ON MEASURE 16**

The 1200 member companies of the Associated General Contractors Oregon-Columbia Chapter urge you to protect your investment and safety and vote YES on Measure 16.

Through local property tax measures, bonding programs, and a myriad of other sources, Oregonians have invested millions of dollars into police, fire, and other emergency response facilities. AGC contractors urge you to protect that investment by ensuring the proper seismic study and rehabilitation of emergency services facilities. The upfront investment will save taxpayers millions in reconstruction costs down the road.

Measure 16 is a responsible approach to ensuring the viability of emergency response personnel immediately following an earthquake. It's a simple fact that if the police or fire station collapses or is otherwise structurally compromised during an earthquake, the ability of a rescue team from that unit to respond to other emergencies becomes thwarted. Measure 16 paves the way by which those facilities can be upgraded to ensure their viability during, and more importantly, after an earthquake has occurred.

Protect your investment. Protect your safety. Join with the members of the Associated General Contractors Oregon-Columbia Chapter and **VOTE YES ON MEASURE 16.**

(This information furnished by Jessica Harris, Associated General Contractors Oregon-Columbia Chapter.)

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

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

Measure No. 17

House Joint Resolution 16—Referred to the Electorate of Oregon by the 2001 Legislature to be voted on at the General Election, November 5, 2002.

BALLOT TITLE

17 AMENDS CONSTITUTION: REDUCES MINIMUM AGE REQUIREMENT TO SERVE AS STATE LEGISLATOR FROM 21 YEARS TO 18 YEARS

RESULT OF "YES" VOTE: "Yes" vote reduces minimum age requirement from 21 years of age for an individual to serve as a senator or representative in the Oregon legislature.

RESULT OF "NO" VOTE: "No" vote retains minimum age requirement of 21 years of age for an individual to serve as a senator or representative in the Oregon legislature.

SUMMARY: Legislative referral. Amends constitution. Currently, the Oregon Constitution requires that, to qualify for office, senators and representatives in the Oregon legislature must be at least 21 years of age. Measure reduces to 18 years the minimum age requirement for individuals to hold office in the Senate or the House of Representatives in the Oregon legislature. Measure changes the language of Article IV, Section 8(2) of the Oregon Constitution to the following: "Senators and Representatives shall be at least 18 years of age."

ESTIMATE OF FINANCIAL IMPACT: There is no financial effect on state or local government expenditures or revenues.

TEXT OF MEASURE

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

PARAGRAPH 1. Section 8, Article IV of the Constitution of the State of Oregon, is amended to read:

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

(2) Senators and Representatives shall be at least *[twenty one]* 18 years of age.

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

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

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

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

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

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

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

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

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

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

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

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 provides that a person must be at least 21 years of age to serve in the Senate or House of Representatives of the Oregon Legislative Assembly. Ballot Measure 17 lowers the minimum age of service to 18 years of age. Under the measure, a person at least 18 years of age will be eligible to serve in the Legislative Assembly.

Committee Members:

Senator Charles Starr
Representative Carl Wilson
Representative Betsy Johnson
Representative Wayne Krieger
Michael Howden

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.)

17

Measure No. 17 Arguments

LEGISLATIVE ARGUMENT IN SUPPORT

Ballot Measure 17 lowers the minimum age to serve in the Oregon Legislative Assembly from 21 to 18. The measure does not change any other requirements for service in the legislature. This is a constitutional change that requires voter approval.

Passage of Ballot Measure 17 would not guarantee that any 18-year-old would be elected, any more than current law guarantees that any person of any age is elected. Ballot Measure 17 offers the opportunity for young people to engage in the political process if they so choose. This is an issue of fairness, as 18-year-olds are eligible to vote, serve their country in the military, and run for some local elective offices. Nineteen other states already allow 18-year-olds to run for and serve in their legislatures.

We must encourage young people to participate in their communities and their government. By allowing 18, 19, and 20 year-olds to run for the legislature, we can send a message that young people are important to the political process and that we welcome their participation.

We encourage a "yes" vote on Ballot Measure 17.

Committee Members:

Senator Charles Starr
 Representative Vicki Walker
 Representative Carl Wilson

Appointed By:

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

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

ARGUMENT IN FAVOR

OREGON GOVERNORS, DEMOCRAT AND REPUBLICAN, SUPPORT BALLOT MEASURE 17

Ballot measure 17 is an important step for Oregon and we hope you will join us in voting "YES" on this measure.

At age 18, young people serve in the military, pay taxes, and make fundamental political decisions by voting on issues and candidates. From Portland to Grants Pass, Coos Bay to Pendleton, 18, 19, and 20 year-olds can run for school boards and city councils. Yet, unlike the 17 other states, including California and Washington, that allow citizens to be legislators at age 18, young people in Oregon are prevented from serving as Representatives and Senators in Salem.

Measure 17 opens the door to young Oregonians, 18, 19, and 20 years of age, to be eligible to serve in the State Legislature. It does not guarantee a seat for any of them. Rather, it provides these adults with the same opportunity currently afforded to Oregon citizens age 21 and older: the right to stand for election and let voters make their own decision about the candidate who is most qualified to represent their community.

As statewide leaders, we have strived to involve young Oregonians in the political process. Passing measure 17 and giving 18, 19, and 20 year-olds another avenue for civic engagement can only strengthen our state.

Please vote YES on measure 17.

Former Governors:

Mark O. Hatfield
 Victor Atiyeh
 Neil Goldschmidt
 Barbara Roberts

(This information furnished by Jake Oken-Berg, Yes On 17 Committee.)

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

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

Measure No. 17 Arguments

ARGUMENT IN FAVOR

Vote for Measure 17 for Voters' Choice

Dear Fellow Oregonians:

This measure was born when I was meeting with a group of students at Portland Community College. One student asked me why he could not serve in the legislature because he was not yet 21. Frankly, until I was asked the question, I was unaware that the Oregon Constitution set an age limit for legislative service.

I told the student that it did not seem right to me and promised to look into the issue. The result was that I introduced a bill that passed the legislature to refer this Constitutional Amendment to the people of Oregon.

The reason that I initiated this measure was because I believe in simple fairness and I believe in providing choices to voters.

There is no age requirement to hold my office as your Secretary of State. There is no age requirement to be Oregon's Attorney General, Treasurer, Superintendent of Public Instruction or Commissioner of Labor and Industries.

I believe that voters should have the option of electing 18-, 19-, and 20-year-olds to the legislature if they wish.

Are all 20-year-olds qualified to serve in the legislature? Probably not, but neither are all 40-year-olds. That's why we have elections, to let voters decide who they want to represent them.

If a candidate can make a compelling argument to voters that he or she should represent them in the legislature, I do not believe that the candidate's age should keep those voters from electing him or her.

Please join with me in supporting Measure 17, to ensure that voters have the right to choose from all the candidates.

Sincerely,

Bill Bradbury
Oregon Secretary of State

(This information furnished by Bill Bradbury, Oregon Secretary of State.)

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

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

ARGUMENT IN FAVOR

OREGON LEGISLATORS VOTING YES ON MEASURE 17

A message from Oregon State Legislators:

Oregon Legislators overwhelmingly voted to refer Measure 17 to the ballot. Why should you vote yes on 17?

Fairness:

-- **18, 19, and 20 year-olds are adults. They serve in the military, pay taxes, and vote.** They should have the right to run for office and let voters decide who is qualified.

-- **18, 19, and 20 year-olds can run for Secretary of State, Attorney General, and State Treasurer.** These same adults should be eligible to serve as your state representative.

-- **Across the state, from Portland to Pendleton, 18, 19, and 20 year-olds can run for school boards and city councils.** These same adults should be able to serve in our State Legislature.

Civic Engagement:

-- Young adults often feel disconnected from the political process. They should be given every **opportunity to participate directly in our democracy.**

-- **Age alone is not a good indicator of ability to serve in a position of responsibility.** Exceptional 18, 19, and 20 year-olds will bring **fresh ideas to the Oregon State Legislature.**

Credibility:

-- **State Legislators, Democrat and Republican, overwhelmingly voted to send measure 17 to the voters.** In fact, there were only three "no" votes in the entire Senate.

-- **Seventeen states (including Washington, California, Idaho, and Montana) allow 18-20 year-olds to run for the State Legislature.**

-- **Several 18, 19, and 20 year-olds serve in state legislatures across the country. These accomplished adults work on complex policy legislation, and effectively represent their constituents.** They bring a **unique perspective that is appreciated** by their fellow representatives.

PLEASE JOIN US IN VOTING YES ON MEASURE 17:

- State Representative Steve March (D-Portland)
- State Representative Carl Wilson (R-Grants Pass)
- State Representative Dan Gardner (D-Portland)
- State Representative Bruce Starr (R-Hillsboro)
- State Senator Rick Metsger (D-Welches)
- State Senator Tom Hartung (R-Cedar Mill)
- State Senator Kate Brown (D-Portland)
- State Senator Lenn Hannon (R-Ashland)

Questions? Visit www.YesOn17.com

(This information furnished by Jake Oken-Berg, Yes On 17 Committee.)

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

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

Measure No. 17 Arguments

ARGUMENT IN FAVOR

LET ALL ADULTS RUN FOR THE OREGON LEGISLATURE

PLEASE VOTE YES ON BALLOT MEASURE 17

Ballot Measure 17 will amend the Oregon Constitution to lower the age requirement for service in the Oregon Legislature from 21 to 18 years of age. A bipartisan vote of the Oregon Legislature referred this measure to the voters.

18, 19, 20 YEAR OLDS ARE ADULTS

Individuals between the ages of 18 and 20 are by law adults. They can serve in the military and be drafted, enter into contracts, run for statewide elected positions such as State Treasurer, Secretary of State, Attorney General and many other local offices, and they already make important political decisions that shape Oregon by voting. **A vote of yes will allow an inconsistency in the political system to be fixed.**

ALL ADULTS SHOULD HAVE THE OPPORTUNITY TO SERVE

Not all 18-20 year-olds are ready for the responsibility of serving in the Legislature. **A vote of yes will allow the rare, extraordinary young Oregonian the same opportunity to run for public office and have her/his own community decide their readiness to represent their district in the Legislature.**

SEND A MESSAGE

A vote of yes will send a message to adults age 18-20 that they are fully welcome to participate in all aspects of the political process in Oregon. In a time when voter participation is at an all-time low **a vote of yes will send a message to all young voters that government is relevant and they can participate.**

PLEASE VOTE YES ON BALLOT MEASURE 17

Information on Ballot Measure 17 is available at www.YesOn17.com

X-PAC and Yes on 17 Committee

(This information furnished by Laura Bridges, Chair, X-PAC; Jake Oken-Berg, Yes on 17 Committee.)

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

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

ARGUMENT IN OPPOSITION

Measure 17 Violates Basic Bible Teaching

Old Testament Law

The Bible places a tremendous emphasis on maturity, age, and wisdom. One was a "child," under parental authority, until 20 (Num. 1:2-30ff; 14:29; 26:2; Ex. 30:14; 38:26; 2 Chron. 25:5.) Levites and priests could not rule until age 25 or 30. (Num. 8:23-26; 1 Chr. 23:3.) David, the ideal King, began his reign at 30, the same age that Jesus began His public ministry. Wisdom to properly rule takes time and much training (Hebrews 5:14). **20 is the age of military maturity, and 30 is the age of ruling maturity.**

New Testament Law

The New Testament warns us not to put novices into positions of leadership. 1 Tim. 3:6 says that a ruler must not be "a novice, lest being puffed up with pride he fall into the same condemnation as the devil." **Anyone aged eighteen would have to be considered a newcomer to civil affairs, and thus ineligible.**

Biblical Wisdom

Proverbs is written to teens. It warns over and over about the temptations of intoxicants, sexual relationships, and bad company. These temptations are common to teens. Wine, women, and song (fellowship) are all great gifts from God, but only when enjoyed in terms of His Word. The halls of power in Salem are filled with these temptations. **Proverbs is written to princes, with the goal of them becoming kings.** The future king's integrity is guarded by avoiding the temptations of pride, too much wine, the wrong women, and bad company.

So, for the good of the body politic, and for the well-being of the teen that may eventually, when mature, become one of our great Legislators, we urge a No vote on Measure 17.

Prepared by the **Parents Education Association**, a family-based biblical alternative to the National Education Association
See all our Ballot Measure recommendations at www.peapac.org

(This information furnished by Dennis R. Tuuri, Parents Education Assn.)

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

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

Measure No. 18

House Joint Resolution 45—Referred to the Electorate of Oregon by the 2001 Legislature to be voted on at the General Election, November 5, 2002.

BALLOT TITLE

18 AMENDS CONSTITUTION: ALLOWS CERTAIN TAX DISTRICTS TO ESTABLISH PERMANENT PROPERTY TAX RATES AND DIVIDE INTO TAX ZONES

RESULT OF "YES" VOTE: "Yes" vote allows certain taxing districts to establish permanent tax rate limits and to divide into tax zones, if a double majority of voters approves.

RESULT OF "NO" VOTE: "No" vote retains limitation on taxing districts that may impose new property taxes and permanent rate limits, rejects option to approve tax zones and rates.

SUMMARY: Amends Constitution. Current law permits a local taxing district that has not previously imposed ad valorem property taxes and that seeks to impose such taxes to establish a permanent rate limit on property taxes, if a majority of the voters who vote on the question approve and, in other than a general election, a majority of the eligible registered voters vote. Measure amends law to permit local tax districts that have not imposed property taxes for any tax year beginning on or after July 1, 1990, to do so. Permits those districts to divide into up to 20 tax zones, each with a permanent rate limit if, using the same voting method, a majority in each zone approves the tax zone and its rate limit.

ESTIMATE OF FINANCIAL IMPACT: There is no financial effect on state or local government expenditures or revenues.

TEXT OF MEASURE

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

PARAGRAPH 1. Section 11, Article XI of the Constitution of the State of Oregon, is amended to read:

Sec. 11. (1)(a) For the tax year beginning July 1, 1997, each unit of property in this state shall have a maximum assessed value for ad valorem property tax purposes that does not exceed the property's real market value for the tax year beginning July 1, 1995, reduced by 10 percent.

(b) For tax years beginning after July 1, 1997, the property's maximum assessed value shall not increase by more than three percent from the previous tax year.

(c) Notwithstanding paragraph (a) or (b) of this subsection, property shall be valued at the ratio of average maximum assessed value to average real market value of property located in the area in which the property is located that is within the same property class, if on or after July 1, 1995:

(A) The property is new property or new improvements to property;

(B) The property is partitioned or subdivided;

(C) The property is rezoned and used consistently with the rezoning;

(D) The property is first taken into account as omitted property;

(E) The property becomes disqualified from exemption, partial exemption or special assessment; or

(F) A lot line adjustment is made with respect to the property, except that the total assessed value of all property affected by a lot line adjustment shall not exceed the total maximum assessed value of the affected property under paragraph (a) or (b) of this

subsection.

(d) Property shall be valued under paragraph (c) of this subsection only for the first tax year in which the changes described in paragraph (c) of this subsection are taken into account following the effective date of this section. For each tax year thereafter, the limits described in paragraph (b) of this subsection apply.

(e) The Legislative Assembly shall enact laws that establish property classes and areas sufficient to make a determination under paragraph (c) of this subsection.

(f) Each property's assessed value shall not exceed the property's real market value.

(g) There shall not be a reappraisal of the real market value used in the tax year beginning July 1, 1995, for purposes of determining the property's maximum assessed value under paragraph (a) of this subsection.

(2) The maximum assessed value of property that is assessed under a partial exemption or special assessment law shall be determined by applying the percentage reduction of paragraph (a) and the limit of paragraph (b) of subsection (1) of this section, or if newly eligible for partial exemption or special assessment, using a ratio developed in a manner consistent with paragraph (c) of subsection (1) of this section to the property's partially exempt or specially assessed value in the manner provided by law. After disqualification from partial exemption or special assessment, any additional taxes authorized by law may be imposed, but in the aggregate may not exceed the amount that would have been imposed under this section had the property not been partially exempt or specially assessed for the years for which the additional taxes are being collected.

(3)(a)(A) The Legislative Assembly shall enact laws to reduce the amount of ad valorem property taxes imposed by local taxing districts in this state so that the total of all ad valorem property taxes imposed in this state for the tax year beginning July 1, 1997, is reduced by 17 percent from the total of all ad valorem property taxes that would have been imposed under repealed sections 11 and 11a of this Article (1995 Edition) and section 11b of this Article but not taking into account Ballot Measure 47 (1996), for the tax year beginning July 1, 1997.

(B) The ad valorem property taxes to be reduced under subparagraph (A) of this paragraph are those taxes that would have been imposed under repealed sections 11 or 11a of this Article (1995 Edition) or section 11b of this Article, as modified by subsection (11) of this section; other than taxes described in subsection (4), (5), (6) or (7) of this section, taxes imposed to pay bonded indebtedness described in section 11b of this Article, as modified by paragraph (d) of subsection (11) of this section, or taxes described in section 1c, Article IX of this Constitution.

(C) It shall be the policy of this state to distribute the reductions caused by this paragraph so as to reflect:

(i) The lesser of ad valorem property taxes imposed for the tax year beginning July 1, 1995, reduced by 10 percent, or ad valorem property taxes imposed for the tax year beginning July 1, 1994;

(ii) Growth in new value under subparagraph (A), (B), (C), (D) or (E) of paragraph (c) of subsection (1) of this section, as added to the assessment and tax rolls for the tax year beginning July 1, 1996, or July 1, 1997 (or, if applicable, for the tax year beginning July 1, 1995); and

(iii) Ad valorem property taxes authorized by voters to be imposed in tax years beginning on or after July 1, 1996, and imposed according to that authority for the tax year beginning July 1, 1997.

(D) It shall be the policy of this state and the local taxing districts of this state to prioritize public safety and public education in responding to the reductions caused by this paragraph while minimizing the loss of decision-making control of local taxing districts.

(E) If the total value for the tax year beginning July 1, 1997, of additions of value described in subparagraph (A), (B), (C), (D) or (E) of paragraph (c) of subsection (1) of this section that are added to the assessment and tax rolls for the tax year beginning July 1, 1996, or July 1, 1997, exceeds four percent of the total assessed value of property statewide for the tax year beginning

Measure No. 18

July 1, 1997 (before taking into account the additions of value described in subparagraph (A), (B), (C), (D) or (E) of paragraph (c) of subsection (1) of this section), then any ad valorem property taxes attributable to the excess above four percent shall reduce the dollar amount of the reduction described in subparagraph (A) of this paragraph.

(b) For the tax year beginning July 1, 1997, the ad valorem property taxes that were reduced under paragraph (a) of this subsection shall be imposed on the assessed value of property in a local taxing district as provided by law, and the rate of the ad valorem property taxes imposed under this paragraph shall be the local taxing district's permanent limit on the rate of ad valorem property taxes imposed by the district for tax years beginning after July 1, 1997, except as provided in subsection (5) of this section.

(c)(A) A local taxing district that has not [previously] imposed ad valorem property taxes for any tax year beginning on or after July 1, 1990, and that seeks to impose ad valorem property taxes shall establish a limit on the rate of ad valorem property tax to be imposed by the district. The rate limit established under this subparagraph shall be approved by a majority of voters voting on the question. The rate limit approved under this subparagraph shall serve as the district's permanent rate limit under paragraph (b) of this subsection.

(B) A local taxing district described in this paragraph may divide its district into tax zones and establish limits on the rate of ad valorem property tax to be imposed by the district. The rate limits established under this subparagraph shall serve as the district's permanent rate limits. Each rate limit shall be applicable to the tax zone for which it was established. Tax zones and rate limits may be established under this subparagraph only if:

(i) At the time the election is held, each proposed tax zone contains at least five percent of the voters of the local taxing district seeking to establish the zones; and

(ii) The measure proposing the tax zones and rate limits is approved by a majority of voters in each proposed tax zone.

[B] (C) The voter participation requirements described in subsection (8) of this section apply to an election under this paragraph.

(d) If two or more local taxing districts seek to consolidate or merge, the limit on the rate of ad valorem property tax to be imposed by the consolidated or merged district shall be the rate that would produce the same tax revenue as the local taxing districts would have cumulatively produced in the year of consolidation or merger, if the consolidation or merger had not occurred.

(e)(A) If a local taxing district divides, the limit on the rate of ad valorem property tax to be imposed by each local taxing district after division shall be the same as the local taxing district's rate limit under paragraph (b) of this subsection prior to division.

(B) Notwithstanding subparagraph (A) of this paragraph, the limit determined under this paragraph shall not be greater than the rate that would have produced the same amount of ad valorem property tax revenue in the year of division, had the division not occurred.

(f) Rates of ad valorem property tax established under this subsection may be carried to a number of decimal places provided by law and rounded as provided by law.

(g) Urban renewal levies described in this subsection shall be imposed as provided in subsections (15) and (16) of this section and may not be imposed under this subsection.

(h) Ad valorem property taxes described in this subsection shall be subject to the limitations described in section 11b of this Article, as modified by subsection (11) of this section.

(4)(a)(A) A local taxing district other than a school district may impose a local option ad valorem property tax that exceeds the limitations imposed under this section by submitting the question of the levy to voters in the local taxing district and obtaining the approval of a majority of the voters voting on the question.

(B) The Legislative Assembly may enact laws permitting a school district to impose a local option ad valorem property tax as otherwise provided under this subsection.

(b) A levy imposed pursuant to legislation enacted under this

subsection may be imposed for no more than five years, except that a levy for a capital project may be imposed for no more than the lesser of the expected useful life of the capital project or 10 years.

(c) The voter participation requirements described in subsection (8) of this section apply to an election held under this subsection.

(5)(a) Any portion of a local taxing district levy shall not be subject to reduction and limitation under paragraphs (a) and (b) of subsection (3) of this section if that portion of the levy is used to repay:

(A) Principal and interest for any bond issued before December 5, 1996, and secured by a pledge or explicit commitment of ad valorem property taxes or a covenant to levy or collect ad valorem property taxes;

(B) Principal and interest for any other formal, written borrowing of moneys executed before December 5, 1996, for which ad valorem property tax revenues have been pledged or explicitly committed, or that are secured by a covenant to levy or collect ad valorem property taxes;

(C) Principal and interest for any bond issued to refund an obligation described in subparagraph (A) or (B) of this paragraph; or

(D) Local government pension and disability plan obligations that commit ad valorem property taxes and to ad valorem property taxes imposed to fulfill those obligations.

(b)(A) A levy described in this subsection shall be imposed on assessed value as otherwise provided by law in an amount sufficient to repay the debt described in this subsection. Ad valorem property taxes may not be imposed under this subsection that repay the debt at an earlier date or on a different schedule than established in the agreement creating the debt.

(B) A levy described in this subsection shall be subject to the limitations imposed under section 11b of this Article, as modified by subsection (11) of this section.

(c)(A) As used in this subsection, "local government pension and disability plan obligations that commit ad valorem property taxes" is limited to contractual obligations for which the levy of ad valorem property taxes has been committed by a local government charter provision that was in effect on December 5, 1996, and, if in effect on December 5, 1996, as amended thereafter.

(B) The rates of ad valorem property taxes described in this paragraph may be adjusted so that the maximum allowable rate is capable of raising the revenue that the levy would have been authorized to raise if applied to property valued at real market value.

(C) Notwithstanding subparagraph (B) of this paragraph, ad valorem property taxes described in this paragraph shall be taken into account for purposes of the limitations in section 11b of this Article, as modified by subsection (11) of this section.

(D) If any proposed amendment to a charter described in subparagraph (A) of this paragraph permits the ad valorem property tax levy for local government pension and disability plan obligations to be increased, the amendment must be approved by voters in an election. The voter participation requirements described in subsection (8) of this section apply to an election under this subparagraph. No amendment to any charter described in this paragraph may cause ad valorem property taxes to exceed the limitations of section 11b of this Article, as amended by subsection (11) of this section.

(d) If the levy described in this subsection was a tax base or other permanent continuing levy, other than a levy imposed for the purpose described in subparagraph (D) of paragraph (a) of this subsection, prior to the effective date of this section, for the tax year following the repayment of debt described in this subsection the local taxing district's rate of ad valorem property tax established under paragraph (b) of subsection (3) of this section shall be increased to the rate that would have been in effect had the levy not been excepted from the reduction described in subsection (3) of this section. No adjustment shall be made to the rate of ad valorem property tax of local taxing districts other than the district imposing a levy under this subsection.

(e) If this subsection would apply to a levy described in

Measure No. 18

paragraph (d) of this subsection, the local taxing district imposing the levy may elect out of the provisions of this subsection. The levy of a local taxing district making the election shall be included in the reduction and ad valorem property tax rate determination described in subsection (3) of this section.

(6)(a) The ad valorem property tax of a local taxing district, other than a city, county or school district, that is used to support a hospital facility shall not be subject to the reduction described in paragraph (a) of subsection (3) of this section. The entire ad valorem property tax imposed under this subsection for the tax year beginning July 1, 1997, shall be the local taxing district's permanent limit on the rate of ad valorem property taxes imposed by the district under paragraph (b) of subsection (3) of this section.

(b) Ad valorem property taxes described in this subsection shall be subject to the limitations imposed under section 11b of this Article, as modified by subsection (11) of this section.

(7) Notwithstanding any other existing or former provision of this Constitution, the following are validated, ratified, approved and confirmed:

(a) Any levy of ad valorem property taxes approved by a majority of voters voting on the question in an election held before December 5, 1996, if the election met the voter participation requirements described in subsection (8) of this section and the ad valorem property taxes were first imposed for the tax year beginning July 1, 1996, or July 1, 1997. A levy described in this paragraph shall not be subject to reduction under paragraph (a) of subsection (3) of this section but shall be taken into account in determining the local taxing district's permanent rate of ad valorem property tax under paragraph (b) of subsection (3) of this section. This paragraph does not apply to levies described in subsection (5) of this section or to levies to pay bonded indebtedness described in section 11b of this Article, as modified by subsection (11) of this section.

(b) Any serial or one-year levy to replace an existing serial or one-year levy approved by a majority of the voters voting on the question at an election held after December 4, 1996, and to be first imposed for the tax year beginning July 1, 1997, if the rate or the amount of the levy approved is not greater than the rate or the amount of the levy replaced.

(c) Any levy of ad valorem property taxes approved by a majority of voters voting on the question in an election held on or after December 5, 1996, and before the effective date of this section if the election met the voter participation requirements described in subsection (8) of this section and the ad valorem property taxes were first imposed for the tax year beginning July 1, 1997. A levy described in this paragraph shall be treated as a local option ad valorem property tax under subsection (4) of this section. This paragraph does not apply to levies described in subsection (5) of this section or to levies to pay bonded indebtedness described in section 11b of this Article, as modified by subsection (11) of this section.

(8) An election described in subsection (3), (4), (5)(c)(D), (7)(a) or (c) or (11) of this section shall authorize the matter upon which the election is being held only if:

(a) At least 50 percent of registered voters eligible to vote in the election cast a ballot; or

(b) The election is a general election in an even-numbered year.

(9) The Legislative Assembly shall replace, from the state's General Fund, revenue lost by the public school system because of the limitations of this section. The amount of the replacement revenue shall not be less than the total replaced in fiscal year 1997-1998.

(10)(a) As used in this section:

(A) "Improvements" includes new construction, reconstruction, major additions, remodeling, renovation and rehabilitation, including installation, but does not include minor construction or ongoing maintenance and repair.

(B) "Ad valorem property tax" does not include taxes imposed to pay principal and interest on bonded indebtedness described in paragraph (d) of subsection (11) of this section.

(b) In calculating the addition to value for new property and improvements, the amount added shall be net of the value of

retired property.

(11) For purposes of this section and for purposes of implementing the limits in section 11b of this Article in tax years beginning on or after July 1, 1997:

(a)(A) The real market value of property shall be the amount in cash that could reasonably be expected to be paid by an informed buyer to an informed seller, each acting without compulsion in an arm's length transaction occurring as of the assessment date for the tax year, as established by law.

(B) The Legislative Assembly shall enact laws to adjust the real market value of property to reflect a substantial casualty loss of value after the assessment date.

(b) The \$5 (public school system) and \$10 (other government) limits on property taxes per \$1,000 of real market value described in subsection (1) of section 11b of this Article shall be determined on the basis of property taxes imposed in each geographic area taxed by the same local taxing districts.

(c)(A) All property taxes described in this section are subject to the limits described in paragraph (b) of this subsection, except for taxes described in paragraph (d) of this subsection.

(B) If property taxes exceed the limitations imposed under either category of local taxing district under paragraph (b) of this subsection:

(i) Any local option ad valorem property taxes imposed under this subsection shall be proportionally reduced by those local taxing districts within the category that is imposing local option ad valorem property taxes; and

(ii) After local option ad valorem property taxes have been eliminated, all other ad valorem property taxes shall be proportionally reduced by those taxing districts within the category, until the limits are no longer exceeded.

(C) The percentages used to make the proportional reductions under subparagraph (B) of this paragraph shall be calculated separately for each category.

(d) Bonded indebtedness, the taxes of which are not subject to limitation under this section or section 11b of this Article, consists of:

(A) Bonded indebtedness authorized by a provision of this Constitution;

(B) Bonded indebtedness issued on or before November 6, 1990; or

(C) Bonded indebtedness:

(i) Incurred for capital construction or capital improvements; and

(ii)(I) If issued after November 6, 1990, and approved prior to December 5, 1996, the issuance of which has been approved by a majority of voters voting on the question; or

(II) If approved by voters after December 5, 1996, the issuance of which has been approved by a majority of voters voting on the question in an election that is in compliance with the voter participation requirements in subsection (8) of this section.

(12) Bonded indebtedness described in subsection (11) of this section includes bonded indebtedness issued to refund bonded indebtedness described in subsection (11) of this section.

(13) As used in subsection (11) of this section, with respect to bonded indebtedness issued on or after December 5, 1996, "capital construction" and "capital improvements":

(a) Include public safety and law enforcement vehicles with a projected useful life of five years or more; and

(b) Do not include:

(A) Maintenance and repairs, the need for which could reasonably be anticipated.

(B) Supplies and equipment that are not intrinsic to the structure.

(14) Ad valorem property taxes imposed to pay principal and interest on bonded indebtedness described in section 11b of this Article, as modified by subsection (11) of this section, shall be imposed on the assessed value of the property determined under this section or, in the case of specially assessed property, as otherwise provided by law or as limited by this section, whichever is applicable.

(15) If ad valorem property taxes are divided as provided in section 1c, Article IX of this Constitution, in order to fund a

Measure No. 18

EXPLANATORY STATEMENT

redevelopment or urban renewal project, then notwithstanding subsection (1) of this section, the ad valorem property taxes levied against the increase shall be used exclusively to pay any indebtedness incurred for the redevelopment or urban renewal project.

(16) The Legislative Assembly shall enact laws that allow collection of ad valorem property taxes sufficient to pay, when due, indebtedness incurred to carry out urban renewal plans existing on December 5, 1996. These collections shall cease when the indebtedness is paid. Unless excepted from limitation under section 11b of this Article, as modified by subsection (11) of this section, nothing in this subsection shall be construed to remove ad valorem property taxes levied against the increase from the dollar limits in paragraph (b) of subsection (11) of this section.

(17)(a) If, in an election on November 5, 1996, voters approved a new tax base for a local taxing district under repealed section 11 of this Article (1995 Edition) that was not to go into effect until the tax year beginning July 1, 1998, the local taxing district's permanent rate limit under subsection (3) of this section shall be recalculated for the tax year beginning on July 1, 1998, to reflect:

(A) Ad valorem property taxes that would have been imposed had repealed section 11 of this Article (1995 Edition) remained in effect; and

(B) Any other permanent continuing levies that would have been imposed under repealed section 11 of this Article (1995 Edition), as reduced by subsection (3) of this section.

(b) The rate limit determined under this subsection shall be the local taxing district's permanent rate limit for tax years beginning on or after July 1, 1999.

(18) Section 32, Article I, and section 1, Article IX of this Constitution, shall not apply to this section.

(19)(a) The Legislative Assembly shall by statute limit the ability of local taxing districts to impose new or additional fees, taxes, assessments or other charges for the purpose of using the proceeds as alternative sources of funding to make up for ad valorem property tax revenue reductions caused by the initial implementation of this section, unless the new or additional fee, tax, assessment or other charge is approved by voters.

(b) This subsection shall not apply to new or additional fees, taxes, assessments or other charges for a government product or service that a person:

(A) May legally obtain from a source other than government; and

(B) Is reasonably able to obtain from a source other than government.

(c) As used in this subsection, "new or additional fees, taxes, assessments or other charges" does not include moneys received by a local taxing district as:

(A) Rent or lease payments;

(B) Interest, dividends, royalties or other investment earnings;

(C) Fines, penalties and unitary assessments;

(D) Amounts charged to and paid by another unit of government for products, services or property; or

(E) Payments derived from a contract entered into by the local taxing district as a proprietary function of the local taxing district.

(d) This subsection does not apply to a local taxing district that derived less than 10 percent of the local taxing district's operating revenues from ad valorem property taxes, other than ad valorem property taxes imposed to pay bonded indebtedness, during the fiscal year ending June 30, 1996.

(e) An election under this subsection need not comply with the voter participation requirements described in subsection (8) of this section.

(20) If any provision of this section is determined to be unconstitutional or otherwise invalid, the remaining provisions shall continue in full force and effect.

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.

Ballot Measure 18 amends the Oregon Constitution to allow local taxing districts that have not imposed property taxes for any tax year beginning on or after July 1, 1990, to ask district voters to establish a permanent property tax rate limit for the district, or to establish tax zones within the district, each zone with a different tax rate limit. This measure does not change tax rate limits imposed by the Oregon Constitution.

At present, counties, school districts and most cities and other local governments raise revenue through property taxes. These local governments are also known as taxing districts. Current law has established a permanent rate limit for each taxing district that imposed property taxes as of 1997. The Oregon Constitution generally prohibits a taxing district from imposing property taxes at a rate that is greater than the district's permanent rate limit. Only certain temporary property taxes that require voter approval are not subject to a district's permanent rate limit. Under current law, only a taxing district that has never before levied property taxes may ask voters to establish a permanent rate limit.

Under Ballot Measure 18, a taxing district could ask district voters to establish a permanent rate limit for the district if the district has not levied property taxes for any tax year beginning on or after July 1, 1990. As under current law, the rate limit would be established only if a majority of voters approve the rate limit and either a majority of voters participate in the election or the election is a general election.

Current law permits some taxing districts to divide district territory into zones and impose property taxes at different rates within those zones. Ballot Measure 18 authorizes a taxing district that has not imposed property taxes at any time on or after July 1, 1990, to divide its district into tax zones. The measure would allow the taxing district to ask voters to establish permanent rate limits for each proposed zone. Under the measure, zone permanent rate limits would be established only if each proposed zone contains at least five percent of district voters, a majority of the voters of each proposed zone approve the rate limits and the other voting requirements for establishing a districtwide permanent rate limit are met.

Committee Members:

Senator Bev Clarno
Representative Tim Knopp
Dave Hunnicutt
Paula Krane
Dennis Luke

Appointed By:

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

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

NO ARGUMENTS, OTHER THAN THE LEGISLATIVE ARGUMENT IN SUPPORT, WERE FILED WITH THE SECRETARY OF STATE.

Measure No. 18 Arguments

LEGISLATIVE ARGUMENT IN SUPPORT

Measure 18 is not a new tax. This measure does not change tax rate limits imposed by the Oregon Constitution.

The impact of Measure 18 is to amend the Oregon Constitution to again allow a local vote on the establishment of permanent tax rate limited districts with split rates based on a proven level of service requirements. This measure, if passed, simply allows for a local vote by voters in their individual taxing district on a method of assessment.

Currently there are a few taxing districts that use what is referred to as a "split-rate" taxing assessment. Residents in those districts pay a different rate based on the level of service they receive. An example is a Sheriff's law enforcement district where city residents may pay less than county residents do because they do not need patrol services, which are provided by city police.

Ballot Measure 50, which was passed in 1995, grandfathered in the current districts but did not allow the formation of other "split-rate districts". Measure 18 would allow other taxing districts the same options as these grandfathered districts.

Approval of Ballot Measure 18 simply allows local citizens the option of adopting a "split-rate" property tax system but still requires a local affirmative vote for any property tax increases.

Committee Members:

Senator Bev Clarno
Representative Betsy Johnson
Representative Tim Knopp

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.)

Measure No. 21

Proposed by initiative petition to be voted on at the General Election, November 5, 2002.

BALLOT TITLE

21 AMENDS CONSTITUTION: REVISES PROCEDURE FOR FILLING JUDICIAL VACANCIES, ELECTING JUDGES; ALLOWS VOTE FOR "NONE OF THE ABOVE"

RESULT OF "YES" VOTE: "Yes" vote revises manner of filling judicial vacancies; modifies ballots and election procedure in judicial elections; adds "None of the Above" as official judicial candidate.

RESULT OF "NO" VOTE: "No" vote retains the current manner of filling judicial vacancies and current election procedure where the judicial candidate receiving a plurality of votes is elected.

SUMMARY: Amends constitution. Currently, the governor fills midterm judicial vacancies by appointment; appointees serve until the vacancy is filled at the next general election held more than 61 days after the vacancy occurs. Measure requires midterm judicial vacancies to be filled by election at the closest May or November election held more than 90 days after the vacancy occurs. In all judicial elections, measure requires election ballot to list candidates and also list "None of the Above" as an available choice. If "None of the Above" receives more votes than all other candidates on the ballot, the judicial office remains unfilled until a candidate other than "None of the Above" receives a plurality of votes cast at subsequent May and/or November special elections. Other provisions.

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

TEXT OF MEASURE

PARAGRAPH 1. Notwithstanding any other provision of this Constitution, the Constitution of the State of Oregon is amended by adding a new subsection to Article VII (Amended), Section 1:

Elections to fill the office of judge of the supreme and other courts shall be conducted in the manner provided by this subsection. When a judge's position becomes vacant during a term of office, an election to fill the position will be held at the closest May or November election, but no sooner than 90 days after the vacancy.

In all elections for the position of judge, "None of the Above" shall be listed on the ballot as an official candidate in addition to all other candidates. The candidate who receives the most votes in the election shall be elected to the position.

When more votes are cast for the "None of the Above" candidate than for any other, special elections will be held in May and November, until the position is filled with a candidate other than "None of the Above".

Additional provisions, consistent with this subsection, governing the appointment and election of judges of the supreme and other courts, may be created by law.

PARAGRAPH 2. If any portion, clause, or phrase of this Amendment is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, the remaining portions, clauses, and phrases shall not be affected but shall remain in full force and effect.

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

EXPLANATORY STATEMENT

Ballot Measure 21 would amend the Oregon Constitution to require that in all judicial elections "None of the Above" be listed as an official candidate in addition to all other candidates. The candidate who receives the most votes in the election, regardless of the percentage, unless it is "None of the Above," would be elected to the position, and there would be no runoff election. If more votes are cast for "None of the Above" than any other candidate, special elections must be held in succeeding May and November elections until the position is filled by a candidate other than "None of the Above." A candidate who receives the most votes in the election would be elected to the position. Unsuccessful candidates may run in subsequent elections.

In Oregon, all judicial positions are elective and non partisan. Currently, elections for judges are held at the May primary in even numbered years. If a candidate wins more than 50 percent of the vote in that election, he or she is elected. In the event there are multiple candidates and no candidate wins more than 50 percent of the vote in the primary a runoff is conducted in the general election between the two candidates with the highest vote totals in the primary. In the general election the candidate with the most votes is elected. In the general election the candidate with the most votes, regardless of the percentage, is elected.

Under current law, if a judicial position becomes vacant, the governor must fill the vacancy by appointment which expires when the position is filled at the next general election (November in even-numbered years), unless the vacancy occurs within 61 days of said election in which case the position would be filled at the following general election.

Under Ballot Measure 21 if a judge's position becomes vacant during a term of office, an election to fill the position would be held at the next May or November election, unless the vacancy occurs within 90 days of said election, in which case the position would be filled at the following May or November election.

Committee Members:

Don McIntire
Eric Winters
James Brown
Robert Neuberger
James Huffman

Appointed By:

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

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

Measure No. 21 Arguments

ARGUMENT IN FAVOR

Judges, Legislators and Governors Are To Image God

Isaiah 33:22 says "The LORD is our Judge, The LORD is our Lawgiver, The LORD is our King; He will save us." We seek to honor our Savior by electing lawgivers and governors who will honor Him. We must also diligently seek to elect men who will be faithful judges as they bring God's justice to the earth. Measures 21 and 22 go a long way towards helping us accomplish this vital task.

Measure 21 Brings Enhanced Competition To Judicial Races

Be honest. How much do you know about the last few judges you voted for? But, hey, there was no one running against them, right? Ever wondered why? Well, lawyers are understandably reluctant to run against a judge they may soon be up before. But if a judge fails to receive more votes than nobody, opponents are more likely to surface and win. **Enhanced competition will result in better judges.**

Measure 22 Brings Geographic Balance and Accountability To Our Judiciary

In the Bible, power is **balanced between geography and population** (Numbers 10:2-4). This biblical pattern lies behind our two national legislative bodies. The House is elected by population, the Senate by geographic districts. Measure 22, companion to 21, would make judges **more accountable to a geographic district**, so you might actually know who they are! Plus, we'd see fewer decisions that are unjustly skewed to the interests of large population blocks, such as the liberal Portland metro area.

On Earth As It is In Heaven

The Lord's Prayer and Christian citizenship mandates that we work to get good judges elected, who are a **visible and active representation of God and His justice in our world.**

Prepared by the **Parents Education Association**, a family-based biblical alternative to the National Education Association
See all our Ballot Measure recommendations at
www.peapac.org

(This information furnished by Dennis R. Tuuri, Parents Education Association.)

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

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

ARGUMENT IN FAVOR

Yes on "None of the Above" for Judges

Our State Constitution was written to make every important office elective ...

so citizens would have a say in who governs them. The voting process was applied to all three branches of government ... executive; legislative; and the judiciary. For the most part, the system has worked as intended, but only for **two of the three** branches of government

In contests for governor, senator, mayor, councilor, police chief, sheriff, you name it, each election is almost always between two or more candidates.

Such is not the case with the Judicial branch.

There are some easy explanations for the absence of challengers in our judicial "contests," but whatever the reason, we don't really vote for judges, we simply "**rubber stamp**" lone candidates!

In most elections for judge, voters know that virtually every seat will list but one candidate. That's why most voters don't pay any attention to the judges ... **Why should they?**

The irony is that most judges first got their positions on the bench **by political appointment**. Then, when they later stand for election, they are the "incumbents," unchallenged ... **It's automatic.**

This is why Measure 21 will correct a system which now gives only lip service to democracy.

Measure 21 allows the option of selecting "**None of the Above**," rather than giving a pass to any candidate you would rather not see on the bench. It may not happen, but at least **you will have sent a powerful message.**

Measure 21 also requires that if "**None of the Above**" receives more votes than any other candidate in a judicial election, then **new elections must be held** until a real person wins the seat.

Judges have a tremendous impact on our society, and to many Oregonians, not always for the better. Now, the voters will have a **significant, democratic method of getting the attention of those who wear the black robes!**

Vote Yes on Measure 21.

(This information furnished by Don McIntire, Chief Petitioner, None of the Above Committee.)

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

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

Measure No. 21 Arguments

ARGUMENT IN FAVOR

Yes on "None of the Above" for Judges

What causes judges to make bad decisions?

Maybe it's the black robe. Whatever the reason, when they do, Oregon citizens have no meaningful democratic way of responding to those decisions, and to deal with bad judges, or foolish judges and, yes, stupid judges.

Don't get me wrong. I don't think all of our judges are loose-cannons. Most of them have fine records and serve us with distinction. But as you know, every now and then a judge will issue a ruling which simply defies logic or common sense or responsible citizenship.

When judges screw up, they can do it big time.

For example, there are the Oregon judges who, on a technicality, outrageously freed Scott Dean Harberts, the molester and murderer of 2-year-old Christina Hornych.

And, the Portland judge who, against the advice of the District Attorney and others in law enforcement, lowered the bail of a man jailed for an assault rifle robbery. Out on lowered bail, three days later he committed murder in Lake Oswego.

The answer is Measure 21

Because Oregon judges are rarely opposed at election time, there's been no way for you to let a judge know that you're unhappy with his or her performance. Measure 21 will. It will give you the option of voting for "None of the Above" ... in those elections where you've just "had it" with a particular judge.

None of the Above option will Restore Common Sense

If you get angry when a some judge invents a reason to throw out a voter approved amendment like Ballot Measure 7, or when another judge reaches into the Constitution and yanks out the Term Limits amendment, approved overwhelmingly by Oregon voters ten years earlier, Ballot Measure 21 will provide you with a powerful way to effect a return of common sense to our sometimes, autocratic and elitist judges.

Vote Yes on Measure 21.

(This information furnished by Gregg Clapper, Chief Petitioner, None of the Above Committee.)

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

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

ARGUMENT IN FAVOR

Yes on "None of the Above" for Judges

Making Judges Accountable

This is our chance to take an important stand on the direction of our courts. I only wish the principles contained Ballot Measures 21 and 22 had always been in the Constitution. If they had, our courts would undoubtedly better reflect the will of the people.

None of the Above

I love the idea of having the option of voting "None of the Above" in judicial elections, instead for some judge who may not have the brains God gave a goose. I might not get him off the bench, but he'll get my message. And, if a majority of voters just happen to feel the same as me, then we've got a chance to improve the quality of our local, or statewide, jurisprudence.

Districts for Judges

As someone who lives on side of the mountains east of Portland, Salem and Eugene, I think returning our higher courts to a district system as outlined by Measure 22 is long overdue. Judges' decisions can have a profound and unequal effect on different parts of the state, so it's only right that judges come from all parts, not just the Willamette Valley.

My Issues, Your Issues

Maybe your issues about some judges decisions aren't the same as mine. Perhaps you don't care that some of our judges have gone overboard to frustrate the death penalty, or thrown out Measure 7 or Term Limits, or that they let the murdering Dayton Leroy Rodgers off the hook on a technicality!

Maybe my issues don't get your motor running, but someday, some judge will make you want to answer him or her back. In the final analysis, I know I'm speaking for many citizens who would use the ballot box as a means of making believers out of some of our "untouchable" judges. Measures 21 & 22 will make it happen

Vote Yes on Measure 21.

(This information furnished by Bob Harris, Friends of Measure 7, Inc.)

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

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

Measure No. 21 Arguments

ARGUMENT IN FAVOR

Tired of voting for judges you know nothing about?

The reason voters know absolutely nothing about the judges they are voting for is because judicial candidates rarely run a campaign.

Judicial candidates do not talk to voters

Judicial candidates do not show up to town meetings

Judicial candidates do not walk neighborhoods going door to door

Judicial candidates end up saying as little as possible about who they are.

WHY?

Because they do not have to. Most judge seats are uncontested, so there is no need to run a campaign.

Of the 57 judicial seats open in the last primary, 47 were uncontested. Out of those 57 races only one (yes one) sitting judge had an opponent.

Giving voters the option of "None Of The Above", gives you the choice of not voting for a candidate you know nothing about. It also challenges the candidate to earn the vote of his/her constituents. The more we know about all of our candidates, the better our judiciary will be.

Measure 21 provides voters this "None of The Above" option

Please vote yes on Measure 21

Jason Williams
Taxpayer Association of Oregon
www.OregonWatchdog.com

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

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

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

ARGUMENT IN OPPOSITION

None of the above? Whatever happened to the idea of making a decision?

Constitutional Amendment 21, as the title implies, needlessly clutters the Oregon Constitution with a concept that just doesn't make good sense. This measure adds "none of the above" to the judicial ballot, then demands another election if no candidate wins. This kind of circular logic could result in endless unresolved elections.

In the meantime, what else might happen?

• **Courtrooms could stand empty while we await a "winning" judge.** This could compromise a citizen's right to a speedy trial. Our court system is already overburdened and bulging at the seams. When have you ever heard someone lament that the court process happens too quickly? If Constitutional Amendment 21 passes, an already slow system could virtually grind to a halt.

• **We'll be wasting money.** Elections aren't free, and they aren't cheap. How many special sessions will we see this year alone as Oregon legislators struggle to balance the state budget? Constitutional Amendment 21 virtually guarantees an increase in the number of campaigns and elections that are held in each county. County clerk offices cannot absorb these costs into their budget; again, we are struggling already at both the state and county level to fund basic services. We certainly don't need to run a basketful of extra elections every year.

• **Judges races will become more politicized.** How? Because candidates will be required to raise money to throw at campaigns — even campaigns without another human opponent! Even as most Oregonians are clamoring for less money in politics, Constitutional Amendment 21 will add another level of campaigns to the mix. Most Oregonians are not comfortable with judicial candidates appealing to special interest groups for campaign money. That's not a picture we need to see.

This is yet another unnecessary intrusion into the Oregon Constitution. And it's a bad idea to boot. Vote "No" on Constitutional Amendment 21.

(This information furnished by Don Loving, American Federation of State, County and Municipal Employees (AFSCME).)

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

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

Measure No. 21 Arguments

ARGUMENT IN OPPOSITION

SENIORS OPPOSE CONSTITUTIONAL AMENDMENT 21

The Oregon State Council of Senior Citizens and the Portland Gray Panthers recommend a NO vote on Constitutional Amendment 21.

We agree with teachers, judges and law professors that Constitutional Amendment 21 creates unnecessary clutter in the Oregon Constitution.

Constitutional Amendment 21 was written and sponsored by Don McIntire who has promoted a continual stream of ballot measures to reshape Oregon to his personal agenda. It was supported by the money of ultra-conservative industrialist Loren Parks and the signature gathering machinery of Bill Sizemore. Now this group of political activists is out to dismantle the Oregon court system by forcing elections officials to add a "none of the above" as a candidate to each and every judicial election.

Constitutional Amendment 21 will inject politics into judicial elections. The last thing we need is judges acting like politicians with expensive campaigns, TV ads and big money contributions. In addition, Constitutional Amendment 21 has the potential to create long term judicial vacancies.

When the number of judges goes down, trials are canceled and criminals will be released instead of being imprisoned. Victims of crime will have to wait for their day in court while criminals will go free to repeat their crimes. This is a real concern to senior citizens as it is to all Oregonians.

The voters of Oregon - and especially senior citizens - must not be fooled by "none of the above" and VOTE NO ON CONSTITUTIONAL AMENDMENT 21.

**Portland Gray Panthers
Oregon State Council of Senior Citizens**

(This information furnished by Jim Davis, Oregon State Council of Senior Citizens.)

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

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

ARGUMENT IN OPPOSITION

Retired Supreme Court Justices & Law Professors
urge NO on Constitutional Amendment 21

Ill-conceived attempt to change constitution might cost taxpayers millions

Constitutional Amendment 21 is the classic case of if something sounds too good to be true, it probably is. It looks simple enough. This attempt to alter Oregon's constitution is questionable from a legal standpoint and **more than likely headed toward a legal battle that could drain taxpayers of millions of dollars before ending up with a ruling as unconstitutional.**

So why even start down that slippery slope? As retired judges and/or legal experts we've all been accused of a lack of brevity in our day. And we assure you we could go on and on about the threats Constitutional Amendment 21 poses to our legal system and to Oregonians' sense of justice. But in the end we think the wallet might be the quickest way to bring this discussion to a close.

Others will make eloquent arguments about...

- **unimaginable delays in filling judicial vacancies** which in turn will lead to
- **delayed or even derailed justice in rural areas** as well as
- **a criminal court system hopelessly clogged in our cities** — all the while
- **subjecting judges to undue political pressures.**

Those points are all true and should be reason alone to vote NO on Constitutional Amendment 21.

In case you're still not convinced, look up the size of Oregon's current budget deficit. Now imagine a few million more dollars added to that number because of this constitutional amendment that sounded so simple and innocent with the words "none of the above."

Vote no on Constitutional Amendment 21.

Edwin J. Peterson, Retired Chief Justice, Supreme Court of Oregon
Jacob Tanzer, Former Supreme Court Justice
Former Supreme Court Justice Ted Kulongoski
Robert E. Jones, Retired Senior Judge
Dave Frohnmayer
Laird Kirkpatrick
William D. Rutherford
Paula Abrams, Professor of Law
Valerie J. Vollmar, Professor of Law
Milo Pope, Retired Judge, Baker County

(This information furnished by Milo Pope, Retired Judge, Baker County.)

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

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

Measure No. 21 Arguments

ARGUMENT IN OPPOSITION

Constitutional Amendment 22 would limit our ability to choose the most qualified judges from across the state to serve on the Supreme and Appellate Courts.

- "As a former U.S. Attorney, I have seen the importance of qualified, impartial judges in every court. This is especially true when it comes to Oregon's highest courts. Knowledgeable, accountable, experienced judges are the foundation to ensure each of us will be afforded the rights and protections guaranteed in Oregon's Constitution."
- Kristine Olson, Former U.S. Attorney for Oregon
- Amendment 22 would limit our ability to get the most qualified judges in the state to serve on our Supreme and Appellate Courts. Judges would be excluded simply because of where they live.
- We are one Oregon; we deserve one court system, undivided by individual agendas or regional priorities. This measure brings politics into the court system by electing judges who will put the interests of their region ahead of the good of all Oregonians.

We urge you to vote NO on Constitutional Amendment 22. Vote NO to weakening Oregon's courts.

Kristine Olson, Former U.S. Attorney
Oregon Council of Police Associations
Survivors Advocating for an Effective System

(This information furnished by John Wykoff, Coalition to Defeat Constitutional Amendments 21 & 22.)

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

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

ARGUMENT IN OPPOSITION

The League of Women Voters of Oregon urges a NO vote on Ballot Measure 21

The League of Women Voters of Oregon joins with teachers, seniors groups, retired judges and law professors in opposing ballot measure 21. This constitutional amendment is unnecessary and would only serve to clutter the Constitution.

- **Ballot Measure 21 could paralyze our legal system by allowing judicial positions to remain vacant until the next election can be held.** Especially in rural areas, with fewer judges to begin with, this amendment could postpone or even deny justice to injured parties if judges are simply not available to hear cases.
- **Judicial impartiality is critical to a fair judicial system.** The League of Women Voters of Oregon believes this ballot measure's intent will undermine the independence of the judicial system.

The League of Women Voters of Oregon urges a NO vote on Ballot Measure 21.

(This information furnished by Beth Burczak, League of Women Voters of Oregon.)

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

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

Measure No. 21 Arguments

ARGUMENT IN OPPOSITION

Former Oregon governors ask for a No Vote on Constitutional Amendment 21

Constitutional Amendment 21 is unnecessary. Don't let people with hidden agendas make drastic changes to our constitution and our court system.

As a group we've been proud to serve at the top of Oregon's executive branch of government during the past four decades. During all those years serving as Oregon's collective governor, we've learned many valuable lessons. One of the most important lessons we learned was that the framers of our constitution knew what they were doing and we should not let people with hidden agendas make drastic changes to our constitution and our court system. **The backers of Constitutional Amendment 21, special interest groups, are attempting to change our constitution for their own gain. We need to stand together and say NO, VOTE NO on Constitutional Amendment 21.**

Constitutional Amendment 21 would paralyze our legal system by leaving judicial positions vacant. As governors, we know all too well how judicial vacancies affect Oregonians. Rural counties with just a couple of judges available to hear cases could have no judges for months because of this constitutional amendment. There would be fewer judges available to hear criminal cases, resulting in slower justice for victims and higher crime rates. Every Oregonian deserves his or her day in court and this measure would take away that right and paralyze our legal system.

Constitutional Amendment 21*

- Is a permanent, unnecessary change to our Constitution
- Slows down our legal system
- Makes it easier for special interests to defeat judges they don't like or who rule against them
- Makes judges constantly need to campaign
- Re-election races become incredibly costly just like professional politicians

Please join us in voting NO on Constitutional Amendment 21.

Mark O. Hatfield
Former Governor Vic Atiyeh
Former Governor Neil Goldschmidt
Former Governor Barbara Roberts
Governor John A. Kitzhaber, MD

(This information furnished by Chuck Tauman, Coalition to Defeat Constitutional Amendments 21 & 22.)

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

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

ARGUMENT IN OPPOSITION

VOTE NO ON CONSTITUTIONAL AMENDMENT 21

The **Oregon Rural Organizing Project** and the **Oregon Consumer League** join with teachers, seniors, judges and law professors in opposing Constitutional Amendment 21 - another proposed amendment to the Oregon Constitution that is unnecessary and doesn't make sense for Oregonians.

- Constitutional Amendment 21 is the brainchild of political gadfly Don McIntire and financed by conservative Loren Parks through signatures collected by Bill Sizemore. This trio has a hidden agenda to make big changes to the Oregon court system by forcing elections officials to add a new "candidate" to each and every judicial election - "none of the above."
- At best, Constitutional Amendment 21 will add an unnecessary layer of politics in the election of judges. It will lead to judges campaigning like politicians with expensive campaigns, TV ads and big money politics. At worst, Constitutional Amendment 21 will slow down the Oregon judicial system by leaving judicial positions vacant for extended periods of time with multiple elections - especially in rural counties where the county court may have only a single judge.
- When there is no judge, it will take longer to bring criminals to trial. While we wait for a judge to be elected, they will not face conviction or prison. Justice for crime victims may suffer. The voters of Oregon - and especially the voters of rural Oregon - should reject this constitutional amendment because it has no benefit. It will merely slow down an already congested court system.

Join us to VOTE NO ON CONSTITUTIONAL AMENDMENT 21

Rural Organizing Project
The Oregon Consumer League
Jacqueline Zimmer Jones, Co-Chair, Human Services Coalition of Oregon
Paul Levy, President, OCDLA
Oregon Law Center
Basic Rights Oregon

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

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

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

Measure No. 21 Arguments

ARGUMENT IN OPPOSITION

1000 Friends of Oregon
Oregon League of Conservation Voters
Oregon Community Protection Coalition
Oregon Chapter Sierra Club

join the
elections watchdog group
in urging you to

VOTE NO on Constitutional Amendment 21

Constitutional Amendment 21 would paralyze our legal system, forcing expensive and dangerous delays throughout. Oregonians who apply for land use and environmental permits need decisions made quickly – they are people who are investing their livelihoods and building their homes or businesses.

Amendment 21 would lead to a backlog of cases, including land use cases, which is **unfair** to those who need decisions to be made in a timely manner.

Constitutional Amendment 21 is an attack by special interests who want to destroy the laws that protect Oregon's clean air, clean water, farmland and quality of life.

The supporters of this measure are using the initiative process to push a hidden agenda. They have been working to destroy our laws that protect Oregon's farmland, clean air, and clean water – and now they're pushing this measure.

Constitutional Amendment 21 is unnecessary. There is no crisis justifying this measure – and no reason to amend Oregon's constitution.

1000 Friends of Oregon
Oregon League of Conservation Voters
Oregon Community Protection Coalition
Oregon Chapter Sierra Club

urge YOU to

VOTE NO on Constitutional Amendment 21

(This information furnished by Evan Manvel, 1000 Friends of Oregon.)

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

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

ARGUMENT IN OPPOSITION

Vote NO On Constitutional Amendment 21

Don't Let Individuals With A Hidden Agenda Make Drastic Changes To Oregon's Constitution

Constitutional Amendment 21 is sponsored by individuals who are hiding their special interest agenda. Oregon's Constitution is a sacred document and is no place for hidden agendas. Keep Oregon's Constitution free of politics. **Vote NO on Constitutional Amendment 21.**

Constitutional Amendment 21 Could Result In Delayed, Even Denied Justice

This constitutional amendment requires judicial positions to remain vacant for extended periods of time potentially paralyzing our legal system. In rural areas of Oregon where there are fewer judges, this constitutional amendment could postpone or deny justice to victims of crime – because judges are simply not available to hear cases. **Vote NO on Constitutional Amendment 21.**

This Constitutional Amendment Turns Judges Into Politicians

Constitutional Amendment 21 would require judges to run political campaigns to remain in office. The role of the judge is to interpret the law on issues; not to use issues as a campaign tool. Don't politicize Oregon's judicial system.

Join us to vote NO on Constitutional Amendment 21.

**Oregon Education Association
Tim Nesbitt, President, Oregon AFL-CIO
AFSCME, Council 75
SEIU, Local 503, OPEU**

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

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

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

Measure No. 21 Arguments

ARGUMENT IN OPPOSITION

THE AMERICAN CIVIL LIBERTIES UNION OF OREGON

**URGES YOU TO VOTE "NO" ON
CONSTITUTIONAL AMENDMENT 21**

- **Justice Delayed is Justice Denied – Don't Bring Our Judicial System to a Screeching Halt.**

This measure could require election after election in judicial races. And it will paralyze our judicial system because under this constitutional amendment, judicial seats could remain vacant for months—and even years. In our communities that don't have enough judges, this measure could mean extremely long delays to hear criminal and civil cases. **Constitutional Amendment 21 will mean justice denied instead of justice for all.**

- **Who's Behind this Measure? Special Interest Groups Who Have a Hidden Agenda.**

This measure's sponsors are Don McIntire and the rich ultra-conservative businessman Loren Parks. Bill Sizemore's paid petition circulators collected the signatures so it could qualify for the ballot.

What are they after? Because they disagreed with how just a few judges have voted on a few cases they want to amend Oregon's constitution and **create havoc for our entire judicial system.** That's a bad idea.

- **We Don't Need to Add Clutter to Our Constitution.**

This constitutional amendment adds clutter to our constitution. Oregon's constitution is intended to be a framework of our principles. It is not intended to be used by special interest groups to push their hidden agenda. Let's not put unnecessary language in our constitution.

PROTECT OREGON'S CONSTITUTION!

**DON'T TURN OVER OUR CONSTITUTION TO
SPECIAL INTEREST GROUPS WITH HIDDEN AGENDAS!**

VOTE "NO" ON CONSTITUTIONAL AMENDMENT 21!!

(This information furnished by David Fidanque, American Civil Liberties Union of Oregon.)

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

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

ARGUMENT IN OPPOSITION

This Proposed Amendment 21 is Unnecessary and Clutters the Constitution.

- This proposed Constitutional Amendment 21 is sponsored by Don McIntire and Gregg Clapper. *The Oregonian* reported on 7/23/02, "Loren Parks gave more than \$258,000 to finance signature-gathering efforts on two proposed initiatives dealing with the state judicial system." We should not let individuals with special interest agendas make these big changes to the court system and the constitution.
- The Amendment would paralyze our legal system by leaving judicial positions vacant until the next election can be held or for an even longer period. It would significantly delay resolution of disputes and increase cost to litigants and the public. Fewer judges would be available to hear cases. Rural counties with just a couple of judges available to hear cases could have no judge at all for six months or more if they lose to "None of the Above."
- The Amendment makes it easier for special interest groups to defeat judges they don't like or who rule against them.
- According to respected law professors, this measure is likely to be unconstitutional and would be tied up in court for years, costing taxpayers millions of dollars.
- It may open the possibility of more overturned convictions based on violations to the right of a speedy trial.

The Multnomah Bar Association joins with former governors, teachers, Constitutional Law Section of the Oregon State Bar, Oregon State Bar Board of Governors, retired judges, law school deans and professors, police, and consumer groups in opposing this proposed amendment.

Multnomah Bar Association

Oregon Business Association

(This information furnished by Robert D. Newell, President, Multnomah Bar Association.)

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

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

Measure No. 21 Arguments

ARGUMENT IN OPPOSITION

Planned Parenthood Urges "NO" Vote on Constitutional Amendment 21

Planned Parenthood joins with law enforcement, judges, seniors and other good-government watch groups to oppose Constitutional Amendment 21.

This measure is unnecessary and clutters up the Oregon Constitution.

What is wrong with Constitutional Amendment 21?

- It will force judges to be full-time candidates and run costly campaigns—just like politicians
- It will make it even easier for special interests to defeat judges just because they don't like their decisions—this kind of intimidation could manipulate judges rulings

Who is behind Constitutional Amendment 21?

Not who you would expect...

- Political extremists who use ballot measures to make a living and don't have Oregon's best interests at heart, and
- Wealthy political activists who have tried and failed to buy changes to Oregon Law for their personal and financial gain and now they want to be able to buy the justice system, too.

We should not let people who have repeatedly put measures on the ballot with hidden agendas, make changes to Oregon's Constitution.

Please Join Planned Parenthood in Voting "NO" on Constitutional Amendment 21...

Don't Unnecessarily Clutter the Oregon Constitution!

(This information furnished by Bill Sheppard, Chair, Planned Parenthood Advocates of Oregon.)

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

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

Measure No. 22

Proposed by initiative petition to be voted on at the General Election, November 5, 2002.

BALLOT TITLE

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

RESULT OF "YES" VOTE: "Yes" vote creates judicial districts based on population and requires Oregon Supreme Court judges and Court of Appeals judges to be elected from those districts.

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

SUMMARY: Amends constitution. Currently, all Oregon Supreme Court judges and Court of Appeals judges are elected by statewide vote. Judges must live within state but have no other residency requirements. Measure divides state into seven districts, based on population, for purpose of electing Supreme Court judges; electors within each district elect only one Supreme Court judge. Measure divides state into five districts for election of judges of other appellate courts created by law (except Tax Court), with two judges elected from each district. Requires Supreme Court and Court of Appeals judges elected or appointed to office to reside within their districts. Requires reapportionment of judicial districts when legislative districts are reapportioned. Revises procedure and requirements for appointments to judicial vacancies and recall of judges. Other provisions.

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

TEXT OF MEASURE

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

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

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

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

throughout the term of office.

"SECTION 1c. (1) The judges of any other appellate court created by law, other than one solely with jurisdiction over tax law, shall be elected by the electors of five appellate court districts. The state shall be divided by law into five districts for the purpose of electing the judges of any other appellate court, and two judges shall be elected by the electors of each of the districts. The boundaries of appellate court districts shall be determined based on population. The Legislative Assembly shall by law provide for regular reapportionment of the districts at the same time established for reapportionment of legislative districts.

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

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

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

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

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

"SECTION 1f. (1) The Seventy-second Legislative Assembly shall establish by law the districts required by sections 1b and 1c of this Article. Sections 1b and 1c of this Article shall first apply to the general election held in November 2004 and to judicial appointments made after the effective date of the law passed establishing the districts.

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

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

Measure No. 22

EXPLANATORY STATEMENT

Ballot Measure 22 amends the Oregon Constitution to require that judges of the Oregon Supreme Court and the Oregon Court of Appeals be elected by judicial district. Under current law, the judges of the Oregon Supreme Court and the Oregon Court of Appeals are elected on a statewide basis.

Ballot Measure 22 provides for seven Oregon Supreme Court judicial districts and requires one judge be elected from each judicial district. Ballot Measure 22 provides for five Oregon Appellate judicial districts and requires that two judges be elected from each judicial district.

Ballot Measure 22 requires that the boundaries of the judicial districts be based on population, and that the Legislative Assembly provide for regular reapportionment of the judicial districts at the same time established for reapportionment of legislative districts.

Ballot Measure 22 requires residency in the judicial districts for positions that are subject to the measure. As a qualification for election or appointment to a position, a person must have been a resident of the appropriate judicial district for a period of at least one year before election or appointment. If a person is elected or appointed to a position, the person must remain a resident of the judicial district throughout the term of office.

Ballot Measure 22 provides rules for assignment of sitting judges to new judicial districts upon reapportionment. The measure also addresses the procedures to be followed if a vacancy occurs in a position after a reapportionment, or recall of a judge is sought after reapportionment.

Ballot Measure 22 does not affect the term of any judge serving on the effective date of the constitutional amendment. However, these judges must meet the residency requirements of the measure if they thereafter seek election to a position that is subject to the measure's requirements.

Committee Members:

- Steve Doell
- Norm Frink
- Robert Neuberger*
- Ross Shepard*
- Bob Kingzett

Appointed By:

- Chief Petitioners
- Chief Petitioners
- Secretary of State
- Secretary of State
- Secretary of State

*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.)

22

Measure No. 22 Arguments

ARGUMENT IN FAVOR

As former circuit court judges, we ask you to vote yes on Ballot Measure 22.

Being a judge is often a difficult job. When making a decision, a judge must rely upon many things - the laws created by the legislature, prior court decisions, and the language of the Constitution, just to name a few.

But judges cannot be robots, nor should we expect them to be. Judges are human, and a judge's decision can be influenced by his or her background and experience.

That's why it is vital to elect judges with a wide range of experiences and backgrounds, so that our courts are not dominated by judges from one single region of Oregon who share one single philosophy.

And that's why Measure 22 is so important.

Measure 22 will allow voters to elect judges to the Oregon Supreme Court and Oregon Court of Appeals from all areas of Oregon. **Currently, 16 of the 17 judges on the Oregon Court of Appeals and Oregon Supreme Court were lawyers in Portland, Salem, or Eugene immediately before becoming judges.** That's wrong.

We need judges on our highest courts from all areas in Oregon, not just Portland, Salem, and Eugene. We need judges from Medford, Bend, Pendleton, Newport, Roseburg, Astoria, Ontario, Burns, and every other region of the state.

Measure 22 guarantees that the judges on Oregon's Supreme Court and Court of Appeals will be from every region in our state, not just the Willamette Valley. We think that's important.

Please join us in voting yes on Measure 22.

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

John Hunnicutt, former circuit court judge, Columbia County (Judicial District 19) (retired)

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

Frank Yraguen, Senior Judge, former circuit court judge, Malheur and Harney Counties

(This information furnished by Steve Doell, Judicial Accountability PAC 2002.)

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

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

ARGUMENT IN FAVOR

Oregon's judges should reflect Oregon's diversity.

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

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

Measure 22 poses NO threat to judicial independence. In fact, it guarantees true diversity on Oregon's appeals courts. These men and women would be elected, as they are now, without regard to political party, but would reflect the concerns of people from coastal, southern, central, and eastern regions of the state as well as the greater Portland area. Portland will be represented by at least two Supreme Court justices and four judges on the Court of Appeals.

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

Vote YES vote on Measure 22

Scott Heiser, Benton County D.A.

Steve Atchison, Columbia County D.A.

John Foote, Clackamas County D.A.

Joshua Marquis, Clatsop County D.A.

Paul Burgett, Coos County D.A.

Gary Williams, Crook County D.A.

Mike Dugan, Deschutes County D.A.

Timothy Colahan, Harney County D.A.

Peter Deuel, Jefferson County D.A.

Clay Johnson, Josephine County D.A.

Ed Caleb, Klamath County D.A.

David Schutt, Lake County D.A.

F. Douglass Harclerod, Lane County D.A.

Jason Carlile, Linn County D.A.

Dan Norris, Malheur County D.A.

Dale Penn, Marion County D.A.

David C. Allen, Morrow County D.A.

William Porter, Tillamook County D.A.

Christopher Brauer, Umatilla County D.A.

Eric Nisley, Wasco County D.A.

Robert Hermann, Washington County D.A.

Tom Cutsforth, Wheeler County D.A.

(This information furnished by Joshua Marquis.)

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

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

Measure No. 22 Arguments

ARGUMENT IN FAVOR

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

In 1910 an initiative that was extremely complex and very confusing changed this requirement. In fact, if you had read the 1910 initiative and explanation you wouldn't have known that your vote was eliminating judicial districts.

Today Supreme Court Justices are selected without regard to region. Unfortunately no judge who currently sits on the Supreme Court has spent most of his or her legal career in Eastern Oregon, Central Oregon, Southern Oregon or the Coast.

Can you name two Supreme Court Justices? Most people cannot. There are seven. Yet these people effect every aspect of your life. Their decisions may have extraordinary impacts on your life, the life of your community **and you don't know who they are.** This initiative will change that.

Measure 22 is simple. Read the explanatory statement in this Voters' Guide. **It will require that every region of the state be represented on the Court.** It will guarantee that cattlemen, fishermen, loggers, farmers and ranchers all have their interests represented on the Court; not just the people who live in the Willamette Valley.

Even though most of the opposition for this measure comes from trial lawyers in the Willamette Valley, this measure will still allow the Willamette Valley to elect 4 Justices. **Isn't that enough?**

It will compel future governors to select Supreme Court Justices from every area of the state. It will require that those Justices know what is important to their regions. **It will ensure that the voters will know the judges and "understand the character of the person whom they put in office."**

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

VOTE YES ON MEASURE 22.

(This information furnished by Steve Doell, Judicial Accountability PAC 2002.)

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

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

ARGUMENT IN FAVOR

If Oregon courts aren't political, then why is it that 16 of our 17 current judges on the Oregon Court of Appeals or Oregon Supreme Court were lawyers in Portland, Salem, or Eugene immediately before becoming judges?

The answer is simple. In Oregon, when a judge retires or leaves office, the governor gets to appoint a new judge to fill the vacancy. The governor can appoint whomever he or she chooses, regardless of qualification or experience.

So who have our governors appointed to our current Oregon Supreme Court and Oregon Court of Appeals? Lawyers from Portland, Salem, and Eugene.

Has a trial judge or lawyer from an office in Roseburg been appointed? No.

How about St. Helens? No.

Hillsboro? No.

Redmond? No.

Pendleton? No.

Clackamas County? Nope.

Ontario? No.

Coos Bay? Nope.

McMinnville? No.

The Dalles? No.

The facts speak for themselves. **As long as our judges are chosen by politicians, the courts will be political.**

But you can do something about it. A yes vote on Measure 22 will require the governor to consider judges from all areas of the state, not just Portland and Salem.

There are hundreds of qualified candidates for judge who never get a chance, because of our current system. This is wrong. Measure 22 will fix this problem.

Please vote yes on Measure 22.

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

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

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

Measure No. 22 Arguments

ARGUMENT IN FAVOR

Each of us represents a different area of our beautiful state. The diversity of our districts, and the people who live in them, creates different perspectives and different priorities.

That's why we elect our legislators from districts rather than statewide. It helps assure that the viewpoints of all Oregonians are heard, not just those from one part of the state.

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

Measure 22 requires equal representation in our judicial system, and restores the original intent of the framers of our state constitution by reestablishing fair and equal representation on the Oregon Court of Appeals and the Oregon Supreme Court.

Measure 22 is about fairness and equality for all Oregonians

Measure 22 is a much needed step in the right direction.

We urge you to vote "**Yes**" on Measure 22

Senator Ted Ferrioli	John Day
Senator Charles Starr	Hillsboro
Senator Lenn Hannon	Ashland
Senator Gene Derfler	Salem
Senator Steve Harper	Klamath Falls
Senator Gary George	Newberg
Senator David Nelson	Pendleton
Senator Roger Beyer	Molalla
Senator Bill Fisher	Roseburg

(This information furnished by State Senator Gary George.)

ARGUMENT IN FAVOR

As a state Representative and Senator, and then as a member of Congress, **I became acquainted with many attorneys and judges who practiced in eastern and southern Oregon. I can tell you that some of them are the best in the state.** However, I have been disappointed that recent governors have been unwilling to appoint anyone to our Supreme Court except those attorneys and judges who have practiced law in the Willamette Valley. Some very qualified people have been passed over in favor of judges and lawyers from the Willamette Valley. **Today every judge that sits on the Supreme Court practiced most of their legal careers in Portland and Salem.**

Measure 22 will ensure that all parts of our state will be represented on our highest courts just as Congress represents all parts of our state. The interests of central Oregon, eastern Oregon, southern Oregon and the Coast will be represented. People in these areas will know who represents them on the highest courts. Everyone will have a real voice in deciding who sets policy.

The Oregon Supreme Court both interprets the law and sets policy. In deciding to change the law they act like a legislative body. **Would anyone seriously suggest that if the legislature was selected exclusively from the Willamette Valley, those men and women could fairly represent the entire state? Of course not.** The same is true of a court that will effect the lives of every Oregonian.

Some people will say Measure 22 creates an undue hardship for those judges that must be elected from districts and then have to travel to Salem. **That's just nonsense.** The only people who will travel any distance will be those people from areas that are not currently represented on the court. With teleconferencing, email and other modern communication, what hardship there is will be well worth it.

VOTE YES ON MEASURE 22.

**Former Congressman Bob Smith
Chief Petitioner**

(This information furnished by Congressman Bob Smith, Judicial Accountability PAC 2002.)

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

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

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

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

Measure No. 22 Arguments

ARGUMENT IN FAVOR

“Building One Oregon” Means Courts from all of Oregon

As a candidate for governor, I visited all 36 counties many times. I learned our ability to solve the problems we face together starts with “Building One Oregon.” I chose this as the theme of my campaign because I don’t think we can address the challenges facing the state – schools, transportation, budget challenges, etc. – until and unless we start acting like we are all Oregonians living in the same state. That means people in Portland need to understand the challenges facing Klamath Falls or Baker City or Coos Bay, and the people in those communities need to understand the issues facing Portland and the Valley. The regional tensions are real. We need to give all Oregonians a sense of ownership in their government, including the judicial system.

In a perfect world, this measure would not be necessary. Most judges are initially appointed by the governor. The Oregon tradition was for the governor to appoint judges from all over the state. Regrettably, recent governors have not followed this tradition. Virtually all state appellate court appointments in the past 16 years have been from the Willamette Valley/Portland area.

This measure is not about judges “representing” parts of Oregon. Once on the court, all judges understand they serve all of Oregon. This measure is not about competing judicial ideologies. There are “liberal” and “conservative” lawyers in all parts of the state. This measure is about courts that benefit from perspectives and experiences of lawyers from all around Oregon and it is about giving Oregonians from all parts of the state a sense of connection to our courts.

It is time for our courts to reflect the true strength of our state - the diversity of our people.

Ron Saxton

(This information furnished by Ron Saxton, Judicial Accountability PAC 2002.)

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

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

ARGUMENT IN FAVOR

WHO WE ARE AND WHY DO WE SUPPORT MEASURE 22?

In 1983 we, along with other parents of murdered children, created an organization named Crime Victims United.

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

Our organization has battled for almost 20 years to make our purpose a reality. Our personal experiences and legislative efforts have taught us:

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

WHO IS IN OPPOSITION?

- Oregon Criminal Defense Bar
- Oregon Trial Lawyers
- Multnomah County Bar

THEIR JUSTIFICATIONS FOR OPPOSITION

- It would be a hardship to travel to Salem.

Supreme Court justices managed to bear this hardship from 1859 to 1910. They should be able to bear it in 2002.

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

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

In our opinion, the real reason is that the defense and trial lawyers want to protect the advantage they have had in the courts over the last 25 years.

WHAT TO EXPECT THIS MEASURE TO ACCOMPLISH

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

Please vote Yes on Measure 22. It's simply fair and good government.

Bob and Dee Dee Kouns
Founders, Crime Victims United

(This information furnished by Bob and Dee Dee Kouns, Crime Victims United.)

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

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

Measure No. 22 Arguments

ARGUMENT IN FAVOR

It's no secret there is a growing social, cultural and economic divide in Oregon.

Unfortunately, part of the cultural divide includes our Judicial system.

To succeed in statewide elections, Supreme Court and Court of Appeals judges have always had to live in, practice in and campaign from the most populous communities in Oregon, where they had a chance to "make a name" for themselves.

Today, not one Oregon Supreme Court Justice was elected from rural Oregon.

Measure 22 seeks to restore statewide perspective to the bench.

Measure 22 will require Supreme Court Judges to reside in and be elected from one of seven districts, rather than at-large.

Measure 22 will also require Court of Appeals judges to reside in and be elected from one of five districts (two judges from each district), rather than at-large.

The measure is simple, straightforward and reasonable. It will give people a chance to get to know who is being elected to the bench.

Judges should reflect the values of Oregonians from all walks of life and all communities.

Let's have one Oregon again. Please vote yes on Measure 22.

State Senator Ted Ferrioli

(This information furnished by Senator Ted Ferrioli.)

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

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

ARGUMENT IN FAVOR

The increasing cost of judicial elections is a serious problem, in part because Oregon is one of only 2 states in America with no limits at all on amounts of political campaign contributions or expenditures. Since most voters do not know the work of any judge, the outcome of judicial elections is often determined by which candidate spends the most money.

Now, each of the 7 justices of the Oregon Supreme Court and 10 judges of the Oregon Court of Appeals is elected **statewide** to a 6-year term. They often retire early, so that the sitting Governor can appoint replacements, who can each then serve for up to 2 years before running as the "incumbent" (which is actually printed on the ballot with the candidate's name).

The result of having these 17 offices as statewide races, and almost always having an appointed "incumbent," is that these judicial races are almost never contested.

If anyone does challenge a sitting judge, the big money rolls in to crush the challenger. Challengers themselves must spend huge dollars to reach voters statewide.

Measure 22 would make judicial elections more fair and open to persons without major financial backing from the insurance industry or other interests, simply because it is far less expensive to reach voters in a smaller district (only one-fifth or one-seventh of Oregon) than to reach all voters statewide. This will reduce the advantage of the candidate with more campaign cash.

Every two years, we elect 15 persons to the Oregon Senate. Imagine if they all were running statewide, not from small districts. Each one would need an expensive statewide media campaign, with huge advantage to the candidates raising more campaign cash from lawyers and others. **But this is exactly how we elect the 17 top judges in Oregon: statewide and with no limits on campaign contributions by anyone, including corporations and lawyers.**

Let's cut the cost of judicial campaigns with Measure 22.

(This information furnished by Daniel Meek.)

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

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

Measure No. 22 Arguments

ARGUMENT IN FAVOR

ACTIVIST COURTS DISTORT OREGON CONSTITUTION, CANCEL WILL OF OREGON VOTERS

For many years the Oregon Supreme Court and the Oregon Court of Appeals have been dominated by justices from Portland, Salem and Eugene. There are several theories why this has occurred: changing demographics, concentration of the political elite in the state's urban centers, and the fact that one political party is responsible for all the judicial appointments made in the last 16 years.

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

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

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

The magnitude of the issues before the high courts requires consideration of the diverse opinions of all of Oregon.

VOTE YES ON MEASURE 22

Steve Doell, Chief Petitioner

(This information furnished by Steve Doell, Judicial Accountability PAC 2002.)

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

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

ARGUMENT IN FAVOR

MEASURE 22 speaks to the wisdom of U.S. Supreme Court Justice Holmes who said, "The life of the law has not been logic: it has been experience." This measure seeks to restore the original intent of the authors of Oregon's constitution which provided for judicial districting. These people knew that those who wield judicial power, **the least democratic branch of our government**, should have walked our streets, attended our schools, and prayed in our churches, and should be from every corner of our state.

The current state of Oregon's judiciary reveals how far we have strayed from this critical political insight. **Today 15 of our 17 appellate judges reside in Portland or Salem.** 87% of all judges in the state are political appointees. These startling statistics would seem more descriptive of Soviet-style elections than those of Oregon.

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

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

Democracy in America, Alexis De Tocqueville

Heed the warning...

VOTE YES ON MEASURE 22.

(This information furnished by Greg Ferguson.)

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

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

Measure No. 22 Arguments

ARGUMENT IN FAVOR

On behalf of Oregon small business owners throughout the state, we ask you to please vote yes on Ballot Measure 22.

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

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

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

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

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

That's why Measure 22 is important. It levels the playing field, and allows judges to be chosen by their experience, not by who they know in Salem.

And that's important. A hard working trial judge in Grants Pass should have just as much chance to be an appellate court judge as a wealthy trial lawyer in downtown Portland, who just happens to be a friend of the governor.

Measure 22 helps take the politics out of how we choose judges in Oregon. That's why it deserves your support.

Please vote yes on Measure 22.*

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

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

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

ARGUMENT IN FAVOR

The Oregon Family Farm Association PAC asks you to vote yes on Ballot Measure 22.

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

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

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

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

That's why we are thrilled to support Measure 22.

Measure 22 will make sure that judges from all areas of the state are elected to the Oregon Supreme Court and Oregon Court of Appeals.

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

Having judges who understand how farmers and ranchers produce their products and operate their businesses is important. Measure 22 will help ensure that happens.

Please vote yes on Measure 22.

(This information furnished by Jason Williams, Oregon Family Farm Association PAC.)

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

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

Measure No. 22 Arguments

ARGUMENT IN OPPOSITION

Whoa! This is a bad idea.

Constitutional Amendment 22 would amend the Oregon Constitution and create "judicial districts" across the state, and then have Oregon Supreme Court justices and Oregon Court of Appeals judges be elected by zone.

That's no way to elect a statewide judge. Certainly, we elect state legislators by geographical district. We expect our state lawmakers to look after their "home turf" as part of their job in Salem.

But judges are on another level. Their "home turf," so to speak, are the all-inclusive borders of the state of Oregon. In addition, their "turf" includes the Oregon Constitution. **Statewide-elected judges are an important piece of the check-and-balance system that our government is founded on.** The place for partisan, regional politicking is the state legislature, not the court system. Judges need to remain impartial.

There are other problems with Constitutional Amendment 22 as well. It severely diminishes the number of total judges each Oregonian gets to select. Right now, every Oregonian has the right to vote on every judge's race for both the Supreme Court (seven justices) and the Court of Appeals (10 judges). That's a total of 17 instances where you have input. Measure 22 reduces that number to three. That's right — three! Under this measure, each Oregonian would be involved in electing just two of the 10 Court of Appeals judges and just one of the seven Supreme Court justices. Your input on Oregon's judicial system becomes extremely limited under Constitutional Amendment 22.

Bottom line: Oregonians should have the right to elect the most qualified judges possible. And like so many initiatives that we've seen over the past several years, this just adds clutter and confusion to the Oregon Constitution.

Vote "No" on Constitutional Amendment 22.

(This information furnished by Don Loving, American Federation of State, County and Municipal Employees (AFSCME).)

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

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

ARGUMENT IN OPPOSITION

SENIORS OPPOSE CONSTITUTIONAL AMENDMENT 22

Oregon senior citizens recommend a NO vote on Constitutional Amendment 22.

We agree with teachers, judges and law professors that Constitutional Amendment 22 unnecessarily clutters the Oregon Constitution.

Constitutional Amendment 22 would deprive us of the right to elect the best judges, regardless of where they're from. Constitutional Amendment 22 was put on the ballot thanks to the money of ultra-conservative industrialist Loren Parks paying for signatures collected by Bill Sizemore.

This group wants to change the Oregon court system by requiring all Oregon appellate judges (10 judges of the Oregon Court of Appeals and 7 judges of the Oregon Supreme Court) to be elected from geographical districts designed by the legislature rather than statewide.

Constitutional Amendment 22 will take away the right of Oregon voters to elect all appellate judges and reduce the number of judges a voter can elect from 17 to 3. Oregon voters should have the right to elect the most qualified judge to our highest courts and not be limited by geographic regions.

Constitutional Amendment 22 establishes a system for electing Oregon appellate judges similar to the one for the Oregon legislature and we all know what that means - more partisan bickering and fewer solutions to Oregon's problems. The judges of the Oregon Court of Appeals and Supreme Court decide cases for all Oregon citizens. They should be elected by all Oregon citizens.

The voters of Oregon should reject this unnecessary constitutional amendment and VOTE NO ON CONSTITUTIONAL AMENDMENT 22.

Portland Gray Panthers Oregon State Council of Senior Citizens

(This information furnished by Jim Davis, Oregon State Council of Senior Citizens.)

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

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

Measure No. 22 Arguments

ARGUMENT IN OPPOSITION

Retired Supreme Court Justices, Judges & Law Professors
urge NO on Constitutional Amendment 22

Oregonians deserve the most qualified, professional judges regardless of where they come from around the state.

Constitutional Amendment 22 attempts to turn the judges of the Oregon Supreme Court and the Court of Appeals into local politicians.

Legislators are elected by districts to be political representatives of those districts. Judges are no one's political representatives. Oregon courts must apply the law equally for the whole state. Judges cannot decide legal issues according to where they come from. They must act as impartial interpreters of our state Constitution.

Constitutional Amendment 22 will limit Oregonian's choices by restricting their vote to just one Supreme Court justice and two Court of Appeals Judges.

Appellate judges do not conduct trials. Their task is to make sure that Oregon's laws are applied correctly in courts and agencies throughout the state. All Oregonians should have the right to voice their opinion and vote for these judges. Currently, all Oregonians have an opportunity to cast their vote for each Supreme Court justice and every single Court of Appeals Judge. Constitutional Amendment 22 is an attempt to take away your right to select the most qualified candidates for Oregon's courts.

Edwin J. Peterson, Retired Chief Justice, Supreme Court of Oregon

- Hans Linde, Former Supreme Court Justice
- Betty Roberts, Former Supreme Court Justice
- Jacob Tanzer, Former Supreme Court Justice
- Former Supreme Court Justice Ted Kulongoski
- Robert E. Jones, Retired Senior Judge
- Dave Frohnmayer
- Laird Kirkpatrick
- Paula Abrams, Professor of Law
- Professor William Funk
- Professor Susan F. Mandiberg
- Valerie J. Vollmar, Professor of Law
- Milo Pope, Retired Judge, Baker County

(This information furnished by Milo Pope, Retired Judge, Baker County.)

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

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

ARGUMENT IN OPPOSITION

Constitutional Amendment 21 would postpone or even deny justice to victims of crime.

If passed, this amendment would imperil Oregon's ability to prosecute crime. This measure could leave courtrooms without judges for extended periods of time in an increasingly overcrowded system, especially in rural areas.

Constitutional Amendment 21 will:

- **Leave victims of crime waiting for justice and the resolution that it can bring.**
Counties where there are only a couple of judges to begin with could be left with no judges to hear cases for six months or longer. Rural crime victims deserve equal justice, not less justice.
- **Force prosecutors to choose between crimes to prosecute.**
District Attorneys should never have to decide to let some defendants go so that they can pursue others.
- **Give criminal defendants the ability to walk away from prosecution because they cannot be tried in time.**
Crime rates will rise as criminals learn that they may never have to face a judge, even if they get arrested.

We urge you to vote **NO on Constitutional Amendment 21.**
Vote NO to postponing justice.

Kristine Olson, Former U.S. Attorney for Oregon
Oregon Council of Police Associations
Survivors Advocating for an Effective System

(This information furnished by John Wykoff, Coalition to Defeat Constitutional Amendments 21 & 22.)

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

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

Measure No. 22 Arguments

ARGUMENT IN OPPOSITION

The League of Women Voters of Oregon urges a NO vote on Ballot Measure 22.

Oregonians should always be afforded the opportunity to elect the most qualified judges, regardless of where they live. Ballot Measure 22 would limit our ability to elect the most qualified judges in the State to serve on our State Supreme and Appellate Courts.

- **Ballot Measure 22 takes away voters' freedom to choose judges.** Under current law, voters choose 10 Appeals Court judges and seven Supreme Court justices. If this constitutional amendment passes, voters will only be allowed to vote for one Supreme Court justice and two Appeals Court judges.
- **Ballot Measure 22 would upset the constitutional balance of power.** Ballot Measure 22 would require that judges – like legislators – be elected by geographic district. The judicial system is separate and distinct from the legislative system. Judges are not legislative representatives.
- **Voters in Oregon deserve to be able to vote for the most qualified individuals to serve in the highest judicial positions in our State.** Our appellate judges interpret the laws for the entire State. Oregonians deserve accountable, knowledgeable, experienced judges to ensure all individuals in the State are afforded the rights and protections guaranteed in Oregon's Constitution. They should be able to vote for the best people for these important positions.

The League of Women Voters of Oregon urges a NO vote on Ballot Measure 22.

(This information furnished by Beth Burczak, League of Women Voters of Oregon.)

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

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

ARGUMENT IN OPPOSITION

Former Oregon governors ask for a No Vote on Constitutional Amendment 22

Constitutional Amendment 22 takes away Oregonians rights to vote for the most qualified judges, eliminates your right to choose and places regional politics ahead of justice

As a group we've run in dozens of state-wide elections in Oregon from both parties during the past four decades. We know Oregonians value their right to choose the most qualified candidate and they want to have as many choices as possible. **Constitutional Amendment 22 limits your voting rights when electing judges in Oregon. The result will be a loss of quality judges and an injection of politics into Oregon courtrooms like never before.**

Most qualified no longer matters:

Oregon voters appreciate the right to elect the most qualified judge regardless if they're from Bend, Portland, Gresham, Coos Bay, or Pendleton. **Constitutional Amendment 22 will force Oregon voters to select their judges from a list of candidates based on where they live rather than their qualifications.**

Eliminates choice of candidates:

Currently Oregonians may vote for up to ten Appeals Court Judges and seven Supreme Court Judges, a total of 17 positions. Constitutional Amendment 22 would severely limit those choices to two Appeals Court judges and one Supreme Court Justice. **Constitutional Amendment 22 would force you to give up voting for more than 80% of Oregon's highest judicial positions.**

Regional politics & hidden agendas:

The same backers of Constitutional Amendment 21 are pushing this constitutional amendment. Those special interests want Oregonians limited in the numbers of judges they can vote for and electing judges who are representative of regional concerns and not impartial officers of the court who let the constitution serve as their guide rather than worrying about their next campaign.

We strongly urge you to vote No on Constitutional Amendment 22.

Mark O. Hatfield
Former Governor Vic Atiyeh
Former Governor Neil Goldschmidt
Former Governor Barbara Roberts
Governor John A. Kitzhaber, MD

(This information furnished by Chuck Tauman, Coalition to Defeat Constitutional Amendments 21 & 22.)

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

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

Measure No. 22 Arguments

ARGUMENT IN OPPOSITION

VOTE NO ON CONSTITUTIONAL AMENDMENT 22

The **Oregon Rural Organizing Project** and the **Oregon Consumer League** join with teachers, seniors, judges and professors in opposing Constitutional Amendment 22 - another proposed amendment to the Oregon Constitution that is unnecessary in the way it fundamentally changes the Oregon judicial system.

- **Constitutional Amendment 22 will reduce the rights of rural Oregon voters to elect the judge of their choice and reduce the number of judges a voter can elect.** All Oregon voters should have the right to elect the most qualified judge to our highest courts and not be limited by geographic regions. Under the current system, every voter can vote for each of the 17 Oregon appellate judges. If Constitutional Amendment 22 passes, each voter can vote for only three positions.
- **Under Constitutional Amendment 22, Oregon citizens, including rural voters, will lose their right to choose who will sit on Oregon's highest courts.** Oregonians should be able to choose the best judge for the job. It was financed by ultra conservative Loren Parks though signatures collected by Bill Sizemore. This group has a hidden agenda to change the Oregon court system by forcing the 10 judges of the Oregon Court of Appeals and the 7 judges of the Oregon Supreme Court to represent geographical districts rather than all the people of the State of Oregon.

The judges of the Oregon Court of Appeals and Supreme Court decide cases for all Oregon citizens. They should be elected by all Oregon citizens. The voters of Oregon - and especially the voters of rural Oregon - should reject this unnecessary constitutional amendment.

Join us to VOTE NO ON CONSTITUTIONAL AMENDMENT 22

Rural Organizing Project
The Oregon Consumer League
Jacqueline Zimmer Jones, Co-Chair, Human Services Coalition of Oregon
Paul Levy, President, OCDLA
Oregon Law Center
Basic Rights Oregon

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

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

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

ARGUMENT IN OPPOSITION

1000 Friends of Oregon
Oregon League of Conservation Voters
Oregon Community Protection Coalition
Oregon Chapter Sierra Club

join the
elections watchdog group
in urging you to

VOTE NO on Constitutional Amendment 22

Constitutional Amendment 22 limits our ability to elect the most qualified judges. This measure affects our highest courts. We need to have the most qualified judges; regardless of where they are from.

Constitutional Amendment 22 limits voter freedom to choose judges. Voters would only get to vote for 3 Appellate or Supreme Court judges under this measure, instead of 17.

Constitutional Amendment 22 is unnecessary. There is no crisis justifying such a major change to our judicial system - and no reason to amend Oregon's constitution.

Constitutional Amendment 22 is an attack by special interests who want to destroy the laws that protect Oregon's clean air, clean water, farmland and quality of life.

The supporters of this measure are using the initiative process to push a hidden agenda.

1000 Friends of Oregon
Oregon League of Conservation Voters
Oregon Community Protection Coalition
Oregon Chapter Sierra Club

urge YOU to

VOTE NO on Constitutional Amendment 22

(This information furnished by Evan Marvel, 1000 Friends of Oregon.)

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

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

Measure No. 22 Arguments

ARGUMENT IN OPPOSITION

Vote NO on Constitutional Amendment 22

Don't Give Up Our Right to Elect the Most Qualified Judges

Oregonians now have the opportunity to vote for the person they think is most qualified for a judicial position. Judges should represent the interests of the citizens of this state and not one region or special interest. Constitutional Amendment 22 would change that. It would take away our choice to vote for the most qualified candidates no matter where they live. **As voters, why would we ever want to give up that opportunity? Vote NO on Constitutional Amendment 22.**

Don't Give Up Our Freedom To Choose Judges

Right now in Oregon we vote for the most qualified candidates for all 17 appeals court and Supreme Court justice positions. What would you say if we stripped away nearly all of those choices? Constitutional Amendment 22 would do that. It would allow us to vote for only three judicial positions rather than 17. **Vote NO on Constitutional Amendment 22.**

Don't Turn Judges Into Politicians

Constitutional Amendment 22 would require judges be elected by geographic district, just like legislators. This suggests judges should act like politicians; making geography more important than qualifications. **Vote NO on Constitutional Amendment 22.**

Don't permanently change the Constitution and forever give up your right to:

- Vote for the most qualified candidate no matter where they live
- Vote for 17 judges to the higher courts rather than just three
- Enjoy an independent judiciary, accountable to the entire State of Oregon

Join us in voting NO on Constitutional Amendment 22.

Oregon Education Association
 Tim Nesbitt, President, Oregon AFL-CIO
 AFSCME, Council 75
 SEIU, Local 503, OPEU

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

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

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

ARGUMENT IN OPPOSITION

THE AMERICAN CIVIL LIBERTIES UNION OF OREGON

URGES YOU TO VOTE "NO" ON CONSTITUTIONAL AMENDMENT 22

• Keep the Most Qualified Judges.

If this Measure passes, many excellent judges will be forced off the bench because they don't live in the right district. We should always elect the most qualified judges, regardless of where they live.

• Constitutional Amendment 22 will weaken your freedom to elect judges.

In 1910 Oregonians voted to allow judges to be elected statewide. That means you currently vote for all 10 Oregon Court of Appeals judges and all 7 Oregon Supreme Court Justices. Under this Measure, you would only be allowed to vote for one Supreme Court Justice and only two Court of Appeals Judges.

• Don't Turn Our Judges into Legislators.

Oregon Judges shouldn't act like legislators, trying to appeal to certain special interest groups that didn't like how they ruled on a particular issue. We need judges who will protect our constitution for all Oregonians, not just a few special interests.

• Keep an Independent Judiciary to Protect Justice for All.

Under Constitutional Amendment 22, judges won't represent all Oregonians, only those in their district. We need an independent judiciary who will protect justice for all Oregonians, not just for a few.

PROTECT JUSTICE FOR ALL!

VOTE "NO" ON CONSTITUTIONAL AMENDMENT 22

(This information furnished by David Fidanque, American Civil Liberties Union of Oregon.)

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

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

Measure No. 22 Arguments

ARGUMENT IN OPPOSITION

This Proposed Amendment Takes Away Voters' Freedom to Choose Judges

- We should always elect the most qualified judges, regardless of where they are from. This measure would limit our ability to elect the most qualified judges in the state to serve on our highest courts.
- This proposed Constitutional Amendment 22 takes away voters' freedom to choose judges. It decreases the number of judges voters now vote for, from 17 (7 for Supreme Court and 10 for Appeals Court) to 3 total (one for Supreme court and two for Appeals Court).
- This proposed Constitutional Amendment 22 is sponsored by Steve Doell, Ted Ferrioli, and Bob Smith. *The Oregonian* reported on 7/23/02, "Loren Parks gave more than \$258,000 to finance signature-gathering efforts on two proposed initiatives dealing with the state judicial system." We should not let individuals with special interest agendas make these big changes to the court system and the constitution.
- The Amendment turns judges and the law into nothing more than just another form of politics. It changes the checks and balances established in both the Oregon and Federal Constitutions. Judges should decide cases based on the law, not parochial interests. Judges should serve no faction or constituency or act on behalf of any particular persons, community, or party.
- The ballot measure increases the cost of our system by requiring new offices and staffs all over the state. It will add to the cost of government AND decrease its efficiency. How will we pay for the additional courthouses and judicial staffs that will have to be added?

The Multnomah Bar Association joins with former governors, teachers, Constitutional Law Section of the Oregon State Bar, Oregon State Bar Board of Governors, retired judges, law school deans and professors, police, and consumer groups in opposing this proposed amendment.

Multnomah Bar Association

Oregon Business Association

(This information furnished by Robert D. Newell, President, Multnomah Bar Association.)

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

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

ARGUMENT IN OPPOSITION

Planned Parenthood Urges You to Vote "NO" on Constitutional Amendment 22

Oregon should elect the most qualified Judges to serve... regardless of what part of the State they are from.

What is wrong with Constitutional Amendment 22?

- It would make it more difficult to get the most qualified and experienced judges in the state to serve on our highest courts, and
- Right now voters can vote for a total of 17 judges...this measure would reduce the number of judges we vote for to only three.

If we vote "NO" on Constitutional Amendment 22

Voters decide: Appeals Court Judges 10
+
Supreme Court Judges 07
= Total Judges 17

If we vote "YES" on Constitutional Amendment 22

Voters decide: Appeals Court Judges 02
+
Supreme Court Judges 01
= Total Judges 03

(Amendment 22 will take away deciding on 14 judges from Oregon voters)

Please don't let powerful special interest groups take away our vote and our voice in electing Oregon's most important judges.

Constitutional Amendment 22 would create the same system to elect judges that we use to elect legislators...that will only lead to the same kind of regional in-fighting that has brought the State Capitol to a grinding halt.

Constitutional Amendment 22 is a bad idea and it is bad for Oregon. This Measure needlessly clutters up the Oregon Constitution.

Please Join Planned Parenthood in Voting "NO" on Constitutional Amendment 22...

let's all keep our vote to decide on Oregon's most important Judges.

(This information furnished by Bill Sheppard, Chair, Planned Parenthood Advocates of Oregon.)

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

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

Measure No. 23

Proposed by initiative petition to be voted on at the General Election, November 5, 2002.

BALLOT TITLE

23 CREATES HEALTH CARE FINANCE PLAN FOR MEDICALLY NECESSARY SERVICES; CREATES ADDITIONAL INCOME, PAYROLL TAXES

RESULT OF "YES" VOTE: "Yes" vote creates health care finance plan for medically necessary services, regardless of preexisting conditions; changes current workers' compensation system; creates additional income, payroll taxes.

RESULT OF "NO" VOTE: "No" vote rejects creation of a health care finance plan; leaves current health insurance, workers' compensation systems unchanged; rejects creation of additional income, payroll taxes.

SUMMARY: Creates Oregon Comprehensive Health Care Finance Plan to pay for medically necessary health services, regardless of preexisting conditions, from health care practitioner of participant's choice. Includes some services for injured workers. All residents eligible. Creates board to establish compensation schedules for services. Requires board, legislature to ensure that government payments for participants' health services go to plan's finance fund. Board to recover costs of provided services if covered by health benefits, insurance. Requires certain contributions by workers' compensation insurers, self-insureds. Plan also funded by: additional progressive income tax not to exceed 3.9% of total statewide personal income, 8% of individual's taxable income; additional employer payroll tax with maximum, minimum rates. Rates otherwise set by board. Authorizes certain tax credits, exemptions. Other provisions.

ESTIMATE OF FINANCIAL IMPACT: The measure would require state expenditures of not less than \$1.7 billion per year on a recurring basis. State tax revenues would increase by not less than \$1.7 billion per year. The financial effect on local government expenditures cannot be determined. There is no financial effect on local government revenues.

solely by the employer and governed jointly by equal representation of both employees and employer, the employees are exempt from the income tax and the employer is exempt from the payroll tax. Under these conditions, the employees may not be participants in the Plan. Dependents of these employees also may not be participants in the Plan, unless such dependents are also dependents of a person who is a participant.

(c) Where an employer/employee group is exempted under (2)(b) of this section, on or before September 30th of each year commencing with 2004 each such group may choose to become participants in the Plan. After such time as a respective group chooses to participate in the plan it will no longer be eligible for exemption.

(3) Health benefits provided under the Plan shall include medically necessary health services provided by any licensed, certified or registered health service provider without regard to preexisting conditions. Covered services include, but are not limited to:

- (a) Preventive services, including immunizations, prenatal care, well baby care and physical examinations, except for physical examinations required to determine eligibility for private health insurance coverage;
- (b) Inpatient hospital care, including 24-hour emergency services and emergency transportation services;
- (c) Outpatient services;
- (d) Services provided by individual practitioners;
- (e) Mental health services, including substance abuse treatment services;
- (f) Long term care, including nursing facility, home health and community-based long term care services and hospice care;
- (g) Prescription medications;
- (h) Dental services;
- (i) Eye care services and related equipment;
- (j) Diagnostic tests, including interpretative services;
- (k) Durable medical equipment, including hearing aids and other prosthetic devices;
- (l) Medically related transportation and language interpretation services;
- (m) Treatment of injuries, including injuries arising out of or in the course of employment and injuries to participants arising from auto accidents; and
- (n) Rehabilitation services, except vocational rehabilitation services provided under ORS 344.511 to 344.690.

- (4) No participant seeking services shall be discriminated against by any provider under this plan on the basis of race, religious creed, color, national status, sex, sexual orientation, age, wealth or any other basis prohibited by the civil rights laws of this state.
- (5) No practitioner under this Plan shall be compelled to offer any particular service, provided that the practitioner does not discriminate among recipients in the provision of services.
- (6) The Board shall establish rules by which the Plan shall provide payment for medically necessary health services provided to participants who are traveling outside of Oregon.

SECTION 2. Utilization of Plan. (1) Participants may receive health services under the Oregon Comprehensive Health Care Finance Plan from any health care practitioner of their choice who is licensed, certified or registered in this state, and serving participants of the plan.

(2) Each health care practitioner will decide what diagnostic and therapeutic procedures are necessary for participants under his/her care according to his/her legally defined scope of practice.

(3) In cooperation with District Advisory committees, described in Section 5(g) of this 2002 Act, and organizations representing practitioners of health services covered by the Plan, the Oregon Comprehensive Health Care Finance Board shall:

- (a) Assemble information about the reliability and cost

23

TEXT OF MEASURE

AN ACT

Relating to health services; creating new provisions; amending ORS 249.002, 249.056, 254.005, 316.168, 316.502; and appropriating money.

Whereas the people of the State of Oregon declare that it is necessary to ensure that all Oregon residents have access to medically necessary, comprehensive health care as determined by licensed practitioners of their choice through a publicly accountable fund; now, therefore,

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

SECTION 1. Oregon Comprehensive Health Care Finance Plan.

(1) There is established the Oregon Comprehensive Health Care Finance Plan. The Plan shall provide payment for medically necessary health services provided to participants.

(2) (a) All residents of the State of Oregon except those defined under (2)(b) of this section, are eligible to participate in the Plan. The Oregon Comprehensive Health Care Finance Board shall establish by rule eligibility criteria for persons working in Oregon and residing elsewhere.

(b) Where a private employer provides health insurance for employees through a trust fund which is financed

Measure No. 23

effectiveness of modes of treatment offered by providers participating in the Plan; and

(b) Establish guidelines for utilization of health services consistent with the budget of the Plan.

(4) The Board shall monitor utilization of health services by practitioners, suppliers and participants and may adopt rules necessary to initiate corrective action when patterns of abuse are identified.

(5) All insurers offering health insurance in this state must inform prospective customers in writing of the benefits available under the Plan.

SECTION 3. Oregon Comprehensive Health Care Finance Board.

(1) The Oregon Comprehensive Health Care Finance Board is established as a public corporation and shall exercise and carry out all powers, rights and privileges that are expressly conferred upon it, are implied by law or are incident to such powers. The Board shall be a governmental entity performing governmental functions and exercising governmental powers. The Board shall be an independent public corporation with statewide purposes and missions and without territorial boundaries.

(2) All members of the Board must be electors registered to vote in accordance with ORS Chapter 247. The membership of the Board shall consist of:

(a) Five members appointed by the Governor. One must be a person with a demonstrated history of health care consumer advocacy, and the other four must represent the following categories:

- (A) Health service providers;
- (B) Alternative health care providers;
- (C) Organized labor; and
- (D) Employers.

(b) Two members elected at the general election from each congressional district in the state. Members elected from a congressional district must be registered to vote in that district.

(3) The term of office for a board member is four years. A member may not serve more than two terms consecutively. The term of office for each elected member of the board begins on the first Monday of January next following the election.

(4) If there is a vacancy on the Board for any cause, the Governor shall fill the vacancy by appointment. A vacancy in the office of an appointed member shall be filled for the remainder of the term. In the case of a vacancy in an elected office of the Board, the period of service of an appointee under this subsection shall commence upon appointment and shall expire on the Sunday before the first Monday in January next following the election at which a member is elected to fill that office. If the vacancy occurs more than 61 days prior to the general election, and the term of the vacant office expires after the first Monday in January following the general election, a member shall be elected to serve the remainder of the term at the general election next following the appointment. A person appointed to fill a vacancy for an appointed position shall be from the same category as the Board member who is being replaced.

(5) Standards and criteria shall be established by the Secretary of State to:

(a) Prevent a person from serving as an elected member of The Oregon Comprehensive Health Care Finance Board who has a financial interest in any provider, practitioner or supplier doing business with the Board under this Plan.

(b) Assure that providers shall not have a financial interest in facilities to which they refer patients for tests, procedures, services or supplies.

(6) If the Governor is convinced, by proof, of the inability or misconduct of an appointed member, the Governor shall dismiss the member and make an appointment to fill the remainder of that member's term.

(7) The Board shall elect a chairperson annually from

among the members of the Board.

(8) Until the initial Board begins to function, the Governor shall direct state agencies to prepare for Board activities.

SECTION 3a. (1) Notwithstanding ORS 292.495, members of the Oregon Comprehensive Health Care Finance Board, established under section 3 of this 2002 Act, shall receive payment for expenses and an annual salary as established by the Governor within three months of the enactment of this Plan.

SECTION 4. Terms of initial elected board members.

Notwithstanding the term of office specified in Section 3 of this 2002 Act, of the members of the Oregon Comprehensive Health Care Finance Board initially elected from each Congressional District of this state, one shall serve for a term ending on the Sunday before the first Monday in January 2005 and one shall serve for a term ending on the Sunday before the first Monday in January 2007.

SECTION 5. Duties of Board.

(1) The Oregon Comprehensive Health Care Finance Board is responsible for the development and implementation of the Oregon Comprehensive Health Care Finance Plan as a public, nonprofit, single purchasing authority for health services by January 1, 2005.

(2) The Board shall manage and have oversight of the Plan.

(3) The responsibilities of the Board include, but are not limited to:

- (a) Determining Plan policies;
- (b) Establishing a balanced budget for the Plan;
- (c) Managing the Oregon Comprehensive Health Care Finance Fund;
- (d) Adopting rules for the implementation and operation of the Plan;
- (e) Evaluating health services paid for by the Plan in order to promote quality and cost effectiveness;
- (f) Establishing incentives to ensure access to quality health services and emphasis on disease prevention and health promotion;
- (g) Communicating with and soliciting input from the public through district advisory committees and other means, including from individuals and groups with special health service needs;
- (h) Employing an Executive Director and other necessary employees; and
- (i) Issuing revenue bonds.

(4) The Board may contact for administrative services.

SECTION 6. Oregon Comprehensive Health Care Finance Fund.

(1) The Oregon Comprehensive Health Care Finance Fund is established in the State Treasury, separate and distinct from the General Fund. Interest earned by the Oregon Comprehensive Health Care Finance Fund shall be credited to the Oregon Comprehensive Health Care Finance Fund.

(2) Expenditures from the Fund may be made only for payment of medically necessary benefits for participants, capital costs for board approved medical facilities and related expenses and for administrative costs of the Oregon Comprehensive Health Care Finance Plan.

(3) After the first three years of operation of the Plan, administrative costs of the plan may not exceed five percent (5%) of the amounts collected by the Plan in the immediately preceding year. In subsequent years, that amount may not increase faster than the rate of inflation of the private sector economy as determined by the Oregon Department of Administrative Services.

(4) The Oregon Comprehensive Health Care Finance Board shall establish a reserve account in the State Treasury. When the amount of revenue available to the Plan in any biennium exceeds the total amount expended or obligated for that biennium, the excess revenue shall be transferred from the Fund to the reserve account. The board may expend moneys in the reserve account for any purpose on the plan.

SECTION 7. Displaced workers retraining.

Notwithstanding Section 6 of this Act, for the first two

Measure No. 23

years in which the Oregon Comprehensive Health Care Finance Plan operates, the Oregon Comprehensive Health Care Finance Board may commit an amount up to two percent of the first year's total operating budget for the retraining of workers displaced by changes in the health services system resulting from implementation of the Plan.

SECTION 8. Payment to health service providers.

(1) A health service provider that accepts payment for health services from the Oregon Comprehensive Health Care Finance Plan may not bill participants for those services. The provider must accept as payment in full amounts received from the Plan.

(2) The Oregon Comprehensive Health Care Finance Board shall adopt rules establishing methods of compensation for providers.

(3) After negotiations with appropriate health service provider organizations, the Board shall establish compensation schedules for health care services covered by the Plan.

(4) The Board shall negotiate contracts and establish budgets for payment for services provided to participants by health service facilities.

(5) The Board shall establish schedules for payment of prescription drugs, and durable medical equipment required by participants.

(6) No Oregon licensed, certified or registered health care practitioner shall be discriminated against by the Plan in offering services within his/her lawful scope of practice.

SECTION 9. Funding.

(1) The Oregon Comprehensive Health Care Finance Board shall seek all necessary waivers, exemptions and agreements and the Legislative Assembly shall enact legislation necessary to provide that all payments for health care services provided to participants from Federal, State, county and local government sources will be paid directly to the Oregon Comprehensive Health Care Finance Fund. The Oregon Comprehensive Health Care Finance Plan shall be responsible for the payment for services previously paid for by the moneys paid to the Fund.

(2) The Oregon Comprehensive Health Care Financing Board shall negotiate with government officials including administrators of public health agencies regarding funding for the provision of public health services.

(3) The Board shall negotiate with the Federal Government to allow federal employees and their dependents residing in Oregon to participate in the plan.

(4) Until the Federal Government and the Board agree on a plan to allow federal employees and their dependents residing in the state to participate in the Plan the federal government and its employees will be exempt from the plan.

(5) The Board shall recover costs for health services provided under the Plan to a participant that are covered services under a policy of insurance, health benefit plan or other collateral source available to the participant under which the participant has a right of action for compensation. Receipt of services under the Plan shall be deemed an assignment by the participant of any right to payment for services provided by any other source. The other source shall pay to the Fund all amounts for health services it is obligated to pay on behalf of the participant. The Board may institute any action necessary to recover such amounts.

(6)(a) The Board shall establish rules for the payment of all health services costs in compensable workers' compensation claims in Oregon. Payment for these health services costs shall be made in same manner as all other services provided under the Plan.

(b) Biennially the Board and the Director of the Department of Consumer and Business Services shall jointly establish the percentage that workers' compensation expenses for health services is of the total expenditures for workers' compensation costs in the state.

(c) Every insurer providing workers' compensation insurance in this state shall pay into the fund an amount equal to the percentage established in paragraph (b) of this

subsection multiplied by the total amount of workers' compensation premiums collected by that insurer for the previous year.

(d) Every self-insured employer as defined by ORS 656.005 shall pay annually into the fund an amount equal to the percentage established paragraph (b) of this subsection multiplied by the amount of workers' compensation premium the self-insured employer would have paid the previous year had the employer been an insured employer. The amount of premium that would have been paid by the self-insured employer shall be established by the Director.

(7) Subsequent to the Federal Government granting waivers to transfer Medicare moneys to the Fund, the Fund will pay all Medicare Part B premiums for all persons in Oregon who are eligible for the Medicare program.

SECTION 10. Definitions. As used in Sections 1 to 10 of this 2002 Act:

(1) "Board" means the Oregon Comprehensive Health Care Finance Board established under Section 3 of this 2002 Act.

(2) "Health care practitioner" or "practitioner" means any person certified, licensed or registered to practice one or more of the healing arts in Oregon.

(3) "Health service facility" means a hospital, clinic, nursing facility and similar institutions licensed, registered or certified under state law.

(4) "Health service provider" means a health care practitioner or a health service facility.

(5) "Oregon Comprehensive Health Care Finance Fund" or "Fund" means the dedicated fund established in the State Treasury under Section 6 of this 2002 Act.

(6) "Oregon Comprehensive Health Care Finance Plan" or "Plan" means the comprehensive health care payment system established under Section 1 of this 2002 Act.

(7) "Participant" means a person eligible for health benefits under Sections 1 to 10 of this 2002 Act

(8) "Resident" means a person who has the present intent to remain within Oregon for a period of time and manifests the genuineness of that intent by establishing an ongoing physical presence within this state together with indicia that the person's presence within this state is something other than transitory in nature.

SECTION 11. Miscellaneous.

Section 12 of this 2002 Act is added to and made a part of ORS Chapter 316.

SECTION 12. Income tax

(1) In addition to and not in lieu of the tax imposed at the rates established under ORS 316.037 or 316.042, every person subject to tax under this chapter shall pay an additional tax to fund the Oregon Comprehensive Health Care Finance Plan established under section 1 of this 2002 Act.

(2) The tax shall be imposed at progressive rates applied to individual taxpayers taxable income to be determined annually by the Oregon Comprehensive Health Care Finance Board established under Section 3 of this 2002 Act, within the following limits:

(a) The total amount of taxes imposed under this Section may not exceed 3.9% of total statewide personal gross income;

(b) The maximum tax that may be imposed on any taxpayer may not exceed 8% of taxable income;

(c) Persons with income that is equal to or less than 150% of the federal poverty level are not subject to tax under this section.

(d) The maximum tax that any taxpayer will pay under this plan will not exceed \$25,000.

(3) The Board shall determine the rates and associated income brackets for the tax imposed under this Section at least six (6) months prior to the start of the calendar year for which those rates and income brackets apply. The rates and income brackets apply to all tax years beginning in that calendar year.

(4) The tax imposed under this Section shall be due and

Measure No. 23

payable at the time and in the manner in which other taxes imposed under this Chapter are due and payable. The tax shall be reported on such forms as may be prescribed by the Department of Revenue.

(5) The tax shall be collected and administered by the Department of Revenue in the same manner in which other personal income taxes are collected and administered under this chapter.

SECTION 13. Applicable date.

Section 12 of this 2002 Act applies to tax years beginning on or after January 1, 2005.

SECTION 14. Credit for Existing Health Insurance.

(1) A taxpayer may claim a credit against the taxes otherwise due under Section 12 of this 2002 Act for the amount of health insurance premiums paid during the tax year pursuant to a contract with a health insurance provider that was entered into prior to November 6, 2002.

(2) A taxpayer may claim a credit against the taxes otherwise due under Section 12 of this 2002 Act for the amount of money contributed by the taxpayer as an employee to an employer-sponsored health plan, pursuant to a contract entered into by the employer of the taxpayer with a health insurance provider prior to November 6, 2002.

(3)(a) A taxpayer may claim a credit against the taxes otherwise due under Section 12 of this 2002 Act, if:

(A) The taxpayer is a retired person receiving retirement benefits from a former employer of the taxpayer, or a successor of the employer; and

(B) All or a portion of the retirement benefits consist of health care benefits arising from a contract of health insurance entered into between the employer, or successor, and a health insurance provider; and

(C) The contract was entered into prior to November 6, 2002.

(3)(b) The amount of the credit under this subsection shall equal the amount of health insurance premiums paid by the employer, or successor, on behalf of the taxpayer during the tax year.

(4) As used in this section:

(a) "Contract" does not include a renewal of an existing contract, if the renewal occurs on or after November 6, 2002.

(b) Subsection (4)(a) of this Section notwithstanding, a retired person's tax credit for premiums paid by a former employer, as provided under Section 14, subsection 3, shall not expire upon renewal or change of a health insurance contract, but shall continue as long as the employer or successor makes payments or health care benefits on behalf of the retired person.

(c) "Health Insurance" means health care benefits provided pursuant to the provisions of ORS 750.003 to 750.065 and 750.301 to 750.341 and ORS Chapter 743.

SECTION 15. Effect of employer undertaking to pay employee tax.

(1) An employer may undertake to pay all or a portion of the tax imposed under Section 12 of this 2002 Act on the wages and salary of an employee.

(2) The tax imposed under Section 12 of this 2002 Act shall remain a liability of the employee until paid, unless payment of the tax is an enforceable contract obligation of the employer, in which case payment of the tax is a joint and several liability of the employer and the employee.

(3) If an employer makes a payment of the tax imposed under Section 12 of this 2002 Act, the payment is not includable in Oregon taxable income.

SECTION 16. Distribution of income tax revenues.

ORS 316.502 is amended to read:

316.502 (1)(a) The net revenue from the tax imposed by this Chapter and ORS Chapter 314, after deducting refunds, shall be paid over to the State Treasurer [and],

(b) That portion of the tax imposed by this chapter that is attributable to Oregon Comprehensive Health Care Finance Plan taxes imposed under Section 12 or 19 of this 2002 Act shall be deposited in the Oregon Comprehensive

Health Care Finance Fund established in Section 6 of this 2002 Act.

(c) The balance remaining after deduction of the amount described in paragraph (b) of this subsection shall be held in the General Fund as miscellaneous receipts available generally to meet any expense or obligation of the State of Oregon lawfully incurred.

(2) A working balance of unreceipted revenue from the tax imposed by this Chapter may be retained for the payment of refunds, but such working balance shall not at the close of any fiscal year exceed the sum of \$1 million dollars.

(3) Moneys are continuously appropriated to the Department of Revenue to make the refunds authorized under subsection (2) of this section.

SECTION 17. Miscellaneous.

Sections 18 to 22 of this 2002 Act are added to and made a part of ORS Chapter 314.

SECTION 18. Payroll tax definitions.

As used in Sections 18 to 22 of this 2002 Act, unless the context requires otherwise:

(1) "Board" means the Oregon Comprehensive Health Care Finance Board established under Section 3 of this 2002 Act.

(2) "Employer" means:

(a) A person who is in such relation to another person that the person may control the work of that other person and direct the manner in which the work is to be done;

(b) An officer or employee of a corporation, including an organization exempt from taxation under section 501(c)(3) of the Internal Revenue Code, or a member or employee of a partnership who, as such officer, employee or member is under a duty to perform the acts required of employers by ORS 316.162 to 316.212; or

(c) The State of Oregon or any political subdivision in this State.

(3) "Individual" means any natural person.

(4) "Wages" includes:

(a) Remuneration for services performed by an employee for the employer, including the cash value of all remuneration paid in any medium other than cash; and

(b) Any amount included in the definition of "wages" under Section 3121 of the Internal Revenue Code, as defined in ORS 316.012, by reason of the provisions of Section 3121(a)(5)(C), 3121(a)(5)(D), 3121(a)(5)(E), 3121(a)(5)(H), 3121(v)(1)(A), 3121(v)(1)(B) or 3121(v)(3)(A) of the Internal Revenue Code, or any amount deferred under a nonqualified deferred compensation plan.

(5) Wages which are exempt from taxation under this 2002 Act are:

(a) For services performed in the employ of the United States of America.

(b) For domestic service in a private home if the total amount paid to such employee is less than \$1,000 per year.

(c) For casual labor not in the course of the employer's trade or business.

(d) For services performed wholly outside of this state.

(e) To individuals employed in labor at sea who also are exempt from garnishment, attachment or execution under title 46, United States Code.

(f) To individuals temporarily employed as emergency firefighters

(g) If the remuneration is not subject to withholding under ORS chapter 316

(h) To employees' trusts exempt from taxation under section 401 of the Internal Revenue Code.

(i) Net earnings from self-employment as defined in Internal Revenue Code 1402a.

(j) For the first \$50,000 in wages paid to the principals of S-Corporations.

SECTION 19. Employer payroll tax on wages.

(1) In addition to and not in lieu of any other tax to which an employer may be subject, each employer shall pay an additional tax to fund the Oregon Comprehensive Health

Measure No. 23

Care Finance Plan established under section 1 of this 2002 Act.

(2) The tax shall be imposed at a progressive rate, based on the total wages paid by the employer, to be determined annually by the Oregon Comprehensive Health Care Finance Board established under Section 3 of this 2002 Act, within the following limits:

- (a) The minimum rate of tax imposed on wages shall be 3%;
- (b) The maximum rate of tax imposed on wages 11.5%; and
- (c) The total amount of taxes imposed under this Section may not exceed 9.5% of total statewide wages.

(3) The Board shall determine the rates and associated wage brackets for the tax imposed under this Section at least six months prior to the start of the calendar year for which those rates and wage brackets apply. The rates and wage brackets shall apply to all tax reporting periods beginning in that calendar year.

(4) An employer may not reduce the wages of an employee to pay all or any portion of a tax imposed under this Section.

(5) Taxes imposed under this Section shall be paid and reported as provided in ORS 316.168.

(6) The Department of Revenue shall administer taxes imposed under this section.

(7) Unless the context requires otherwise, the provisions of this chapter and ORS chapters 305 and 316 as to the audit and examination of returns, determination of deficiencies, assessments, claims for refunds, penalties, interest, jeopardy assessments, warrants, conferences and appeals to the Oregon Tax Court, and procedures relating thereto, shall apply to Sections 18 to 22 of this 2002 Act the same as if the tax were a tax imposed upon or measured by net income.

SECTION 20. Temporary payroll tax rate for start-up costs of the Oregon Comprehensive Health Care Finance Plan.

Notwithstanding Section 19(2) of this 2002 Act, for tax reporting periods beginning on or after January 1, 2003, and before January 1, 2005, the tax imposed under Section 19 of this 2002 Act shall be computed at a rate of one percent (1%) of wages.

SECTION 21. Wages subject to tax only once.

Any amount that is once taken into account as wages under Sections 18 to 22 of this 2002 Act may not afterwards be treated as wages for purposes of the tax imposed under Section 19 of this 2002 Act.

SECTION 22. Credit for existing health insurance.

(1) An employer may claim a credit against taxes otherwise due under Section 19 of this 2002 Act for the amount of health insurance premiums paid during the tax year pursuant to a contract with a health insurance provider that was entered into prior to November 6, 2002.

(2) As used in this Section:

- (a) "Contract" does not include a renewal of an existing contract, if the renewal occurs on or after November 6, 2002.
- (b) "Health insurance" means benefits provided pursuant to the provisions of ORS 750.003, 750.005, 750.025, 750.045, and 750.301 to 750.341 and ORS Chapter 743.

SECTION 23. Applicable dates.

(1) Sections 18 to 22 of this 2002 Act apply to tax reporting periods beginning on or after January 1, 2003.

(2) Section 22 of this 2002 Act applies to tax years beginning on or after January 1, 2005.

SECTION 24. Employer required to file combined quarterly tax Report.

ORS 316.168 is amended to read:

"316.168. (1) Except as otherwise provided by law, every employer subject to the provisions of ORS 316.162 to 316.212[,] and 656.506 and ORS Chapter 657, [or] and every employer subject to a payroll-based tax imposed by a mass transit district and administered by the Department of Revenue under ORS 305.620 or the Oregon Comprehensive Health Care Finance Plan payroll tax imposed under Sections 18 to 22 of this 2002 Act, shall make and file a combined quarterly tax and

assessment report upon a form prescribed by the department.

(2) The report shall be filed with the Department of Revenue on or before the last day of the month following the quarter to which the report relates and shall be deemed received on the date of mailing, as provided in ORS 305.820.

(a) The report shall be accompanied by payment of any tax or assessment due and a combined tax and assessment payment coupon prescribed by the department. The employer shall indicate on the coupon the amount of the total payment and the portions of the payment to be paid to each of the tax or assessment programs.

(b) The Department of Revenue shall credit the payment to the tax or assessment programs in the amounts indicated by the employer on the coupon and shall promptly remit the payments to the appropriate taxing or assessing body.

(c) If the employer fails to allocate the payment on the coupon, the Department shall allocate the payment to the proper tax or assessment programs on the basis of the percentage the payment bears to the total amount due.

(d) The Department of Revenue shall distribute copies of the combined quarterly tax and assessment report and the necessary tax or assessment payment information to each of the agencies charged with the administration of a tax or assessment covered by the report.

(e) The Department of Revenue, the Employment Department and the Department of Consumer and Business Services shall develop a system of account numbers and assign to each employer a single account number representing all of the tax and assessment programs included in the combined quarterly tax and assessment report."

SECTION 25. Applicable date.

The amendments to ORS 316.168 by Section 24 of this 2002 Act apply to tax reporting periods beginning on or after January 1, 2003.

SECTION 26. Special election.

(1) Notwithstanding any provision of ORS Chapter 249 or this 2002 Act, candidates for the first elected members of the Oregon Comprehensive Health Care Finance Board established under Section 3 of this 2002 Act shall be elected at a special election to be held throughout this state on May 20, 2003. Notwithstanding ORS 249.088, in each Congressional District, the two candidates receiving the votes of a majority of the voters shall be elected. In the event that two candidates do not receive the vote of a majority of the voters, a runoff election will be held. If one position has been filled, the runoff will be between the two candidates, not elected, who received the greatest number of votes. If no candidate receives the vote of a majority of the voters, then the runoff will be held between the four candidates having the greatest number of votes. In subsequent elections, Board members must be elected by a majority of the voters in their respective congressional districts.

(2) The Secretary of State shall adopt rules establishing procedures for conducting the election of the first elected Board members referred to in Subsection (1) of this Section. The rules shall specify deadlines for filing of a nominating petition or declaration of candidacy, deadlines for withdrawal of candidacy and any other provisions as may be necessary to implement this 2002 Act or conduct the election referred to in Subsection (1) of this Section.

(3) Notwithstanding ORS 254.465(2), the election of members of the Board established under Section 3 of this 2002 Act shall be conducted by mail in all counties as provided under ORS 254.470.

(4) The Secretary of State shall prepare and deliver to each county clerk by the most expeditious means practicable a statement of the state offices to be filled and information concerning all candidates for the positions. The Secretary of State shall keep a copy of the statement.

(5) Notwithstanding any provision of ORS Chapter 251:

(a) The Secretary of State shall cause to be printed in a voters' pamphlet prepared for the election described in subsection (1) of this section any portrait and statement

Measure No. 23

described in ORS 251.065, 251.075, 251.085 and 251.087 and filed by a candidate for election to the Board referred to in Subsection (1) of this Section. The portrait and statement filed by a candidate under this Subsection shall comply with ORS 251.065, 251.075, 251.085, 251.087 and 251.095, except that the Secretary of State by rule shall set deadlines for filing portraits and statements.

(b) Not later than the 10th day before the election, the Secretary of State shall cause the voters' pamphlet to be mailed to each post office mailing address in Oregon and may use any additional means of distribution necessary to make the pamphlet available to electors.

(c) In preparing the voters' pamphlet required under this section, the Secretary of State is not required to comply with ORS 279.011, 279.015 and 279.063 relating to competitive bidding.

SECTION 26a Appropriation for special election.

(1) In addition to and not in lieu of any other appropriations or moneys made available by law or from other sources, there is appropriated out of the General Fund to the Secretary of State, for the biennium ending June 30, 2003, the sum of \$1,000,000 for the payment of direct expenses of this state incurred in conducting a special election held throughout this state on May 20, 2003.

(2) Any part of the appropriation under this Section that is unexpended and unobligated on June 30, 2003, shall revert to the General Fund.

SECTION 27. ORS 249.002 is amended to read:

"249.002. As used in this Chapter:

(1) "Candidate" means an individual whose name is printed or is expected to be printed on the official ballot.

(2) "County clerk" means the county clerk or the county official in charge of elections.

(3) "Elector" means an individual qualified to vote under Section 2, Article II, Oregon Constitution.

(4) "Judge" means the judge of the Supreme Court, Court of Appeals, Circuit Court or the Oregon Tax Court.

(5) "Member" means an individual who is registered as being affiliated with the political party.

(6) "Minor political party" means a political party that has qualified as a minor political party under ORS 248.008.

(7) "Nonpartisan office" means the office of judge, Superintendent of Public Instruction, Commissioner of the Bureau of Labor and Industries, **member of the Oregon Comprehensive Health Care Finance Board**, any elected office of a metropolitan service district under ORS Chapter 268, justice of the peace, county clerk, county assessor, county surveyor, county treasurer, sheriff, district attorney or any office designated nonpartisan by a home rule charter.

(8) "Prospective petition" means the information, except signatures and other identification of petition signers, required to be contained in a completed petition.

(9) "Public office" means any national, state, county, city or district office or position, except a political party office, filled by the electors.

(10) "State office" means Governor, Secretary of State, State Treasurer, Attorney General, Commissioner of the Bureau of Labor and Industries, Superintendent of Public Instruction, **member of the Oregon Comprehensive Health Care Finance Board**, judge, state Senator, state Representative or district attorney.

SECTION 28. ORS 249.056 is amended to read:

"249.056. (1) At the time of filing a declaration of candidacy, a candidate for the following offices shall pay to the officer with whom the declaration is filed the following fee:

(a) United States Senator, \$150.

(b) Governor, Secretary of State, State Treasurer, Attorney General, Commissioner of the Bureau of Labor and Industries, Superintendent of Public Instruction, **member of the Oregon Comprehensive Health Care Finance Board**, Representative in Congress, judge of the Supreme Court, Court of Appeals or Oregon Tax Court, or executive officer or auditor of a metropolitan service district, \$100.

(c) County office, district attorney or circuit court judge, \$50.

(d) State Senator or Representative or councilor of a metropolitan service district under ORS Chapter 268, \$25

(2) No filing fee shall be required of persons filing a declaration of candidacy for precinct committee person or justice of the peace."

SECTION 29. ORS 254.005 is amended to read:

254.005. As used in this chapter:

(1) "Ballot" means any material on which votes may be cast for candidates or measures. In the case of a recall election, "ballot" includes material posted in a voting compartment or delivered to an elector by mail.

(2) "Ballot label" means the material containing the names of candidates or the measurers to be voted on.

(3) "Chief elections officer" means the:

(a) Secretary of State, regarding a candidate for a state office or an office to be voted on in the state at large or in a congressional district, or a measure to be voted on in the state at large.

(b) County clerk, regarding a candidate for a county office, or a measure to be voted on in a county only.

(c) City clerk, auditor or recorder, regarding a candidate for a city office, or a measure to be voted on in a city only.

(4) "County clerk" means the county clerk or the county official in charge of elections.

(5) "Elector" means an individual qualified to vote under Section 2, Article II, Oregon Constitution.

(6) "Major political party" means a political party that has qualified as a major political party under ORS 248.006.

(7) "Measure" includes any of the following submitted to the people for their approval or rejection at an election:

(a) A proposed law.

(b) An Act or part of an Act of the Legislative Assembly.

(c) A revision of or amendment to the Oregon Constitution.

(d) Local, special or municipal legislation.

(e) A proposition or question.

(8) "Minor political party" means a political party that has qualified as a minor political party under ORS 248.008.

(9) "Nonpartisan office" means the office of judge of the Supreme Court, Court of Appeals, circuit court or the Oregon Tax Court, Superintendent of Public Instruction, Commissioner of the Bureau of Labor and Industries, **member of the Oregon Comprehensive Health Care Finance Board**, any elected office of a metropolitan service district under ORS Chapter 268, justice of the peace, county clerk, county assessor, county surveyor, county treasurer, sheriff, district attorney or any office designated nonpartisan by a home rule charter.

(10) "Prospective petition" means the information, except signatures and other identification of petition signers, required to be contained in a completed petition.

(11) "Regular district election" means the election held each year for the purpose of electing members of a district board as defined in ORS 255.005 (2).

(12) "Voting machine" means:

(a) Any device which will record every vote cast on candidates and measurers and which will either internally or externally total all votes cast on that device.

(b) Any device into which a ballot may be inserted and which is so designed and constructed that the vote for any candidate or measure may be indicated by punching or marking the ballot.

(13) "Vote tally system" means one or more pieces of equipment necessary to examine and tally automatically the marked or punched ballots."

SECTION 30. ORS 260.005 is amended to read:

260.005. As used in this chapter:

(1)(a) "Candidate" means:

(A) An individual whose name is printed on a ballot, for whom a declaration of candidacy, nominating petition or certificate of nomination to public office has been filed or whose name is expected to be or has been presented, with the individual's consent, for nomination or election to public office;

(B) An individual who has solicited or received and accepted a contribution, made an expenditure, or given consent to an

Measure No. 23

individual, organization, political party or political committee to solicit or receive and accept a contribution or make an expenditure on the individual's behalf to secure nomination or election to any public office at any time, whether or not the office for which the individual will seek nomination or election is known when the solicitation is made, the contribution is received and retained or the expenditure is made, and whether or not the name of the individual is printed on a ballot; or

(C) A public office holder against whom a recall petition has been completed and filed.

(b) For purposes of this section and ORS 260.035 to 260.156, "candidate" does not include a candidate for the office of precinct committee person.

(2) "Committee director" means any person who directly and substantially participates in decision-making on behalf of a political committee concerning the solicitation or expenditure of funds and the support of or opposition to candidates or measures. The officers of a political party shall be considered the directors of any political party committee of that party, unless otherwise provided in the party's bylaws.

(3)(a) Except as provided in ORS 260.007, "contribute" or "contribution" includes:

(A) The payment, loan, gift, forgiving of indebtedness, or furnishing without equivalent compensation or consideration, of money, services other than personal services for which no compensation is asked or given, supplies, equipment or any other thing of value;

(i) For the purpose of influencing an election for public office or an election on a measure, or of reducing the debt of a candidate for nomination or election to public office or the debt of a political committee; or

(ii) To or on behalf of a candidate, political committee or measure; and

(B) Any unfulfilled pledge, subscription, agreement or promise, whether or not legally enforceable, to make a contribution.

(b) Regarding a contribution made for compensation or consideration of less than equivalent value, only the excess value of it shall be considered a contribution.

(4) "County clerk" means the county clerk or the county official in charge of elections.

(5) "Elector" means an individual qualified to vote under section 2, Article II of the Oregon Constitution.

(6) Except as provided in ORS 260.007, "expend" or "expenditure" includes the payment or furnishing of money or anything of value or the incurring or repayment of indebtedness or obligation by or on behalf of a candidate, political committee or person in consideration for any services, supplies, equipment or other thing of value performed or furnished for any reason, including support of or opposition to a candidate, political committee or measure, or for reducing the debt of a candidate for nomination or election to public office. "Expenditure" also includes contributions made by a candidate or political committee to or on behalf of any other candidate or political committee.

(7) "Filing officer" means:

(a) The Secretary of State, regarding a candidate, for any state office or any office to be voted for in the state at large or in a congressional district or regarding a measure to be voted on in the state at large.

(b) The county clerk, regarding a candidate for any county office or any district or Precinct office within the county, or regarding a measure to be voted for in one county or in a district situated wholly within one county.

(c) The chief city elections officer, regarding a candidate for any city office, or a measure to be voted for in a city only.

(d) The county clerk of the county in which the office of the chief administrative officer or administrative board is located regarding a candidate for office for any district or regarding a measure to be voted on in a district, when the district is situated in more than one county.

(e) In the case of an irrigation district formed under ORS chapter 545:

(A) The county clerk, regarding any candidate for office or

any measure at an irrigation district formation election where the proposed district is situated wholly in one county;

(B) The county clerk of the county in which the office of the secretary of the proposed irrigation district will be located, regarding any candidate for office or any measure at an irrigation district formation election where the proposed district is situated in more than one county; or

(C) The secretary of the irrigation district for any election other than an irrigation district formation election.

(8) "Independent expenditure" means an expenditure by a person for a communication expressly advocating the election or defeat of a clearly identified candidate that is not made with the cooperation or with the prior consent of, or in consultation with, or at the request or suggestion of, a candidate or any agent or authorized committee of the candidate. As used in this subsection:

(a) "Agent" means any person who has:

(A) Actual oral or written authority, either express or implied, to make or to authorize the making of expenditures on behalf of a candidate; or

(B) Been placed in a position within the campaign organization where it would reasonably appear that in the ordinary course of campaign-related activities the person may authorize expenditures.

(b) "Clearly identified" means:

(A) The name of the candidate involved appears;

(B) A photograph or drawing of the candidate appears; or

(C) The identity of the candidate is apparent by unambiguous reference.

(c) "Expressly advocating" means any communication containing a message advocating election or defeat, including but not limited to the name of the candidate, or expressions such as "vote for," "elect," "support," "cast your ballot for," "vote against," "defeat" or "reject."

(d) "Made with the cooperation or with the prior consent of, or in consultation with, or at the request or suggestion of, a candidate or any agent or authorized committee of the candidate":

(A) Means any arrangement, coordination or direction by the candidate or the candidate's agent prior to the publication, distribution, display or broadcast of the communication. An expenditure shall be presumed to be so made when it is:

(i) Based on information about the candidate's plans, projects or needs provided to the expending person by the candidate or by the candidate's agent, with a view towards having an expenditure made; or

(ii) Made by or through any person who is or has been authorized to raise or expend funds, who is or has been an officer of a political committee authorized by the candidate or who is or has been receiving any form of compensation or reimbursement from the candidate, the candidate's principal campaign committee or agent; and

(B) Does not include providing to the expending person upon request a copy of this chapter or any rules adopted by the Secretary of State relating to independent expenditures

(9) "Initiative petition" means a petition to initiate a measure for which a prospective petition has been filed but that is not yet a measure.

(10) "Judge" means judge of the Supreme Court, Court of Appeals, circuit court or the Oregon Tax Court.

(11) "Mass mailing" means more than 200 substantially similar pieces of mail, but does not include a form letter or other mail that is sent in response to an unsolicited request, letter or other inquiry.

(12) "Measure" includes any of the following submitted to the people for their approval or rejection at an election:

(a) A proposed law.

(b) An Act or part of an Act of the Legislative Assembly.

(c) A revision of or an amendment to the Oregon Constitution

(d) Local, special or municipal legislation.

(e) A proposition or question.

(13) "Occupation" means the nature of an individual's principal business or, if the individual is employed by another

Measure No. 23

person, the nature of the individual's principal business or the business name and address of the employer.

(14) "Person" means an individual, corporation, limited liability company, labor organization, association, firm, partnership, joint stock company, club, organization or other combination of individuals having collective capacity.

(15)(a) "Political committee" means a combination of two or more individuals, or a person other than an individual, that has:

(A) Received a contribution for the purpose of supporting or opposing a candidate, measure or political party; or

(B) Made an expenditure for the purpose of supporting or opposing a candidate, measure or political party.

(b) For purposes of paragraph (a)(B) of this subsection, an expenditure shall not include:

(A) A contribution to a candidate or political committee that is required to report the contribution on a statement filed under ORS 260.058, 260.063, 260.068, 260.073 or 260.102 or a certificate filed under ORS 260.112; or

(B) An independent expenditure for which a statement is required to be filed by a person under ORS 260.044 (1).

(16) "Public office" means any national, state, county, district, city office or position, except a political party office, that is filled by the electors.

(17) Recall petition" means a petition to recall a public officer for which a prospective petition has been filed but that is not yet a measure.

(18) "Referendum petition" means a petition to refer a measure for which a prospective petition has been filed but that is not yet a measure.

(19) "Slate mailer" means a mass mailing that supports or opposes a total of three or more candidates or measures.

(20)(a) "Slate mailer organization" means, except as provided in paragraph (b) of this subsection, any person who directly or indirectly:

(A) Is involved in the production of one or more slate mailers and exercises control over the selection of the candidates and measures to be supported or opposed in the slate mailers; and

(B) Receives or is promised payment for producing one or more slate mailers or for endorsing or opposing, or refraining from endorsing or opposing, a candidate or measure in one or more slate mailers.

(b) Notwithstanding paragraph (a) of this subsection, "slate mailer organization" does not include:

(A) A political committee organized by a political party; or

(B) A political committee organized by the caucus or either Senate or the House of Representatives of the Legislative Assembly.

(21) "State office" means the office of Governor, Secretary of State, State Treasurer, Attorney General, Commissioner of the Bureau of Labor and Industries, Superintendent of Public Instruction, **member of the Oregon Comprehensive Health Care Finance Board**, state Senator, state Representative, judge or district attorney.

SECTION 31. Severability

" If any portion (sentence, paragraph, or section) of this initiative is held to be invalid, that invalidity shall not affect other portions of this initiative that can be given effect without the invalid portion, and to this end the portions of this initiative are savable. Any invalid portion shall be severed from the remainder of the initiative to preserve the remaining portions."

SECTION 32. Section captions. The section captions and leadlines used in this 2002 Act are provided only for the convenience of the reader and do not become part of the statutory law of this state or express any intent of the people in the enactment of this 2002 Act

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

EXPLANATORY STATEMENT

Ballot Measure 23 creates the Oregon Comprehensive Health Care Finance Plan to pay for medically necessary health services for all Oregon residents, as well as establishing by rule eligibility criteria for persons working in Oregon but residing elsewhere, effective January 1, 2005. The Plan is funded by new individual progressive income and payroll taxes and transfers to the fund of all federal, state and local governmental health payments. The measure further authorizes issuance of new revenue bonds if the above taxes are insufficient to fund the Plan. The Plan replaces Medicare, Medicaid, and the medical coverage portion of workers compensation and automobile insurance.

The measure establishes the Oregon Comprehensive Health Care Finance Board as a public, nonprofit corporation to develop and manage the Plan. The Board has authority to establish the tax rates and associated income tax brackets. The new tax will not exceed 3.9% of the total statewide personal gross income and 8% of an individual's taxable income. Individuals with income that is equal to or less than 150% of the federal poverty guidelines are exempt from this additional tax. The maximum additional tax that any taxpayer will pay under this Plan will not exceed \$25,000. The measure imposes a new payroll tax on employers, with a minimum rate of 3% and a maximum rate of 11.5% imposed on wages, not to exceed 9.5% of total statewide wages. The measure also imposes a temporary 1% payroll tax for tax reporting periods beginning on or after January 1, 2003, and before January 1, 2005. The additional taxes will be deposited in the Oregon Comprehensive Health Care Finance Fund. Administrative costs are not limited for the first three years, thereafter capped at 5%.

Covered services include: prescription medications, dental and eye services, preventive services, inpatient and outpatient services, treatment for work and auto accident injuries, mental health, long term care services. No exclusion for pre-existing conditions. The provider must accept as payment in full amounts received from the Plan. Participants can choose any state-licensed practitioner.

The Board consists of five members appointed by the Governor and two members elected from each congressional district. The measure directs that a special election be held to elect Board members. Members of the Board receive an annual salary and compensation for expenses.

The Board responsibilities include but are not limited to establishing compensation schedules for health care services and prescription drugs covered by the Plan, negotiating contracts and adopting rules for the implementation and operation of the Plan.

The measure allows tax credits for health insurance premiums paid pursuant to a health insurance contract entered into before November 6, 2002.

The measure directs the Board and the Legislative Assembly to take actions necessary to ensure that all payments for health care services provided to participants from all government resources be paid directly to the Fund.

The measure directs the Board to recover costs of the health services provided if the services are covered by an insurance policy, health benefit plan or other source.

Committee Members:

Betty Johnson
Max Wilkins
Mike Becker
Kevin Earls
Fred Bachofner

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.)

23

Measure No. 23 Arguments

ARGUMENT IN FAVOR

Dear Voter,

Before you lies the most important decision you will ever make in an Oregon election.

In your hands are arguments for and against Measure 23. Each has its own motivation behind it. Measure 23 is based on the knowledge that the health care system in Oregon is not working effectively. Over 423,000 Oregonians, including 70,000 children, are uninsured, most from working families. Even more of us have inadequate coverage. And the situation is getting worse every day.

Take a minute to think about your health care. Is your HMO looking out for your needs rather than its own bottom line? Would you be able to afford health care if you lost your job? Can you afford to pay skyrocketing insurance premiums? Are you stuck working at a job just to keep your health benefits?

The goal of Measure 23 is to provide care, not to turn a profit. You and the doctor you choose—not your insurance company—will make decisions about your care. This health care system will be a blanket of security wide enough to cover every Oregonian for life. Measure 23 makes health care work for you in a system with everybody in and nobody out.

Doctors across Oregon are asking that you consider both sides of this issue. Think about the motives of the insurance and drug companies that are opposing this measure. Then think about the motives of the thousands of doctors and volunteers who have worked to put this measure in front of you. You have undoubtedly heard negative comments about this measure, and will read more in the coming pages. When you see them, think about who is endorsing and opposing this measure—who do you trust?

If you have questions or comments, feel free to contact us at 541-870-1354.

Thank you.

(This information furnished by Britt McEachern, Health Care for All Oregon.)

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

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

ARGUMENT IN FAVOR

URGING A YES VOTE ON MEASURE 23

I'm a retired social worker and long time advocate for comprehensive universal health care. I have been a community activist working for health care and many other social programs supporting disenfranchised members of our society.

I am making a special appeal to my many friends, especially the elderly, to vote in support of this vitally important issue.

The January issue of *Dollars and Sense* noted that the United States rated first in per capita expenditure on health care and 37th among industrialized nations on services. The most revealing reason for this imbalance, (between cost and outcome), is primarily the exorbitant administrative costs which is the dominant factor in our privatized health care system.

Here are a few examples:

An audit by Minnesota Attorney General Mike Hatch of the Allina HMO revealed that services to Medicare beneficiaries provided by Allina were overcharged by one billion dollars a year between 1994 - 1996. Additional examples of these exorbitant administrative costs are as follows:

- More than 1,000 trips for executives to California and Florida during 1998 - 2000.
- An \$18,000 expense for one executive for Minnesota Timberwolves NBA season tickets.
- \$1,500 for one meal for executives at a restaurant overlooking the Pebble Beach Golf Club.

By way of comparison, administrative costs of the two giant Federal agencies - Medicare and Social Security - are approximately 2%.

An additional issue is the fact that many uninsured and under-insured Oregon residents are forced to get their medical treatment through the over use of Emergency rooms at hospitals, causing great strain on these services to the point of numerous cases of emergency patients being turned away.

We feel confident that by eliminating excessive waste in administrative costs and other built-in savings, the passage of this initiative will allow access to comprehensive health care to all Oregonians.

P.S. Measure 23 will cap administrative costs at 5%.

(This information furnished by William Gordon.)

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

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

Measure No. 23 Arguments

ARGUMENT IN FAVOR

WARNING TO OREGON CONSUMERS:
THE PRECEDING "EXPLANATORY STATEMENT"
COULD BE HAZARDOUS TO YOUR HEALTH

By law, this "EXPLANATORY STATEMENT" should have been an "impartial, simple and understandable statement explaining the measure". (ORS 251.345) In fact, it **flunks all three tests!** Why? The Explanatory Committee's **majority** were all high-paid employees of Oregon's so-called "health industry". Each had his employer's special interests in mind, **not yours!**

Mike Becker, registered lobbyist, Vice President for Public Policy & Community Affairs, Regence BlueCross BlueShield of Oregon

Kevin Earls, registered lobbyist, Vice President for Finance, Oregon Association of Hospitals & Health Systems

Fred Bachofner, until recently Chief Executive Officer, National Kidney Foundation-Oregon.

The two consumers members who tried to speak for you -- Max Wilkins, retired David Douglas High School counsellor, and Betty Johnson, retired Director of Senior Services for Linn, Benton & Lincoln counties -- were simply outgunned and outmaneuvered.

Five important items should have been included in this so-called "impartial, simple and understandable statement" but were voted down.

#1. The Federal government and Federal employees are exempt from the Plan until an agreement is reached with the Plan Board.

#2. There are no co-pays, deductibles, or premiums under this Plan.

#3. The **dedicated, progressive** personal income tax imposed to help fund the Plan would tax between 0% and 8% of an individual's taxable income.

Note: The Committee merely mentions "8%".

#4. The following services were omitted from the statement:

services by **traditional** and **alternative** practitioners, diagnostic tests including interpretative services, durable medical equipment including hearing aids, medically-related transportation.

#5. The Governor appoints one Board member from each of the following five groups: health care consumer advocates, traditional practitioners, alternative practitioners, organized labor, and employers.

Trust to your own good instincts. If you're a chicken, don't vote with the foxes!

Walter F. Brown
Commander JAG Corps, U.S.N. (1944-70)
General Counsel, Oregon Consumer League
Volunteer attorney, Consumer Justice Alliance
Associate Professor, Northwestern School of Law
(1970-80) teaching Consumer Law & Legislation

(This information furnished by Walter F. Brown.)

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

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

ARGUMENT IN FAVOR

The Eastside Democratic Club of Portland supports Ballot Measure #23 "Health Care for All-Oregon."

Yes, there will be small, progressive, income and payroll taxes but this will be overshadowed by the savings on health care. That saving on your Health Care and Drug costs will be much more than you pay on the tax!

Why? Because there will be major savings that will greatly reduce the cost of Health Care, outweighing the taxes you will pay.

Cathy O'Brien, who has had fifteen years of Human Resources Management experience, including dealing with the problems of increased employee health care costs, says that the largest expense in Health Care is the care of the uninsured who can't afford Doctor visits. They only show up at a hospital when they have an emergency condition that causes a great deal of money to be spent on them by the provider. The providers recoups this money by charging others who can pay for the health care. This increases the cost for the persons that can pay and who have health care. The vast majority of the taxpayers, who are now paying far more than they will be with the proposed tax. Because they will have no co-pays or large monthly premium costs, especially for those with families, therefore the bottom line is that they will be paying less for health care.

You will be able to pick your Doctor and manage your own treatment.

The United States is the only First World Country that does not have Universal Health Care!

Let's make Oregon one of the first States to have it!

Sy Kornbrodt, Chair
The Eastside Democratic Club of Portland

(This information furnished by Sy Kornbrodt, Chair, Eastside Democratic Club of Portland.)

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

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

Measure No. 23 Arguments

ARGUMENT IN FAVOR

Portland Women's International League for Peace & Freedom endorses Health Care for All: Oregon.

Recent headlines tell the story: "Insurance Costs Engulfing Workers" -- "2,000 Lose Health Plans in Dispute at Wah Chang" -- "Experts Forecast Continuing Crisis in Health Care Costs."

Does a mother have to watch her child suffer chronic toothache pain because there is no money for a dentist? Does an appendicitis victim have to wait until the appendix bursts before being given emergency treatment? This is life for the approximately 423,000 Oregonians (including 70,000 children) who have no health coverage at all. It doesn't have to be that way.

We could have:

- Coverage for all residents of Oregon.
- Health care that can't be taken away if we change jobs, retire, or have a pre-existing condition.
- Choice of any state-certified traditional or alternative health care practitioner.

We already spend enough on health care to cover everyone. But the money gets eaten up in insurance companies' administrative costs--advertising, paperwork, shareholders' profits, CEO salaries--plus their end-of-year bonuses--etc.

Funding for our plan would come from:

- Government sources (currently Medicare / Medicaid).
- An employers' payroll tax (3 to 11.5%) in lieu of paying health care benefits for employees.
- An added progressive income tax (0 to 8%) replacing health care premiums, medical, dental, pharmaceutical and other out-of-pocket costs (exempting those below 150% of federal poverty level and capped at \$25,000).
- Funds to be administered by a 15-member board, 2/3 elected, 1/3 appointed.

It is highly predictable that huge sums of out-of-state money will come into Oregon to fight this measure. How great it would be if we Oregonians could hold our own against the outsider "blitz" and once again show leadership for the nation--this time creating a health plan that leaves no one out.

Vote YES On Health Care for All: Oregon

(This information furnished by Barbara Drageaux, Co-Chair, Mary Rose, Co-Chair, Mary E. Bolton, Executive Committee Member; Portland branch, Women's International League for Peace and Freedom.)

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

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

ARGUMENT IN FAVOR

SMALL BUSINESS
YES ON 23

Most business people want their employees to have health care benefits. Historically 85% of large business and 56% of small business have contributed to their employees' health care insurance. Lately small business participation has been reduced to 42% due to the soaring premiums of "for profit" insurance.

The single payer plan, Measure 23 would provide health care to all employees of all businesses. No longer would an employer feel that their overhead is higher than competitor's, to their competitive disadvantage. It would level the playing field between those who care about their employees and those who don't

All will find that insured employees will stay with their employer longer and thereby offer a more experienced and a more loyal labor force.

And the total cost will be less than the state is paying now through elimination of the waste:

- "Single Payer" means simply that all health care providers will go to a single source to get paid. This will cut clerical and paper shuffling costs by as much as 80%
- No advertising or sales commissions need be paid. Everybody on- nobody out - like social security.
- A single buyer for pharmaceuticals will give us a tremendous purchasing power with the drug companies.
- No huge salaries, as much as \$23 million a year, paid to CEOs. The head of social security is paid about \$150,000 a year.
- No fat profits. Single payer is a "Not for profit" association.
- No health care premium under workers' compensation
- No addition for health care under auto insurance.

A HEALTHIER WORK FORCE, A HEALTHIER OREGON,
AT A LOWER COST!
LET'S GO FOR IT! YES ON 23!

PHIL DREYER
RETIRED CONTRACTOR

(This information furnished by Phil Dreyer, Judy & Tom Dehen, Cassidy Martinez, John Holenstein, Christopher Holenstein, DVM; Andra Holenstein, Liz Trojan.)

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

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

Measure No. 23 Arguments

ARGUMENT IN FAVOR

Why does Oregon need this?

At this time in Oregon over 400,000 people don't have any kind of health care insurance because they make too much money to qualify for the Oregon Health Plan, their jobs don't offer it as a benefit and they can't afford it on their own, many are children. **Of all the industrialized nations in world the United States is the only one without universal healthcare** for all of its citizens, instead we have left it to the marketplace to provide healthcare. In the last twenty years we have watched healthcare costs explode at the same time that the healthcare industry underwent a massive consolidation.

This must be different from Enron's manipulation of the energy markets?

All of us saw the debacle to the energy markets when the markets became dominated by a few big players like Enron. There is little difference in healthcare as some of the largest pharmaceutical companies have paid multi-million dollar fines for monopolizing the market of vitamin prices. Just as Enron "gamed" the energy marketplace so have the pharmaceutical companies, it is only a question of time before other segments of the healthcare industry try to do the same thing. The reality is there are some things like healthcare that are better done by the government rather than trusting a marketplace that is driven only by money.

Why is the government better than the marketplace?

Our government focuses on the good of the community as a whole while the marketplace focuses on where it can make money. For the marketplace the incentive to make the most money will invariably create a conflict of interest for also having to provide the best healthcare, the government on the other hand doesn't have this conflict. Governments provide services that serve a common good such as education, fire and police protection. It only makes sense that Oregonians would add healthcare to this list of services our government provides its citizens.

(This information furnished by Andrew V. Reid.)

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

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

ARGUMENT IN FAVOR

"OF ALL THE FORMS OF INJUSTICE, INEQUALITY IN HEALTH CARE IS THE MOST SHOCKING AND THE MOST INHUMAN"

Dr Martin Luther King, Jr, 2/27/02 *School of Medicine News*

The issue is Universal Health Care for all Oregonians. The problem is we already pay for universal health care but don't receive it.

According to a Harvard Medical School study 7/9/02 *Health Affairs*, "Government expenditures accounted for 59.8% of total U.S. health care costs in 1999. Government health spending per capita in the U.S. exceeded total health spending (government plus private) in every other country except Switzerland." An Associate Professor of Medicine at Harvard and a study author, Dr. Steffie Woolhandler: "We pay the world's highest health care taxes. But much of the money is squandered. And HMOs and drug companies pocket billions in profits at the taxpayers' expense"

Wearing a bright orange T-shirt, a Martin Luther King, Jr. quotation pinned to my clothing, handing out thousands of brochures, addressing people with the statement: "We are the only developed nation without health care for its people; this initiative will change that in Oregon", I circulated the HCFA-O initiative. I heard myriad reasons why people believed this was needed. And I listened. What I heard convinced me we can take action and alter what is wrong (especially when our elected officials fail to act). We can make that important change with our vote for Universal Health Care!

When Congress approved Medicare in 1965, the plan was to first insure the older population, then incrementally insure everyone else. Almost 40 years ago! When the *Washington Post* writes of leading medical providers like the Cleveland Clinic and Johns Hopkins in Baltimore establishing special programs to give platinum service to the well-heeled, isn't it time we provided a better health care system? What are we waiting for?

More HMO Billionaires? Higher premiums?
More Co-pays?

Germany got health care 1886...Canada the 1960's....
Yes #23 AND OREGON 2005!!!!

THE TIME IS NOW

(This information furnished by Kathryn "Cherie" Lambert Holenstein.)

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

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

Measure No. 23 Arguments

ARGUMENT IN FAVOR

SOCIAL WORKERS SAY YES TO MEASURE 23

The Oregon Chapter of the National Association of Social Workers represents 1,700 professional social workers in Oregon. Every day, we see the impact of an uncoordinated and inefficient health care "system" on our clients. Hundreds of thousands of Oregonians lack health insurance altogether. Many Oregon families are ineligible for the Oregon Health Plan. Many more must bear an increasing share of the cost of their health care on limited incomes. And almost everyone has experienced difficulty in negotiating a managed care system that appears to be more interested in managing costs than care.

NASW's national policy statement on Health Care says that "NASW supports a universal right to health care under a single payer system." NASW therefore urges you to vote "yes" on Measure 23, the Oregon Comprehensive Health Care Finance Act of 2002. Measure 23 will make health care coverage available and affordable for all Oregonians for the first time. It will provide all Oregonians with a free choice of health care provider. It will assure coverage of a full range of health care benefits, including mental health and chemical dependency services, which are often severely limited by private sector health plans. It will require, in state statute, that the costs of administration of the health plan do not exceed 5% of total plan revenue. And it will provide for a publicly accountable system of health insurance, with an elected governing board.

Vote for family security, choice, and accountability... Join Oregon's social workers in voting "Yes" on Measure 23.

(This information furnished by Scott Manchester, Oregon Chapter, National Association of Social Workers.)

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

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

ARGUMENT IN FAVOR

BOTH YOUNG AND OLD DESERVE UNIVERSAL HEALTH CARE

The Gray Panthers of Portland want to strongly urge all Oregonians to support Measure 23. This is such a joy to finally see the issue of universal health care up before a vote of the people. The Gray Panther under the inspired leadership of Gray Panther founder Maggie Kuhn helped lead the early fight for universal health care nationwide.

We Gray Panthers have never given up hope that someday there would be universal coverage for all our citizens. What a wonderful opportunity to finally reach out to the 370,000 citizens who don't have health insurance. Even those on insurance are often inadequately covered. Now we have a strong program that has been presented in Measure 23 that would make Oregon a national model, as we have been so many times before.

Measure 23 would create a universal health care plan for Oregon that would include comprehensive benefits such as preventative care, prescription drugs, mental health care, dental and vision care, alternative care and long term, care for our seniors and people with disabilities.

America pays so much for health care and yet so many of citizens still have no or inadequate coverage. **Measure 23 would pool health care resources to use our health care dollar more effectively.** There would be a progressive and fair payroll and income tax deductions. Many would start to see an immediate saving in their health care expenditures, as premiums, deductibles, co-pays, high health insurance company corporate costs and exclusions go by the wayside.

One of the biggest issues for seniors today is the high cost and lack of availability of prescription drugs. With Measure 23 everyone would have access to needed medications.

Measure 23 benefits both young and old with comprehensive coverage and access to health care for all Oregonians. Please vote for Measure 23.

Portland Gray Panthers

(This information furnished by Jim Davis, Portland Gray Panthers.)

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

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

Measure No. 23 Arguments

ARGUMENT IN FAVOR

Dear Fellow Oregon Seniors:

Nothing has placed stresses on we fixed income people like the rising costs of health care insurance premiums and prescription drugs. These costs are at a point where difficult choices must be made. We submit to insurance plans with high deductibles because that is all we can afford. We often cut back on prescribed medications because our money won't stretch to include what our Dr. says we need. For many of us it's a delicate balance between health care expenses and food on the table. Health care costs keep rising with no way to stop it. We put our health in jeopardy in an effort to balance our budget.

That's why it was exciting to learn about Measure 23. This Measure will not only provide we seniors with the health care services we need but will do that for everybody who lives in the state. We will be asked to pay in fairness with our ability to pay for health services. We will be able to choose our provider without the threat of being turned away because our health care plan pays too little. Dental and vision services will be covered which for many of us have long been neglected.

The thought of this possibility is like lifting a great weight from our shoulders. Previous worries melt away and life takes on new qualities.

We seniors know that we are more susceptible to needing health services than our younger healthier friends. To you, we say, "thank you" for being willing to support this Measure and make it available to every resident in Oregon. We will live with a much more secure feeling knowing health services will be there for grandparents, parents and our children, when needed.

Submitted By,
William Gordon, Elders In Action Commission
Urging a Yes Vote on Measure 23

Endorsed by: Charles Kurtz, Elders in Action Commission

(This information furnished by Bill Gordon, Elders in Action.)

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

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

ARGUMENT IN FAVOR

The Pacific Green Party of Oregon supports access to quality healthcare for all Oregonians. It's time to take a stand and declare healthcare a right, not a privilege.

420 thousand Oregonians lack reasonable access to healthcare. About 70 thousand are children whose parents are hardworking people with employers who don't provide health insurance. These folks are caught in the middle. Health insurance is too expensive, and they make too much money to qualify for the Oregon Health Plan.

Meanwhile, Oregonians with insurance have watched out-of-pocket expenses rise steadily in recent years. Costs are expected to increase another 20 percent in 2003. Can you afford it? Can your employer?

Just as we the people have accepted responsibility for providing education and public safety, it is time for us to provide this basic human need. Numerous studies show that we can supply better quality healthcare, giving us better value for our healthcare dollars. It's clear by looking at other developed nations that we have the capacity.

Did you know that the CEO of the insurance company, US HealthCare, pockets 20 million dollars a year, plus 782 million dollars in stock options? That is just one executive among hundreds who profit at our expense. Our insurance premiums pay more for high salaries, advertising and shiny insurance buildings, than for quality healthcare. In fact, the quality of care in the United States is decreasing. Though we pay more per capita than any other developed nation, the United States ranks 37th in quality of care. Oregon can only improve on that poor ranking.

Will we continue to allow our healthcare system to be dominated by for-profit corporations for whom the bottom line is not caring for people, but dividends for stockholders and outrageous CEO salaries? Or, will we the people accept responsibility and do the right thing by providing quality, comprehensive healthcare for every citizen in Oregon? Access to healthcare is a fundamental right. **Please vote yes on Measure 23.**

(This information furnished by Sarah Charlesworth, Pacific Green Party of Oregon.)

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

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

Measure No. 23 Arguments

ARGUMENT IN FAVOR

BRIDGES, REUTHER, STRANAHAN REFERENCE

On July 4, 1776 the United States proclaimed the Declaration of Independence. This document stated, among other things, that all men have rights to Life, Liberty and the Pursuit of Happiness. This Declaration was a powerful statement. It established an extreme belief, that the rights of all citizens are fundamental and should be pursued zealously.

However, it is difficult to pursue your rights, liberties and happiness while contemplating the consequences of family members becoming ill. Surely life is shortened and happiness lessened without health care.

The labor movement and unions have historically understood the idea of inclusion of all, universal health care being one example. The Knights of Labor had their Great Seal in the 1870's, which was inscribed with the words, "That Is The Most Perfect Government In Which An Injury To One Is The Concern Of All."

Walter Reuther of the United Auto Workers said often, "There is no greater calling than to serve your fellow men. There is no greater contribution than to help the weak." (*TIME*) 12-7-98

Historically, the International Longshore and Warehouse Union realized the need for universal health care. The first president, Harry Bridges, contributed \$600 to purchase buttons which said "Cradle to Grave." Bridges referred to health care as a human right.

Jesse Stranahan, retired longshoreman and past secretary of the Columbia River Pensioners, never failed to bring resolutions for universal health care to every pension convention he attended.

Just this month, at their International Convention, the United Steelworkers of America adopted a resolution calling for universal health care in the United States. Coincidentally, they called their resolution "Health Care for All."

Please read Measure 23 carefully. Join Jesse Stranahan's widow Lois, his sister Margaret, and myself in making this wondrous man's life-long dream become a reality. Vote yes on Measure 23, making Oregon the first state to provide universal health care for all of its citizens.

Mike Sullivan

(This information furnished by Mike Sullivan, United Steelworkers of America Legislation Education Committee for the State of Oregon.)

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

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

ARGUMENT IN FAVOR

Summary of Measure 23

Key concepts

- **Universality** - All residents of Oregon covered.
- **Security** - This health coverage can never be denied if you or your family change jobs, retire, or have a pre-existing condition.
- **Choice** - You can choose from any state licensed, certified, or registered health care practitioner. YOU pick your doctor, your HMO doesn't.
- **Affordability** - No deductibles, co-payments, or insurance premiums, saving most Oregonians money.

Comprehensive Benefits

- The plan covers medically necessary health services as determined and provided by any state licensed, certified, or registered health care practitioner.
- This includes, but is not limited to, **prescription drugs, dental, vision, inpatient and outpatient care, mental health, and in-home, emergency, and long-term care.**
- **There are no exclusions for pre-existing conditions.**

Financing

This plan will have three sources of financing:

- Current expenditures by federal, state, and local governments will provide more than a third of what will be needed.
- A progressive payment on employers' payroll will replace current insurance premiums paid by employers. The percentage ranging from 3 to 11.5% will depend on the size of the payroll, with only the largest corporations paying the highest percentages. Self-employed individuals will be exempt.
- A progressive personal income payment will replace most personal health care spending: premiums, co-pays, deductibles, and out-of-pocket expenses for such items as prescription drugs, glasses, mental health, and alternative care. The rate will be between 0 and 8% of taxable income, with most families paying less than 5%. Families at or below 150% of the federal poverty level are exempt.

Management

- A publicly accountable, nonprofit Health Care Finance Board will be set up to administer the system. Two Board members will be elected from each congressional district, and the Governor will appoint five additional members, including one doctor and one person from a union.
- The Board will negotiate costs throughout the health care industry, including bulk drug purchasing.

(This information furnished by Britt McEachern, Health Care for All - Oregon.)

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

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

Measure No. 23 Arguments

ARGUMENT IN FAVOR

Oregon's Current Health Care System is Failing

Problem: Emergency rooms are busting at the seams. Over 423,000 individuals whose ailments could be treated by a primary care physician, but are not because they lack even the most basic health insurance, have no place else to turn.

Many working families make too much money to be on the Oregon Health Plan, but not enough to afford insurance.

Solution: **Voting YES! on 23 will ensure that no one in Oregon need go without health care. Measure 23 replaces the Oregon Health Plan and private insurance policies with a proven system that saves money, is more efficient, and eliminates confusing medical bills.**

Problem: Insurance companies have a financial interest in delaying and denying your care.

Solution: **Under Measure 23, you and your doctor will decide what is in the best interests of your health without interference from insurance company bureaucrats.**

Problem: Oregon is experiencing one of the worst nursing shortages in recent years and according to officials it is only going to get worse. By 2005, Oregon will have a shortage of over 5,000 nurses, many in critical areas such as the ER, leaving your care in the hands of unqualified or overworked providers.

Solution: **Measure 23 will help by shifting health-care dollars from administrators to health-care providers. Less administrators, + more nurses = better care.**

Problem: Premiums are going up. **Can you or your employer afford the estimated 20% increase in 2003 alone?**

Solution: **By cutting out wasteful overhead costs, Measure 23 can save 25-40% of your health care dollar and use it to offer more benefits like prescription drug coverage. Most Oregonians will pay less than they are now and will continue to save in the years to come, while receiving better quality of care.**

(This information furnished by Dan P. Isaacson, Yes on 23 Committee.)

(This space qualified for by a petition of 1,000 Oregon voters in accordance with ORS 251.255.)

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

ARGUMENT IN FAVOR

Measure 23 Is Good Medicine for Doctors

Doctors' medical decisions will no longer be second-guessed by insurance company bureaucrats. The plan will pay for medical services, as determined by you and your doctor. **You and your doctor makes the medical decisions, not insurance companies and HMOs.**

Doctors' practices will no longer have to spend scarce resources dealing with complex insurance paperwork. Each patient's bill will be sent to the same single payer for reimbursement. **Less money on administration = more money for health care.**

You can freely seek health care from any state licensed, certified, or registered practitioner, and will not have to change doctors against your will because your insurance carrier has changed. You will be able to develop a long-term relationship with your doctor.

Doctors will be able to stress preventive care, and will no longer face the heartache of knowing that their patients cannot afford the recommended treatment.

The patient load in our hospitals and ERs will drop as our uninsured and underinsured have access to a primary care physician.

Instead of receiving take-it-or-leave-it reimbursement rates from HMOs and state programs, doctors will be full participants in negotiations over reimbursement rates.

**Vote YES! for your doctor
Vote Yes! to allow doctors to make medical decisions
VOTE YES! ON 23**

(This information furnished by Dan P. Isaacson, Yes on 23 Committee.)

(This space qualified for by a petition of 1,000 Oregon voters in accordance with ORS 251.255.)

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

Measure No. 23 Arguments

ARGUMENT IN FAVOR

Oregon Doctors For Measure 23

Don McCanne, M.D., President, Physicians for a National Health Program
 Marcus P. Johnson, M.D.
 Dr. Wade Guthrie, DC
 Jonathan Lindgren M.D., Family Physician
 Nicholas Gideonse M.D., Family Physician
 Donald W. McCormack, Jr., D.M.D.
 Carol Blenning, MD
 David A. Pollack, MD
 Eric Dover, M.D.
 Marcia Blaine, Licensed Practical Nurse
 Mary Jane Gray M.D.
 David D. Kliever, M.D.
 Richard Bayer
 Nancy Crumpacker MD
 Gwen Isaacs MD
 Nelson R. Niles MD
 Sally L. Niles MD
 John W. Partridge MD
 Jim Bane
 James Calvert MD
 Jerry J. Robbins M.D.
 James E. Leggett MD
 Roy Guggenheim MD, MPH
 Richard E. Lague
 Linda C. Sage
 Paul Gorman MD
 Virginia M. Feldman M.D.
 Roberta R. Palmer M.D.

(This information furnished by Mark Lindgren, Health Care for All Oregon.)

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

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

ARGUMENT IN FAVOR

Measure 23 Is Good Medicine for Nurses

Oregon is experiencing one of the worst nursing shortages in the country; in the coming years the estimates are that Oregon will have 5,000 fewer nurses than we need. Patient care will be left in the hands of less experienced or overworked providers.

Nurses themselves are often among those with inadequate health coverage. The issues causing the recent OHSU nurses' strike included health insurance. **Measure 23 will stabilize health-care costs, and all nurses—like all Oregon residents—will have access to secure, affordable health care.**

There are 6 administrators for every hospital patient in the U.S. Yet one RN struggles to care for 10-15 acutely ill hospital patients. Why? Because the hospital must accommodate the paperwork needs of dozens of different insurance companies and government programs. **Under Measure 23, each patient's bill will be sent to the same single payer for reimbursement. Less money on administration = more money for health care.**

Nurses are patient advocates who spend more time than any other health-care provider with patients and see firsthand the problems caused by the current profit-driven system.

Nurses have witnessed the suffering of patients denied care by a system that puts profits before patient care, and have not been allowed to do all they could to help those patients. **Measure 23 will cover medically necessary services for all Oregon residents.**

When Measure 23 takes effect, no nurse will have to go home and worry about the welfare of patients discharged before they should have been, to save money for an HMO.

VOTE YES! for Oregon Nurses

VOTE YES! for quality of care

VOTE YES! on 23

(This information furnished by Dan P. Isaacson, Yes on 23 Committee.)

(This space qualified for by a petition of 1,000 Oregon voters in accordance with ORS 251.255.)

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

Measure No. 23 Arguments

ARGUMENT IN FAVOR

Oregon Licensed Health Practitioners for Measure 23

Leonard Rice, RN (E.D. TNCC ACLS)
 Carmel Decroos, MSN, MRE, Retired RN
 Carol Goodman, RN
 Darlene Gage RN
 Jill Burge
 Kenneth R. Hindes, RN
 Kathleen Jones, RN
 Anne Ehrlich O'Brien RN, MSN
 Clarice Bates, RN
 Mary Lou Carey, RN
 Charlotte Maloney, OTR/L
 Judith Emmanene, OTR/L
 Christine A. Velson, OTR/L
 Brigitte Galvan, OTR/L

(This information furnished by Karina Isaacson, Health Care for All - Oregon.)

ARGUMENT IN FAVOR

Oregon Teachers for Measure 23

"Hundreds of Teachers across the state have endorsed Measure 23 including:

The American Federation of Teachers - Oregon
 Mary Ann Holser, MSW, MPA, Phd
 Peter M. O'Day
 David G. Duemler
 Ellie McAlpine
 Steven Deutsch
 Madronna Holden, Ph.D.
 Joyce Cedarlund
 Peter Frank
 Raymond G. Wolfe
 John H. Baldwin
 Dr. Frank Vignola
 Mildred M. Thompson
 Jerome Garger
 Deborah Stochlic - teacher
 Madalyn Patterson
 Carmel Decroos, MSN, MRE, Lane Community College
 Lane Community College Professor, Steve Candee, Political
 Co-op Director
 Ruth Duemler
 Elizabeth A. Deutsch

Vote Yes on 23
 Vote Yes for Teachers
 Vote Yes for Education

(This information furnished by Karina Isaacson, Health Care for All - Oregon.)

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

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

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

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

Measure No. 23 Arguments

ARGUMENT IN FAVOR

Measure 23 Is Good Medicine for Seniors

Congress debated prescription drug coverage for Medicare recipients, but failed to pass a bill. Even if they had, none of their plans would have solved the problem. The Republicans simply wanted to give more money to the insurance companies to subsidize private drug insurance. The Democrats' plan was complicated and would have left seniors responsible for up to \$4,000 a year. **Measure 23 is different. It's simple. All prescription drugs are covered. One hundred percent. No co-pay. No deductible. No cost.**

Neither Medicare nor Medigap policies cover all seniors' health-care needs; it has been estimated that Medicare covers less than half of an elderly person's health-care costs. **But Measure 23's plan covers virtually all "medically necessary services."**

Critics charge that government bureaucrats are less efficient than private business—but seniors know that Medicare's administrative costs are far below those of most private insurance companies (2% compared to an average of 25%). **Measure 23 caps administration costs at 5%, by law.**

Many doctors no longer accept Medicare patients because of the low reimbursement. Under Measure 23, we will all have the same coverage, and we may see any doctor or other health-care practitioner we choose.

Measure 23 covers long-term care; most insurance companies do not.

Only 15% of seniors have private dental insurance, and Medicare does not cover routine dental services. **Measure 23 will cover our seniors' dental work—in full.**

No longer will our seniors, the "Greatest Generation" who fought for our freedom, be forced into a new battle, choosing between costly prescription drugs and their other needs. You have the power to change their lives for the better.

Vote YES for prescription drug coverage

Vote YES for full insurance coverage for our seniors

Vote YES on 23

(This information furnished by Dan P. Isaacson, Yes on 23 Committee.)

(This space qualified for by a petition of 1,000 Oregon voters in accordance with ORS 251.255.)

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

ARGUMENT IN FAVOR

Measure 23 Is Good Medicine for Children

Today for the first time in history, the largest group of Americans living in poverty are children. 1 in 5 children live in the most abject, dangerous, hopeless, back-breaking, gut-wrenching poverty any of us could imagine. 1 in 5, and they're children. **Surely the code of our humanity is faithful service to that unwritten commandment that says we shall give our children better than we ourselves received.**

- Measure 23 provides stable health-care funding that will mean that additional funds will not need to be found every year for teachers' health-care benefits, so schools can be adequately funded.
- Despite the Oregon Health Plan and CHIP, according to the U.S. census, an average of almost 10% of Oregon children had no health insurance between 1998 and 2000. Over 70,000 Oregon children have no health insurance.
- Uninsured children do not receive health care until they are sick, often very sick. But it is vitally important for children to receive regular physical examinations and screenings; since most uninsured children come from poor families, it is even more vital that they get checkups, since they are more likely than children from affluent families to suffer from nutritional deficiencies.
- Nearly 63 percent of children nationwide get no dental care each year. Measure 23 will cover the medically necessary dental work – in full.

**VOTE YES! for Oregon's Children
VOTE YES! on 23**

(This information furnished by Mark Lindgren, Health Care for All - Oregon.)

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

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

Measure No. 23 Arguments

ARGUMENT IN FAVOR

Measure 23 Is Good Medicine for Business

If your business has been offering health insurance to your employees, you know how steeply the costs have been rising (15.6% in 2002, 10.2% in 2001), and experts say this is not going away. HMO rates for 2003 are expected to rise by 20% and a study in June 2002 found that employers were facing increases ranging from an average of 22% to a horrifying 94%.

Oregon corporations that do business overseas are at a tremendous financial disadvantage because of annual double-digit increases in health-care costs. The employees of their competitors from other countries get excellent medical benefits at less than half the cost, through national health insurance.

If you are a small-business owner, and have not been able to afford to offer health insurance to your employees, you probably agree with the majority of small-business owners who said they would probably do so if the cost was less than 5% of payroll. You could pay as little as 3% under Measure 23, and have a healthier, happier workforce.

Contrary to popular belief, government can be more efficient than the private sector, and private health insurance is much more costly and inefficient than universal health care. Several independent studies have shown that about 25¢ of each health-care dollar goes to the complex billing systems, marketing, and administration of the U.S. system—three times the overhead in Germany and Japan, which provide health care to all their citizens.

VOTE YES! for Oregon Business

VOTE YES! for Oregon's Economy

VOTE YES! on 23

(This information furnished by Dan P. Isaacson, Yes on 23 Committee.)

(This space qualified for by a petition of 1,000 Oregon voters in accordance with ORS 251.255.)

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

ARGUMENT IN FAVOR

Measure 23 is Good Medicine for Consumers

Consumers Union of U.S. Inc.'s goal for health care reform developed over the past 64 years is: **Every person must have access to quality health care at an affordable price, with the right to choose providers and the right to have complaints resolved fairly.** We endorse Measure 23 because we believe it meets this goal and the average consumer will get more health coverage for less money.

If consumers do not have employer based insurance, have any type of illness, or are too young (for Medicare), too rich (for Medicaid), or too broke (to pay steep premiums), they might be shut out of the health insurance market altogether.

Consider the case of one consumer, who bought a policy in 1992 that cost \$1,665 a year and had a \$500 deductible; it excluded coverage for arthritis because a blood test suggested she was at risk. Shortly after, the company hiked her premium by 64%. Premiums kept rising, and the consumer had to increase her deductible to \$5,000. Nonetheless, this year the annual premium had reached \$18,500.

Our patchwork system of paying for health insurance leaves millions of families in financial crisis when serious illness strikes. The working poor are priced out of health insurance. 423,000 Oregonians, many of them working families and including 70,000 children, lack any coverage.

Piecemeal reforms will not solve the problem. What's needed is coverage for everyone in a pool that spreads the risk, with each person paying a fair share, and every person enjoying quality coverage.

Consumers Union of U.S. Inc. strongly supports Measure 23. No Oregonian, and no American should have to choose between health care and food or paying the rent.

Consumers Union of U.S. Inc., publisher of *Consumer Reports*, is an independent, nonprofit testing and information organization serving only consumers. We are a comprehensive source for unbiased advice about products and services, personal finance, health and nutrition, and other consumer concerns.

(This information furnished by Sarah Charlesworth, Health Care for All - Oregon; Elizabeth M. Imholz, Consumers Union of U.S. Inc.)

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

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

Measure No. 23 Arguments

ARGUMENT IN FAVOR

Measure 23 Helps Small Business

A small-business owner from Medford tries very hard to provide what he feels is a good benefits package to his 15 employees. He has renewed his policy every year, even though his premiums always went up.

But this year was different. He opened his renewal letter only to find that his rates had gone up 52%! His choice was very clear: cut benefits for his employees or cut employees.

His comments are echoed throughout Oregon: **"My business just received a 52% increase in its group health insurance premiums. My monthly premiums are quickly approaching my house payment. Where will it stop?"**

Oregon small business owners should not have to choose between their business, their house, or their employees and their health care—but that is exactly what many are forced to do every day.

Measure 23 provides a way for everyone to receive health care, and for businesses to reduce costs. By replacing skyrocketing costs and unpredictable premiums with a stable payment on their payroll, **small business will pay drastically lower costs for health care. The smaller the payroll the smaller the payment.**

Measure 23 is intended to ease some of the burden of small-business owners in Oregon.

Voting Yes! on Measure 23 ensures that you can provide health coverage to your employees and know that:

1. You never have to deal with paperwork.
2. Your payment will stay low.
3. You will lower your costs.
4. You will benefit from a healthier and more productive workforce, less prone to costly sick days.
5. Your Workers' Compensation costs will go down.
6. You and your family, as well as your employees, will have a generous benefits package, including prescription drugs, dental, and vision, something that many small business owners cannot now afford.

**VOTE YES! FOR SMALL BUSINESS
VOTE YES! FOR BETTER BENEFITS
VOTE YES! ON 23**

(This information furnished by Dan P. Isaacson, Yes on 23 Committee.)

(This space qualified for by a petition of 1,000 Oregon voters in accordance with ORS 251.255.)

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

ARGUMENT IN FAVOR

Measure 23 Is Good Medicine for People with Health Insurance

Like every other American who gets health insurance through an employer, you are only a pink slip away from losing it. **Measure 23 will give you—and all Oregon residents—secure health care that cannot ever be taken away for any reason.**

A recent study shows that only one out of five people eligible for continuing COBRA coverage actually receive it because they can't afford to pay for it. The average cost is \$7,194 per year, or \$600 per month. Could you afford to pay this if you lost your job?

Does your current insurance cover dental work at 100%? Do you have mental health parity? Long-term care insurance? Free prescription medications? **Measure 23 will provide all this—and more—to all Oregonians, and for no more money than we are spending on health care now.**

Health insurance premiums have been rising by double digits each year (15.6% in 2002, 10.2% in 2001), and experts say this is not going away. HMO rates for 2003 are expected to rise by 20% and a study in June 2002 found that employers were facing increases ranging from an average of 22% to a horrifying 94%. The health-care coverage provided by your employer is going to get worse, and it is going to cost you more.

Your employer is struggling to pay the premiums, and will be asking you to pay an increasing share of the bill for your health care. **Measure 23 will stabilize health-care costs.**

No co-pays. No deductibles. No pre-authorizations required. Measure 23 simply pays for your medically necessary services, as determined by you and your doctor.

You may seek care from any state licensed, certified or registered practitioner—including alternative medicine practitioners—and will not have to change doctors -because your employer's insurance carrier has changed.

VOTE YES! ON 23

(This information furnished by Dan P. Isaacson, Yes on 23 Committee.)

(This space qualified for by a petition of 1,000 Oregon voters in accordance with ORS 251.255.)

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

Measure No. 23 Arguments

ARGUMENT IN FAVOR

Measure 23 is Good Medicine for Rural Communities

Because unemployment is more of a problem in Oregon's rural counties, people who live in rural areas are less likely to be insured through an employer. Available jobs are likely to be low-wage, and have no health-care benefits.

Many doctors in rural communities will not accept Medicare or Oregon Health Plan patients because their reimbursements from these programs are lower than for their urban counterparts. Under Measure 23, we will all have the same coverage, and we will be able to see any doctor or other health-care practitioner we choose.

Measure 23 is Good Medicine for Alternative Health Practitioners

The "medically necessary" services of alternative health practitioners who are licensed, certified, or registered by the state will be paid by the plan in exactly the same way as those provided by allopathic physicians.

Measure 23 Is Good Medicine for Conservatives

Oregon corporations that do business overseas are at a tremendous financial disadvantage because of annual double-digit increases in health care costs. The employees of their competitors from other countries get excellent medical benefits at less than half the cost, through national health insurance.

40% of bankruptcies in the US result from medical bills. These are families who may, as a result, find themselves dependent on public assistance through no fault of their own.

Contrary to popular belief, government can be more efficient than the private sector, and private health insurance is much more costly and inefficient than universal health care. Several independent studies have shown that about 25¢ of each health-care dollar goes to the complex billing systems, marketing, and administration of the U.S. system—three times the overhead in Germany and Japan.

VOTE YES ON 23

(This information furnished by Dan P. Isaacson, Yes on 23 Committee.)

(This space qualified for by a petition of 1,000 Oregon voters in accordance with ORS 251.255.)

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

ARGUMENT IN FAVOR

Measure 23 is Better for You

- A 38-year-old woman dies after her health plan refuses to cover a promising cancer treatment, even though the therapy is government approved.
- A 19-month-old toddler goes into seizures while her mom struggles on the phone to convince her HMO to pay for an ambulance.
- A man seriously injured in a motorcycle accident is told he has to pay for six weeks of traction himself.
- After a steelworker is laid off, his daughter needs surgery for a cleft palate. Unable to pay for the surgery, he faces the heartbreaking choice between bankruptcy and failing to help his child.
- A 62-year-old man in poor health cannot retire because he cannot afford the cost of insuring himself and his wife until he becomes eligible for Medicare at 65.
- A woman is offered a better job but cannot take it because her son's cystic fibrosis is a pre-existing condition that would not be covered by the new employer's policy.

These are just a few of the thousands of true stories Oregon's current health-care system has produced. Measure 23 creates a system that will make these and other horror stories a thing of the past.

- If you are tired of paying more money for less health coverage, **VOTE YES! on 23**
- If you are tired of insurance companies dictating to you and your doctor what medical services you need, **VOTE YES! on 23.**
- If you believe that Oregon's health-care system is failing and needs change, **VOTE YES! on 23.**

(This information furnished by Britt McEachern, Health Care for All - Oregon.)

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

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

Measure No. 23 Arguments

ARGUMENT IN FAVOR

**Oregon's Leaders
Speak Out on
Measure 23 and Health Care**

"The ballot measure proposed by Health Care for All-Oregon is a noble and bold step towards addressing Oregon's health care deficiencies."

Peter DeFazio
United States Congressman
Eugene Weekly, August 22, 2002

"From creating a children's health insurance program to helping women access breast cancer treatment, I have been working toward a day when no Oregonian has to forgo medical treatment simply because they lack an insurance card...Health care is not about Republicans versus Democrats, the government versus the private sector—it's about creating real solutions for real people."

Gordon Smith
United States Senator
<http://www.gordonsmith.com/smithfeature.asp>

"Some people argue that our country cannot afford a meaningful prescription benefit for seniors, but I believe our country cannot afford not to provide such a benefit."

Ron Wyden
United States Senator
<http://wyden.senate.gov/feature/spicerelease.htm>

"As a U.S. Senator, Bill Bradbury will continue the fight to broaden access to care for all Americans."*

Bill Bradbury
Oregon Secretary of State and candidate for U.S. Senate
<http://www.bradbury2002.com>

Dozens of Oregon legislators, elected officials and political and community groups have endorsed Measure 23, including the following:

**DEMOCRATIC PARTY OF OREGON
NATIONAL ORGANIZATION FOR WOMEN (NOW) – OREGON
PACIFIC GREEN PARTY OF OREGON**

**Oregon Senator William Morrisette
Oregon Representative Robert Ackerman
Walter F. Brown, Oregon State Senator (retired), Commander
JAG Corps U.S. Navy (retired)**

Lane County Commissioner Peter Sorensen

**Eugene City Councilor David Kelly
Eugene City Councilor Scott Meisner
Eugene City Councilor Betty Taylor**

US Senate Candidate Harry Lonsdale

(This information furnished by Sarah Charlesworth, Health Care for All - Oregon.)

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

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

ARGUMENT IN FAVOR

During the 2001 Legislative session, I was the proud sponsor of HB 3801, the Oregon Comprehensive Health Care Plan to offer medical coverage for **ALL** Oregonians. HB 3801 with some modifications has become Measure 23.

When this measure passes it will become a statute or law which sets the framework for the nation's first 'single payer' health plan. As opposed to a constitutional amendment, a statute can be amended by the Legislature. This will allow any perceived problems to be addressed and fixed.

Why should you vote YES on Measure 23?

Ask yourself these questions.

First, do I currently have adequate medical coverage, including prescription drugs and if so, is it affordable?

Second, do I know people who can't afford adequate coverage for themselves or their children?

Third, how much money and by whom is being spent to defeat this plan?

Fourth, do you want to send a message to the insurance industry?

I hope the answer to these simple questions will prompt you to

VOTE YES ON MEASURE 23!

(This information furnished by Oregon Senator Bill Morrisette, District 6.)

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

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

Measure No. 23 Arguments

ARGUMENT IN FAVOR

Benton County Health Care Professionals Support Measure 23

As health care professionals, we take our patients' health seriously. Our first priority is their care. Too often, we are not allowed to provide the care our patients need. We believe it is time to put patients first. We urge you to vote YES on Measure 23.

You have heard the horror stories; we have lived them every day:

- Doctors spending time on the telephone arguing with a clerk in an insurance company office trying to get a necessary procedure covered for a patient.
- Nurses watching as patients who are not ready to leave the hospital are discharged because their insurance will not pay for more time.
- Doctors gagged by an insurance company, prohibited from telling patients about a recommended course of treatment because their insurance will not cover it.

Measure 23 will promote healthy relationships between patients and the health care providers of their choice, without interference from insurance company bureaucrats.

We care about our patients and we also care about the more than 400,000 Oregonians who have limited health care options because they are uninsured. Measure 23 provides economic and efficient access to health care for all Oregonians.

Measure 23: It's Good Medicine for Oregon

Endorsed by: Jayne A. Ackerman, M.D.; Betsy Anderson, M.D.; Robert M. Burton, M.D.; Ted E. Foulke, M.D.; Denise Gee, CMA; Mary Jane Gray, M.D.; Karen Griffis, FNP; John E. Hult, M.D.; David D. Kiewer, M.D.; Richard E. Lague, Physical Therapist; Craig B. Leman, M.D.; Kathleen M. Miller, R.N.; Gayle Riffle, adult nurse practitioner; Rhonda Simpson, M.D.; Cosimo Storniolo, M.D.; Elizabeth Waldron, M.D.; and Fred Weisensee, M.D.

(This information furnished by Mike Beilstein, Chair, Mid Valley Health Care Advocates PAC.)

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

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

ARGUMENT IN FAVOR

**The time is now for health care for all in Oregon!
And Ballot Measure 23 provides it.**

It is universal.- All residents of the State of Oregon can get access to the health care they need at an affordable cost.

It is equitable- Whether you are the Governor or working for a fast food place, poor or rich everyone is entitled to the same benefits. Everyone is in the same plan.

Security- This health coverage can never be denied even if you or any one in your family changes jobs, retires, or has a pre-existing condition. There is no waiting period.

Choice- You can choose from any state licensed, certified, or registered health care practitioner.

Affordability- Both Oregon businesses and individuals will only pay what they can afford. No longer will people have to pay for services and drugs not covered by their plan.

Financing: This plan has three sources of financing. Current expenditures by federal, state, and local governments will provide more than a third of the cost. A progressive tax on employer payroll will replace insurance premiums. The percentage will depend on payroll size, with only the largest corporations paying the highest percentages. A progressive income tax will replace most personal health care spending like premiums and co-pays. Families at or below 150% of the federal poverty level are exempt from this tax.

Cost containment: No longer will Oregon businesses and families have to face annual health insurance rate hikes of 20% and more while they watch their benefits shrink. BM23 will cap administrative costs, eliminate waste, negotiate the best prices for pharmaceuticals, establish a global budget and limit annual cost increases.

Vote YES on Ballot Measure 23!

The Oregon Health Action Campaign is a coalition of individuals and more than one hundred member organizations working to empower the consumer in the development of quality, comprehensive and affordable health care.

(This information furnished by Ellen Pinney, Oregon Health Action Campaign.)

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

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

Measure No. 23 Arguments

ARGUMENT IN FAVOR

VOTE YES ON 23

Oregon citizens can lead the nation in fixing a failed health-care delivery system. In the 1980s, certain economists suggested that competition between health insurance organizations would result in lower costs and improved access to health care. Insurance companies jumped on the health bandwagon with a mission—to reward their stockholders. To succeed, they insured healthy groups, leaving the sick without insurance; cut services; and merged with other companies, reducing competition.

In our employer-based system, with government-funded care tied to poverty, many working poor are not offered group health insurance and individual plans are unaffordable. **The mission of physicians and other health-care professionals is to provide cure, care, and comfort. The goal of a market system is to make money for the seller.** The result: total failure of the market system to effectively and efficiently deliver the health care our citizens need. 423,000 Oregon residents, more than 70,000 of them children, have no health insurance and many more under-insured. The stagnant economy increases the number. Despite the Oregon Health Plan, Children's Health Plan and "safety net" clinics, **Oregon ranks 7th from the bottom of states in those without health insurance.** The market-controlled prescription drug companies continue to increase profits and prices, greatly increasing costs.

With elimination of the profits and wasteful administrative and marketing costs of a multi-payer system you can have the quality health care you are already paying for, but not receiving. Research behind our financial estimates and those of other states' single-payer plans demonstrate that this is workable and feasible.

You will have policy control by electing two Board members from your Congressional District to this public corporation, separate from the State legislature.

Vote yes on 23.

the Oregon Comprehensive Health Care Finance Act!

(This information furnished by Mark Lindgren, Health Care for All Oregon.)

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

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

ARGUMENT IN OPPOSITION

A Message from the Opposition to Measure 23

Do not vote for Measure 23! The present health-care delivery system is market based. If you have the money to pay or you have insurance, you get care. If not you don't. That is the way it should be!

This plan to replace the current system with one that provides care based on need and allows doctors to make medical decisions is flawed. It assumes that your doctor knows more than your insurance company. It assumes that spending billions of your health care dollars on advertising, management, and CEO salaries is wrong. We must pay our CEOs and managers substantial salaries to remain competitive, even if that raises your premiums.

We cannot trust your doctor to make unbiased medical decisions because he or she is too emotionally involved. While our administrators do not have a medical degree, they do have a degree in business. This allows them to think of the bottom line and profits for shareholders rather than getting emotionally involved in your health care.

The present system is a major part of the economy. Nationally, we generate at least \$309 billion in paperwork for health care services. At least half of that is unnecessary, but it contributes significantly to the economy.

Cutting the profits of insurance companies and HMOs would hurt one of the largest industries in the nation. While the economy has soured and health-care costs have soared, we have made more money than most companies, all based on this policy of trusting our business people over the concerns of your doctor.

The passage of Measure 23 would inevitably cause universal health care to sweep across the US. A huge number of non-productive jobs would be eliminated. This is bad economics. It should be prevented at all costs. That is why we are willing to spend \$20 million to defeat this flawed measure.

Vote NO on Measure 23

(This information furnished by Kari Rice.)

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

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

Measure No. 23 Arguments

ARGUMENT IN OPPOSITION

**Stayton Dentist Fred Girod
Explains Why He Opposes Measure 23.**

I practiced dentistry in Canada and learned firsthand how a government-run health system affects both the quality of health care and its costs. When I decided to pursue a Masters in Public Administration at Harvard, I chose the economic disaster of the Canadian Health System as my thesis topic.

Now Oregon voters are being asked to vote on Measure 23, an initiative to create a Canadian-style economic disaster in Oregon.

Canadian health care system is bureaucratic. It rations care, limits investments in new treatment technologies and forces citizens to wait for needed services. But bad as it is, the system proposed by Measure 23 would be worse.

Measure 23 would provide no cost controls and cover virtually every imaginable service. It would put complete control of every Oregonian's health care in the hands of 15 elected and appointed bureaucrats. Those bureaucrats would have sweeping powers to raise taxes, borrow money and ration health and dental care.

Paying for Measure 23 would require huge tax increases.

To pay for virtually any service any Oregonian wants from any provider, Measure 23 would require huge tax increases. State officials estimate the annual costs for Measure 23 when it's fully implemented will exceed \$12 billion per year – twice the state's total general fund budget currently.

Measure 23 could nearly double the state's top income tax rate, from 9% to 17%, raising individual tax bills to as much as \$25,000. Employers could be taxed up to 11.5% of their total payroll. Bureaucrats in charge would have unlimited borrowing authority using state revenue bonds.

As an economist, I know the tax increases would cost Oregon thousands of jobs. As a health care provider, I know that low government reimbursement rates would force many doctors and dentists to consider moving their practices to other states.

I strongly urge you to Vote NO on 23.

(This information furnished by Dr. Fred Girod, DMD.)

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

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

ARGUMENT IN OPPOSITION

MEASURE 23 WILL MAKE OREGON THE WORST STATE IN THE NATION TO RUN A SMALL BUSINESS

Ballot Measure activists once again are trying to jerk Oregon taxpayers around with a short-sighted proposal that would cripple Oregon's small business owners like me.

Bureaucrats would be in control of our health care system.

Measure 23 sets up a lavish health care benefit system and gives a board of bureaucrats complete authority to nearly double personal income tax rates and add a tax of 11.5% on every employer's payroll.

Paying for Measure 23 would cost Oregon jobs.

My business can't afford Measure 23's new state health insurance program that would more than double the state's current General Fund budget. If Measure 23 passes, we will simply have to cut jobs due to the enormous tax increase that our out-of-state competitors don't have to pay. My business can't afford a new 11.5% payroll tax. My employees can't afford a new 17% personal income tax rate.

Oregon's taxpayers and small business owners shouldn't have to pay for California's uninsured ill

The worst part of Measure 23 is that people living in California, or anywhere in the country, who become ill and lack the health insurance coverage to pay for their care, can move to Oregon and qualify for full care at Oregon taxpayer expense.

As a third generation plumber and business owner, I've taken great care to make sure we continue to offer our employees good wages and benefits, including health care. Measure 23 puts my employees' jobs at risk and nearly doubles their personal income tax burden.

Measure 23 is a problem that my business and my employees just don't need. Please protect Oregon's small business jobs:

Vote NO on Measure 23.

(This information furnished by Jon Egge, MP Plumbing Co.)

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

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

Measure No. 23 Arguments

ARGUMENT IN OPPOSITION

Universal health care. Health care for all. Sounds great. In fact, it is a concept that we support. Unfortunately, there are serious flaws in Ballot Measure 23, the so-called universal health care measure, and we must urge a "No" vote in November.

In particular, Measure 23 fails on the issue of paying for this universal health care. Let's step back a bit. The premise behind the idea of universal health care is that every Oregonian deserves at least basic health care coverage. Under the current system, who doesn't have coverage? Typically, the underemployed and unemployed — the "working class" of Oregon, so to speak.

And that's the crux of the problem with Measure 23 — there is a significant cost shift TO the working class.

If Measure 23 passes, working people — by virtue of an assumed 4 percent income tax rate increase — would be paying MORE for their health care insurance than they do now, whether their current insurance is partially employer-funded or purchased outright. That just simply doesn't make sense. Proponents of Measure 23 can make your head spin with all of their numbers and justifications, but the bottom line is that this cost-shifting is a poison pill that makes Measure 23 simply unacceptable.

Again, we support the concept of a single-payer, universal health care system. We feel it's an issue long overdue for serious exploration and discussion. But realistically, universal health care for all — if and when it occurs — will likely come from the federal level. It's also likely to come in a series of small steps. **What won't work is an all-at-once, fatally-flawed state ballot measure.**

We strongly urge you to keep an open mind about universal health care. But as well-intentioned as Ballot Measure 23 may be, it's not the answer for Oregon at this time.

We urge you to vote "No" on Measure 23.

(This information furnished by Don Loving, American Federation of State, County and Municipal Employees (AFSCME).)

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

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

ARGUMENT IN OPPOSITION

**Retired Chemeketa Community College President
Jerry Berger Describes His Objections to Measure 23**

Measure 23 overreaches. It would preempt reasonable funding alternatives that would help public schools, community colleges, and universities that have been especially hard hit by state budget cuts.

Paying for Measure 23 could bankrupt our ability to fund other priorities adequately.

No one argues with the desirability of giving free health care coverage to every Oregonian. However, the reality of paying the bill for such a huge program is that it could bankrupt our ability to provide quality education and other essential public services.

Measure 23 would impose such substantial taxes on individuals and businesses that raising any other new taxes would become impossible. The negative economic impact of the largest tax increase in Oregon history would mean lost Oregon jobs, furthering the economic crisis that Oregon is already facing.

Measure 23 would be too expensive because it would do nothing to control costs long-term. It would generously pay for any licensed provider — from doctors, dentists and chiropractors to music therapists and herbalists. To pay for these uncontrolled costs, Measure 23 gives a 15-person board of elected and appointed members extraordinary powers — to nearly double top state income tax rates, to levy a new 11.5% payroll tax on all employers, to borrow unlimited funds through state revenue bonds, and to ration benefits when resources can't keep up with cost increases.

Oregonians need to be cautious about nice-sounding proposals. Measure 23 has an appealing objective — to ensure every Oregonian has access to adequate health care. But the specifics of Measure 23 make it too high-priced to be a realistic route to reach the objective of universal access.

Think carefully about what programs will suffer if Measure 23 passes.

Then please join me in voting NO on 23.

Thank you.

Jerry Berger
Retired President
Chemeketa Community College

(This information furnished by Jerry Berger, Retired President, Chemeketa Community College.)

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

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

Measure No. 23 Arguments

ARGUMENT IN OPPOSITION

MEASURE 23 DOESN'T TREAT OREGON'S HEALTH CARE PROBLEMS IT ONLY MAKES OUR STATE BUDGET SICKER

Every day, Oregon hospitals see too many Oregonians who can't afford regular health care. They come to us sick or injured with nowhere else to go. But Measure 23 is the wrong choice for addressing Oregon's health care needs.

Measure 23 Would Put Oregonians Out of Business

Measure 23 would shift health care costs from those who pay premiums to Oregon taxpayers. It would add a huge payroll tax on every Oregon employer, even school districts, hospitals, libraries and churches. If they can't afford that tax, employers could close their doors—or move outside Oregon.

Measure 23 Would Bloat The State Bureaucracy

Measure 23 would create a new 15-member board authorized to raise state taxes and revenue bonds and to negotiate the rates paid to health care providers. Its members would also receive full-time salaries and benefits.

Measure 23 Fails to Target Essential Services

Measure 23 would pay every provider for any service they give their patients, including those that aren't even necessary. Measure 23 would be a blank check for health care that Oregon taxpayers can ill afford.

Non-Residents Could Come to Oregon for Free Health Care

Measure 23 would give such generous coverage that people in other states without health insurance could move to Oregon and get full coverage, even if they were injured on-the-job elsewhere. Oregon taxpayers and businesses should not foot the bill for unlimited health services for all.

Measure 23 Would Cost Oregonians Billions

State officials estimate the cost of the plan would be at least \$12 billion a year. Oregon taxpayers simply can't afford this — we can't even pay for our current state programs.

The Oregon Association of Hospitals and Health Systems urges you to **Vote NO on 23.**

(This information furnished by Bruce A. Bishop, Oregon Association of Hospitals and Health Systems.)

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

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

ARGUMENT IN OPPOSITION

OREGON BUSINESS LEADERS OPPOSE MEASURE 23

Measure 23 would add billions in new costs to the state's already strapped budgets, reducing funding for other priority programs such as schools. If passed, **a handful of appointed and elected officials could dramatically increase state income and payroll taxes**, and would have authority to borrow unlimited additional funds to pay for the program.

- **The 11.5 percent payroll tax contained in Measure 23 would cause Oregon employers to leave the state or close their doors, costing Oregon more jobs.**
- **Personal income tax rates would be nearly doubled — to 17 percent — resulting in tax increases up to \$25,000 per individual per year.**

The 20,000 Oregon businesses affiliated with Associated Oregon Industries share a belief that all Oregonians should have access to basic health care. That is **NOT** what Measure 23 provides. Its is sky's-the-limit coverage would mean skyrocketing costs. Taxes to pay those bills will hurt individual taxpayers, cripple Oregon businesses, and cost Oregon jobs.

Measure 23 would squander state resources.

- It would guarantee payment for services and providers most Oregonians would never use, like massage therapists, herbalists, music therapists, and marriage counselors. Such services are not basic health care.
- It would guarantee coverage to anyone from another state that moves to Oregon to get free health care.
- It would have no limit on administrative costs for three years and would do nothing to control rising health care costs.

You can see why, according to state officials, once all eligible residents shift into the new system, the cost of Measure 23 would be at least \$12 billion a year in taxpayer expenditures — more than double the state's entire current General Fund Budget.

Please join us in voting NO on Measure 23.

Associated Oregon Industries (AOI)

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

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

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

Measure No. 23 Arguments

ARGUMENT IN OPPOSITION

OREGON'S HEALTH INSURANCE AGENTS RECOMMEND A NO VOTE ON MEASURE 23

We know how rapidly health care costs are rising. We work with employers all across Oregon to develop health insurance packages for their employees. Unfortunately, Measure 23 would make the problem worse, not better.

Measure 23 is too expensive.

It sets up an autonomous 15-member board that could virtually double Oregon's personal income tax rates and impose a payroll tax of up to 11.5% on all employers. This board could also borrow unlimited additional funds through revenue bonds, adding to the state's debt.

The same board would set health care benefit levels for all Oregonians and would ration benefits if budgets had to be reduced.

Measure 23 has no cost controls.

- Virtually any item or service billed by any health care provider who is licensed, registered or certified in Oregon — including herbalists, music therapists and marriage counselors — would be paid by the state at taxpayer expense.
- Anyone, no matter what illness they have, can move to Oregon from another state and receive automatic coverage.
- People who work in Oregon but live in other states would receive total medical coverage.

The members of the Oregon Association of Health Underwriters ask you to **please vote NO on Measure 23.**

Measure 23 would be costly for taxpayers.

State officials estimate Measure 23 would cost at least \$12 billion per year. That's more than twice as much as the state now pays for schools and all other state services combined.

Measure 23 would give too much power to its 15-member board. The board could:

- Nearly double state income tax rates up to 17%, the highest state income tax rates in the country.
- Levy a new 11.5% tax on every employer's total payroll.
- Borrow unlimited funds through state revenue bonds.
- Ration health care benefits and services.

Vote NO on Measure 23.

(This information furnished by Lori Hendley, President, Oregon Association of Health Underwriters.)

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

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

ARGUMENT IN OPPOSITION

Measure 23 would put jobs at risk.

Like many Oregon businesses, Oregon's food processors are struggling. The industry faces stiff competition from companies in other states and internationally that have much lower operating costs. Yet processors have struggled to maintain good wages and benefits for employees and keep food businesses here.

Measure 23 threatens workers & companies with new taxes.

Employees in the food industry cannot afford a new, additional personal income tax of 8% to finance this new program. Measure 23 would make company costs skyrocket too. Adding a new, additional 11.5% tax onto payroll would force food processors to limit employment and make it even harder to compete with companies in other states and around the world that don't have this huge cost.

Measure 23 would do nothing to control health care costs.

Measure 23 would do nothing to control rapidly rising health care costs. In fact, it would open up unbridled access to all kinds of health care practitioners, and would use taxpayer money to pay for unlimited services that are hardly essential to basic health, such as music therapists, herbalists, or marriage counselors.

Oregon's open door policy would invite people to come to Oregon for health care, encouraging those most in need to move here where they can get care for nothing.

Health care quality inevitably would suffer.

Despite the huge tax increases needed to get the program running, such an overly generous plan would run low on revenues and be forced to ration care, limit investments in new technologies, and lower reimbursements to providers. Many physicians would not want to work under such a government-run system that limits how much they can be paid.

Measure 23 would make businesses like food processing less competitive and put Oregon jobs at risk.

Please Vote NO on Measure 23.

(This information furnished by Ken Yates, Oregon Food Processors FOODPAC.)

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

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

Measure No. 23 Arguments

ARGUMENT IN OPPOSITION

MEASURE 23 THREATENS OREGON'S ECONOMIC RECOVERY AND RISKS SCARING BUSINESSES AWAY FROM OREGON.

Measure 23 would overhaul Oregon's entire health care funding system and replace it with a new government-run program that would pay for all health care services for all Oregonians. To pay for and manage the massive new health plan, Measure 23 would invest unique authority in a new board of 15 elected and appointed bureaucrats.

The Oregon Comprehensive Health Care Finance Board's powers would include:

- Authority to raise top person income tax rates from the current 9% to 17%, and raise individual taxpayer's income taxes as much as \$25,000 per year;
- Authority to impose a new tax of up to 11.5% on the payrolls of every employer in Oregon;
- Unlimited authority to borrow money using state revenue bonds;
- Authority to raise these taxes and issue revenue bonds without voter approval;
- Authority to operate the program without any limit on administrative costs for the first three years;
- Authority to ration health care services to all Oregonians.

Implementing Measure 23 would be costly.

State officials estimated Measure 23 would cost \$12 billion per year when fully implemented. Measure 23 backers use a study that says it would cost \$20 billion per year. The entire state general fund budget is currently just \$6 billion per year, so Measure 23 would double or triple the current budget all by itself.

Sharply higher taxes would cripple Oregon's economy.

With Oregon businesses wavering at recession levels and Oregon leading the nation in unemployment, adding huge new tax bills to businesses and individuals is likely to do serious damage to Oregon's fragile economy and would be an ineffective way to expand health care coverage.

Citizens for a Sound Economy recommends a NO vote on Measure 23.

(This information furnished by R. Russell Walker, Oregon Citizens for a Sound Economy.)

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

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

ARGUMENT IN OPPOSITION

A PHYSICIAN SPEAKS OUT AGAINST MEASURE 23.

As a physician I find it painful to see families struggle to get basic health care. Much as I share the desire for guaranteed access to health care for all Oregonians, I can't support an extravagant plan like Measure 23 that encourages abuses and costs taxpayers billions.

Measure 23 would give a 15-member board of elected and appointed bureaucrats the power to...

- ...raise income taxes by as much as \$25,000 per person;
- ...impose an 11.5% payroll tax on all employers;
- ...borrow money and put the state in debt;
- ...ration and control health care benefits.

Measure 23 makes no provision for managing fast-rising health care costs. It proposes to cover all services by all providers to all Oregonians and all those who move to Oregon for free health care.

While the comprehensive coverage would increase demand for services substantially, I worry that many physicians would leave the state. Doctors in small or solo practices would pay both the higher income taxes and the payroll taxes. Coupled with already expensive malpractice insurance premiums and low government reimbursement rates, the government-run practice of medicine would not be very attractive here.

Discouraging doctors; adding substantial new taxes on Oregon businesses and boosting income taxes – these things are not good for Oregon health care or Oregon's economic health.

Measure 23 would put too much authority in the hands of its board of bureaucrats.

The goal of health care coverage must be achieved in a system that encourages the best medicine to be practiced and prudently uses public resources to expand coverage to those who otherwise don't have access to good care.

Measure 23 goes too far. Please join me in voting NO on 23.

Dr. Ronald Powell
Family Physician

(This information furnished by Dr. Ronald Powell, Family Physician.)

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

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

Measure No. 23 Arguments

ARGUMENT IN OPPOSITION

FIREFIGHTERS OPPOSE MEASURE 23

Many of our members provide care daily to Oregonians who are sick or injured. We understand the value of adequate health care access and the reality that some Oregonians don't get the basic health care they need.

Measure 23 Adds Crushing Costs

Worthy as the goal of Measure 23 may be – to provide access to health care for all Oregonians – the specifics of the measure's crushing costs make it impossible for firefighters to support it.

Measure 23 vests enormous power in a 15-member board that would control the care Oregonians get. The measure doesn't limit costs, but expands coverage to everyone of virtually everything.

The new board's power to raise taxes also concerns us. Nearly doubling income tax rates and burdening businesses with a new 11.5% payroll tax are terrible for the economy here and make it more difficult for other public services, like schools, police and fire services, to get public support for additional funds they might need. The measure will also impose an additional income tax of up to 8% on all Oregon employees including firefighters, nurses and other working families.

We think Measure 23 aims at the right problem but offers the wrong solution.

Oregon Firefighters urge you to Vote NO on 23.

(This information furnished by Bob Livingston, Oregon State Fire Fighters Council.)

ARGUMENT IN OPPOSITION

OREGON BUSINESS ASSOCIATION STRONGLY OPPOSES MEASURE 23.

Measure 23 would replace the current private health insurance system in Oregon. It would replace the workers' compensation system, employer-sponsored health plans and government programs such as Medicare and Medicaid.

Measure 23 would be extremely expensive.

Because of its ambitious scope and a lack of cost controls, Measure 23 would be extremely expensive to implement. State officials estimate it would cost \$12 billion per year when all Oregonians have transitioned to coverage under the plan. Sponsors of Measure 23 say it would cost even more – \$20 billion per year. Those numbers dwarf the current \$6 billion annual general fund budget for all state programs, including schools, prisons, health care, higher education, public safety and much more.

Taxes to pay for Measure 23 would be huge.

Measure 23 would give exceptional authority to a 15-member board of bureaucrats to boost state income taxes, impose payroll taxes and borrow without limits. The board of elected and appointed officials would be able to raise income taxes from a top rate of 9% today to 17%, and raise taxes on individuals as much as \$25,000. It could impose a payroll tax on all employers of up to 11.5%. It could issue revenue bonds to borrow money by putting the state in debt.

The board could raise these taxes and issue bonds without voter approval if Measure 23 passes.

Replacing Oregon's workers' compensation system would be worrisome.

Measure 23's replacement of Oregon's workers' compensation would be troubling. It would make insurers' ability to manage claims ineffective, reduce worker safety incentives and increase workplace injury costs substantially. Oregon's substantial improvements in its workers' compensation system over the last decade would be lost.

Measure 23 would do serious damage to Oregon's fragile economy and would be an ineffective way to expand health care coverage.

Oregon Business Association recommends a NO vote on Measure 23.

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

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

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

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

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

Measure No. 23 Arguments

ARGUMENT IN OPPOSITION

MEASURE 23 WOULD PUT OREGON JOBS AT RISK.

Nobody can argue with the goal of guaranteeing every Oregonian access the basic health care they need. But Measure 23 would threaten the health of Oregon's already weak economy, and the unrestrained health care benefits it offers would be far too costly for Oregon employers and taxpayers to bear.

Business would face new payroll taxes.

Our business would face a new tax of 11.5% of our total payroll. Our employees would face a near doubling of their income tax rates and increases as much as \$25,000 per year. Measure 23 replaces Oregon's highly regarded workers' compensation system, disrupting our insurer's ability to manage claims effectively, and reducing workplace safety incentives. It's likely to return Oregon to the inappropriate, inadequate and excessive treatments for injured workers that plagued our workers' compensation before reforms were implemented more than a decade ago.

Measure 23 does nothing to control health care costs.

Measure 23 does nothing to control medical costs that are rising twice as fast as inflation. Instead it offers a wide-open coverage plan that pays for virtually any treatment by any licensed providers on any Oregon resident. It goes far beyond essential health care to include music therapists and marriage counselors.

It invites those from around the country who can't afford the health care they want to move to Oregon where they can all they want for free.

Measure 23 will cost billions to implement.

State estimates say the cost when all Oregonians fall under its coverage will exceed \$12 billion per year. Backers of Measure 23 estimate it will cost as much as \$20 billion per year to implement.

Vote NO on Measure 23.

(This information furnished by John Thomas, CLU, ChFC, MSFS, CFP, President, Pacific Benefit Consultants.)

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

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

Measure No. 24

Proposed by initiative petition to be voted on at the General Election, November 5, 2002.

BALLOT TITLE

24 **ALLOWS LICENSED DENTURISTS TO INSTALL PARTIAL DENTURES (REPLACEMENT TEETH); AUTHORIZES COOPERATIVE DENTIST-DENTURIST BUSINESS VENTURES**

RESULT OF "YES" VOTE: "Yes" vote changes current law to allow licensed denturists to install partial dentures to replace missing teeth; authorizes denturists' joining cooperative business ventures with dentists.

RESULT OF "NO" VOTE: "No" vote retains current law allowing denturists to install full dentures, prohibiting partial dentures (removable replacement teeth), allowing restrictions on dentist-denturist cooperative business ventures.

SUMMARY: Current law allows both dentists and licensed denturists to install removable full upper or lower prosthetic dental appliances (dentures) in the human mouth. Current law prohibits licensed denturists from installing partial upper or lower dentures or removable replacement teeth. Current law allows only dentists to install partial upper or lower dentures that replace individual teeth with permanent or removable dental appliances. Current law allows restrictions on cooperative business or professional ventures between dentists and denturists. This measure would change current law (1) by allowing licensed denturists to install removable upper or lower partial dentures to replace missing natural teeth and (2) by authorizing dentists and licensed denturists to cooperate and maintain mutually agreeable business and professional associations, with each responsible for own area of expertise.

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

TEXT OF MEASURE

Relating to denture technology; creating new provisions; and amending ORS 680.500, 680.510, 680.515 and 680.545.

Whereas: Since the passage of the Oregon Denturist Initiative of 1978, Oregon seniors have had the opportunity to go to licensed independent denturists to purchase their dentures;

Whereas: Oregon seniors and other denture consumers have paid a far greater prices to purchase dentures from a dentist than from a denturist;

Whereas: Oregon licensed denturists are not currently allowed to provide partial dentures directly to the public;

Whereas: Oregon dentists and denturists are not currently allowed to maintain any cooperative business or professional association based on their respective areas of expertise;

Whereas: Many lower and middle-income seniors and other low-income consumers are having great difficulty affording partial dentures;

Whereas: Denturists in neighboring Washington state, Montana, and all of Canada have been successfully dispensing partial dentures to public without any major problems for years; and

Whereas: Oregon licensed denturists should have the right

to: 1) provide the public access to low-cost full or partial upper or lower dentures and 2) maintain any mutually agreeable business or professional association with dentists for the benefit of the public.

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

SECTION 1. ORS 680.500 is amended to read:

680.500. As used in ORS 680.500 to 680.572, unless the context requires otherwise:

(1) "Board" means the policy-making body known as the State Board of Denture Technology.

(2) "Denture" means any removable full **and/or partial** upper or lower prosthetic dental appliance to be worn in the human mouth **to replace any missing natural teeth.**

(3) "Denturist" means a person licensed under ORS 680.500 to 680.572 to engage in the practice of denture technology **and who is authorized within their scope of practice to provide to the public full or partial upper or lower dentures to be worn in the human mouth.**

(4) "Health Licensing Office" means the agency of oversight.

(5) "Practice of denture technology" means:

(a) Constructing, repairing, relining, reproducing, duplicating, supplying, fitting or altering any denture in respect of which a service is performed under paragraph (b) of this subsection; and

(b) The taking of impressions, bite registrations, try-ins, and insertions of or in any part of the human oral cavity for any of the purposes listed in paragraph (a) of this subsection.

SECTION 2. Section 3 of this Act is added to and made a part of ORS 680.500 to 680.572.

SECTION 3. A dentist, as defined in ORS 679.010, and a denturist may cooperate and maintain any business or professional association that is mutually agreeable with each being responsible for their respective area of expertise.

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

EXPLANATORY STATEMENT

Ballot Measure 24 changes current law to allow licensed denturists to install removable upper and lower partial dentures to replace missing natural teeth. Current law allows licensed denturists to install only removable upper and lower full dentures.

This measure also allows licensed denturists and dentists to cooperate in and maintain mutually agreeable business and professional associations in which each professional is responsible for their treatment.

Committee Members:

Jim Davis
Ken Holden
Jane Myers*
Dr. Larry Over*
Phyllis Rand

Appointed By:

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

*Member dissents (does not concur with explanatory statement)

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

Measure No. 24 Arguments

ARGUMENT IN FAVOR

LEGISLATORS URGE SUPPORT FOR MEASURE 24

We the undersigned legislators urge our fellow Oregonians to vote yes on Measure 24, which allows Oregon consumers access to a licensed denturist for the complete range of denture services, including both a full and a partial denture.

Efforts to pass this issue through the legislative process, have been thwarted during the past 4 sessions, requiring senior and consumer advocates to turn to the initiative process. Measure 24 has strong support among Oregon legislators and consumer, senior and disability groups.

Denture patients have the right to choose where they receive important denture care services. Yet, current law only allows consumers to purchase a full upper or lower denture from a denturist. The consumer who goes to a dentist to be fitted with a denture is frequently paying a third more. In most cases the dentist has his dentures made at his dental lab or by a licensed denturist being used as a lab.

There is no good reason why consumers seeking partial dentures should not have the option of going directly to the one professional trained and licensed in Oregon specifically to make dentures.

We look with interest to our neighboring state of Washington which has a successful denturist program that was modeled after the one in Oregon. There is one exception, however – they can do partial dentures, and have been doing so since 1994 without problems, following a trend established in Canada and Europe.

Oregon's licensed denturists have a long and successful record of providing professional service to a mostly senior and low-income clientele. Consumers, both young and old, deserve the right to choose where they go for their denture care. Please vote yes and support the Consumer Denture Care Act, Measure 24.

Senator Rick Metsger
 Senator Cliff Trow
 Representative Gardner
 Representative Mark Hass
 Representative Kurt Schrader
 Representative Max Williams

(This information furnished by Rep. Kurt Schrader, State Representative Dan Gardner, State Rep. Steve March, State Representative Mark Hass, Sen. Cliff Trow, Rep. Max Williams, Sen. Rick Metsger.)

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

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

ARGUMENT IN FAVOR

Measure 24 Give Consumers More Options for Quality Denture Care

Measure 24, the Consumer Denture Care Act is co-sponsored by Oregon State Council of Senior Citizens, United Seniors of Oregon, and the Oregon State Denturist Association. It allows Oregonians direct access to a licensed denturist for the complete range of dental prosthetics, including both a full and partial denture. It will also give denturists and dentists the ability to enter into mutually beneficial business associations, providing denture patients with quick and easy access to all of the dental services they need.

The most significant change that Measure 24 will make to current Oregon law is to allow denturists to work directly with patients to provide them with partial upper or lower dentures. Although trained to design, make and fit partials, Oregon denturists are now limited to providing only full upper or lower dentures to their patients.

In Washington State, Montana, and throughout Canada and Europe, denturists safely and economically provide their patients with partial dentures. Where partials are part of the denturist scope of practice, there have been no reported health-related problems, few complaints and strong consumer support.

The denturist profession began in Oregon in 1978 as a result of an overwhelmingly passage through the initiative petition process. Oregon's denturist program was the first of its kind in the nation and is recognized as being one of the most successful now in operation. Governed by the State Board of Denture Technology, more than 110 denturists are currently licensed throughout Oregon to provide full upper and lower dentures directly to the public. **Oregon denturists have a superior record of consumer service.**

Please vote to improve consumer access to quality, affordable denture care. Vote yes on Measure 24.

Oregon State Denturists Association, Chief Sponsor
 Oregon State Council of Senior Citizens, Chief Sponsor
 United Seniors of Oregon, Chief Sponsor

(This information furnished by Jim Davis, Oregon State Denturist Association, United Seniors of Oregon, Oregon State Council of Senior Citizens.)

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

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

Measure No. 24 Arguments

ARGUMENT IN FAVOR

OREGON DENTURISTS ARE THE MOST QUALIFIED PROFESSIONALS TO MAKE DENTURES

Oregon denturists are fully trained to design, create and fit patients with partial dentures. They can now legally repair, reline, design and manufacture partial dentures as a laboratory service to dentists. In fact, before receiving their licenses, many of Oregon's licensed denturists spent decades as dental laboratory technicians.

Oregon's state licensed denturists have dedicated themselves for more than 20 years to serving Oregonians with quality, affordable dentures. Oregonians have enjoyed this community-based option with full dentures and now they deserve the same options with partial dentures.

Measure 24 also allows denturists and dentists to join in cooperative business ventures. Such business alliances have proven to be mutually beneficial in the past and there certainly is no reason to limit efforts that create more cooperation within the dental community and better service for consumers.

Although denturists and dentists have voiced an interest in developing strong, collaborative relationships, current Oregon law places restrictions on the ability of these professionals to enter into a mutually beneficial business arrangement. This results in unnecessary delays, additional expense and compromises in the quality dental services that patients receive.

Since the dental and denturist professions are highly interrelated, it makes sense to create a seamless service environment. Such business alliances have been proven to improve service quality and patient satisfaction.

Measure 24 represents simple change in Oregon law that will greatly benefit the dental health consumers by providing a considerable cost savings on partial dentures. **Please vote yes on Measure 24 and support a person's right to choose.**

Oregon State Denturists Association, Chief Sponsor
Oregon State Council of Senior Citizens, Chief Sponsor
United Seniors of Oregon, Chief Sponsor

(This information furnished by Jim Davis, Oregon State Denturist Association, Oregon State Council of Senior Citizens, United Seniors of Oregon.)

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

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

ARGUMENT IN FAVOR

SENIOR ADVOCATES SUPPORT MEASURE 24

The Oregon State Council of Senior Citizens, United Seniors of Oregon, Gray Panthers, and Advocacy Coalition for Seniors and People with Disabilities enthusiastically join with other senior, disability and consumer groups to express our strong support for Measure 24, which allows Oregon's licensed denturists to fabricate partial dentures as a part of their scope of practice.

Oregon's Denturists are the only professionals trained and licensed specifically to fabricate and provide dentures to the public. Dentists have surprisingly little practical experience in denture technology and most often use a dental lab to have dentures made for their patients.

Oregon's denturist profession was created by the overwhelming victory of a public initiative in 1978. Governed by the State Board of Denture Technology, Oregon's denturist profession is considered one of the most successful and effective in the nation.

Denturists currently licensed in Oregon are able to provide quality dentures to the public for far less than consumers would pay through a dentist and the dental labs they use. Oregon denturists have a superior record serving tens of thousands of senior and low-income patients over the past 22 years.

Oregon denturists are allowed to provide full dentures to their patients, but not partial dentures. Partial dentures have been part of the denturist practice in parts of the US, including Washington State and Montana, and throughout Canada. In each of the areas where the development of partials is allowed as part of the denturist scope of practice, there have been no problems, few complaints, and strong consumer support.

Many Oregon seniors are now forced to live with holes in their mouths because they cannot afford to buy a partial through a dentist. Oregon seniors need to have access to denturists for partial dentures.

We urge voters to support Measure 24.

Oregon State Council of Senior Citizens
United Seniors of Oregon
Portland Gray Panthers
Advocacy Coalition of Seniors and People with Disabilities

(This information furnished by Jim Davis, Portland Gray Panthers, United Seniors of Oregon, Advocacy Coalition of Seniors and People with Disabilities, Oregon State Council of Senior Citizens.)

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

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

Measure No. 24 Arguments

ARGUMENT IN FAVOR

BALLOT MEASURE 24 IS NOT JUST A "SENIOR" ISSUE

Consider this situation – A thirty-something person has a job as a waiter or waitress at a nice restaurant. Their pay is low, but with tips, they make a fairly good living. Unfortunately, their health insurance coverage is limited, and does not include dental care.

Driving home one evening, this person is involved in an automobile accident, and a front tooth is knocked out. If they don't get the tooth replaced, their job is in jeopardy, and so is their future. They have some savings, but not enough to cover the cost of a partial from a dentist.

In Oregon, this person has two options – raise the money and go to a dentist or go without. It shouldn't be this way, and it doesn't have to.

Ballot Measure 24 will allow Oregon's licensed denturists to provide people with **partial dentures at substantially less than a dentist**. Denturists are trained and qualified to do this work, and in Washington, have been doing it for satisfied customers for over six years.

Citizens should have access to every option available to them for quality dental care. In Washington, they do. In Oregon, the story is different. Let's correct this fault in our healthcare system. **Vote yes on Ballot Measure 24.**

Phil Dreyer
Portland Gray Panthers

(This information furnished by Phil Dreyer, Portland Gray Panthers.)

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

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

ARGUMENT IN FAVOR

IT'S ABOUT FREEDOM OF CHOICE

As an American consumer I should have the right to choose who to go to for my dental needs. If one of my teeth needs repair, I can choose from among all of the dentists in my area. If I need a new denture I can choose either a dentist or a denturist to be my provider. But my choice is not so free where partial dentures are concerned. The law now prevents Oregon denturists from providing partials to willing patients. Dentists in this state have an unjustifiable monopoly on partial denture services, and that's not right!

Why should it be that Oregon denturists cannot provide partials to their patients as their colleagues in Washington can? Is it because they are not trained as well? No, that's not it. Oregon and Washington denturists receive comparable training in order to get their licenses. In fact, an Oregon denturist can now get a license in Washington and immediately begin providing partials to their patients with their current qualifications.

Our economic system is built on the ideal of competition. If the quality of a good or service is comparable between suppliers a consumer should be able to freely choose from among all providers. Unnecessarily restricting competition increases costs and does nothing to improve service.

Support affordable, accessible dental services in Oregon. Support Ballot Measure 24.

George and Irene Starr
Oregon Consumer League

(This information furnished by George Starr, Irene Starr; Oregon Consumer League, Portland Gray Panthers.)

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

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

Measure No. 24 Arguments

ARGUMENT IN FAVOR

SENIORS SHOULD NOT HAVE TO STRUGGLE TO ACCESS DENTURE CARE SERVICES

Those in need of a partial denture, either for the first time or as a replacement, are now required by law to go to a dentist. For first-time partials, dentists do all of the necessary preparatory work, including diagnosis, general examinations, extractions and cleaning. For either first-time or replacement partials the dentist then takes an impression for the partial and sends it to a dental laboratory along with written instructions and documentation.

The lab reads the instructions, reviews documentation, selects a design application and creates a partial. The partial is returned to the dentist who installs it into the patient's mouth. Oftentimes adjustments and modifications are required, so the partial is returned to the lab, modified, and returned to the dentist. The patient returns to the dentist for another, hopefully final fitting. It is not unusual for this process to take one to two months from the time of the first impression and three or more appointments. There is no need for a person to unnecessarily struggle through this time-consuming process.

If a denturist is allowed to provide partial dentures directly to their patient, the procedure will be simplified. Dentists will continue to do all preparatory work involving live teeth. Denturists will not be involved in any alteration of live tooth structure, which is the area of dentist expertise. But rather than sending impressions to a dental lab, denturists will work directly with the patients to design and create the best-fitting partial denture. They will also be able to make subsequent adjustments and modifications.

Ultimately, the process is simplified and patients save both time and money. Please support Measure 24.

Oregon State Denturist Association
Oregon State Council of Senior Citizens

(This information furnished by Jim Davis, Oregon State Council of Senior Citizens, Oregon State Denturist Association.)

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

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

ARGUMENT IN FAVOR

REDUCE HEALTH CARE COSTS!

Oregonians have a rare opportunity to both **improve healthcare services** and **reduce healthcare costs** at the same time. By supporting Ballot Measure 24, you will allow Oregon's licensed denturists to provide partial denture services directly to their patients. This will improve access to healthcare by increasing the number of qualified professionals who can provide this service. You will also reduce healthcare costs, because denture services from a denturist can be as much as 40% less than if received from a dentist.

Denturists are skilled professionals, trained to design and manufacture both full and partial dentures. They have an advantage over dentists in this regard. Dentists rely on dental laboratories to make and frequently design the replacement teeth their patients will wear.

Denturists are:

- **Skilled professionals** who must take required education from an accredited college before qualifying to practice in Oregon.
- **Rigorously tested** on their knowledge of oral health and their practical ability to make replacement teeth before they are allowed to practice in Oregon.
- **Licensed and regulated** by the state through the Health Licensing Office.
- **Required** to receive an average of 10 hours of continuing education each year.
- **Experienced, with a track record** of providing Oregonians with quality dental services for more than twenty years.

Denturists have demonstrated that they are qualified to provide replacement teeth directly to their patients. Oregon law now unnecessarily prevents them from providing partial dentures. You can right this wrong.

Do your part to control healthcare costs and improve access to needed services by voting yes on Ballot Measure 24!

Phil Dahl, Licensed Denturist
President, Oregon State Denturist Association

(This information furnished by Phil Dahl, Oregon State Denturist Association.)

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

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

Measure No. 24 Arguments

ARGUMENT IN FAVOR

FOLKS HAVE IT BETTER IN WASHINGTON

I am a licensed dentist in Oregon and Washington. Since 1996, I have provided a number of partial dentures for my patients in Washington. They have been happy with the products and services I provide and have **saved about 40%** over what a dentist might have charged them.

Many of my patients have both a partial denture and a full upper or lower denture. **They are better served because I can make both for them.** I would be far less effective at providing them with a good full denture if I had to make it to work with a worn out or poorly made partial that came from someone else. They wouldn't be happy, and neither would I.

People deserve the best possible dental services they can find. Allowing Oregon denturists to provide both full and partial dentures to their patients gives them more options to choose from. **Support a patient's right to choose where they get their dental care. Support Ballot Measure 24.**

Jana Moga, Licensed Denturist
State of Oregon and State of Washington

(This information furnished by Jana Moga.)

ARGUMENT IN FAVOR

IT'S NOT YOUR PROBLEM

Why should you care about partials? You have all of your own teeth and are doing just fine, thank you. You should care because someone you know probably wears a partial right now. Maybe it's a parent, or an aunt or uncle. It could be a cousin, neighbor or a good friend. Do you think it's fair that people who you know and care about are forced to go to one source for partials made by a third party and pay nearly twice as much in the process?

Oregon denturists have the skill and expertise to effectively make and fit partial dentures for their patients. They have been doing it in Washington, Montana, Arizona, Canada and Europe for many years with as much if not more success than dentists. If it were your parent, relative or friend, wouldn't you want them to have a choice as to who they see to get the care they need?

I hear this every week from my patients who find themselves in need of a partial denture. In most cases I have been providing for their full denture needs for many years. When a single tooth needs to be replaced they naturally think that I can do that for them as well. If I practiced in Washington, I could. But in Oregon, I can't. Partial denture services are available in Oregon exclusively through a dentist.

I have the training and practical ability to make and fit partial dentures. My patients like the work I have done for them and want me to continue to provide for their replacement tooth needs. This unnecessary restriction to my ability to serve my patients not only costs them more, it increases the time required to get the partial they need.

Help me to help my patients have the right to choose. Vote Yes on Ballot Measure 24.

Tad Burzynski,
Licensed Denturist,
Bend, Oregon

(This information furnished by Tad Burzynski.)

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

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

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

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

Measure No. 24 Arguments

ARGUMENT IN FAVOR

SAVE MONEY ON DENTAL CARE

While you must go to a dentist for most dental needs, such is not the case for denture wearers. Consumers can go to either a dentist or a denturist. **It's their choice.** But not so with partial dentures. Oregon law gives dentists a stranglehold on this business, and it is the consumer, insurance carrier and **YOU**, through **higher insurance premiums** that pays the price.

Studies show that dentists charge more for their services than most denturists – sometimes a lot more. Because the dentist is not the one who actually makes dentures it usually also takes longer for a patient to get their denture. This often translates into the inconvenience of additional appointments that your insurance company pays for.

The cost of dental care can put comprehensive dental care out of range for many of Oregon's poor and middle class patients. As a result, many lose teeth and cannot afford a dentist's fees for partial and whole dentures. Losing teeth and lacking an appropriate denture can put a person's entire health at risk. Consumers must have a less expensive alternative.

Do your part to keep the cost of dental services to yourself and your insurance company down, which means lower premium payments to you, by supporting effective, cost saving options such as denturists. That's what Ballot Measure 24 provides – an economical alternative for partial denture services. **I urge you to vote Yes on Ballot Measure 24.**

Jason Reynolds, Executive Director
Oregon Consumer League

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

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

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

ARGUMENT IN FAVOR

SENIORS AND CONSUMERS SHOULD SUPPORT

BALLOT MEASURE 24

It Gives You A Choice and Saves You Money

We think that those paying for their own dental care should have access to providers who are both qualified and affordable. That's why we endorse Measure 24, The Consumer Denture Care Act.

Consider these facts about Oregon denturists:

- **They are trained to make partials. Those who also practice in Washington already make partials for patients in that state.**
- **They work with dentists in their communities right now, providing full upper and lower dentures to their patients.**
- **They consistently save patients more than 40% from what a dentist will would charge for the same thing.**

For more than six years, Washington's seniors have been able to choose between a dentist and a denturist for all of their full and partial denture needs. **We believe that Oregon seniors should have that choice too!** Measure 24 will give them that choice.

In Oregon, the choice isn't between a dentist and a denturist – it's between a dentist and not having a partial at all. So those who can't afford the high prices a dentist charges go around with missing teeth. Measure 24 will help seniors fill those spaces with an affordable replacement tooth.

It makes no sense that denturists almost everywhere else in the world can make partial dentures for their patients, but they can't here in Oregon.

Do the sensible thing...Vote "YES" on Measure 24

**Oregon State Council of Senior Citizens
United Seniors of Oregon
Advocacy Coalition of Seniors and People with Disabilities
Portland Gray Panthers
Oregon Consumer League
Campaign for Patient Rights**

(This information furnished by Jason Reynolds, Oregon Consumer League; Jim Davis, Campaign for Patient Rights, Advocacy Coalition of Seniors and People with Disabilities, United Seniors of Oregon, Oregon State Council of Senior Citizens, Portland Gray Panthers.)

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

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

Measure No. 24 Arguments

ARGUMENT IN OPPOSITION

We do not agree with the explanatory statement because we think it is unfair to leave out the fact that nothing in the measure guarantees that the patient is going to get a diagnosis or discussion of all treatment options before the denturist "installs" a partial removable denture.

The measure's language that authorizes dentists and licensed denturists to maintain mutually agreeable business associations is misleading to the conclusion that a dentist is always involved in the patient's care. There is nothing that requires this important patient protection. The proponents refused to put this into the explanatory statement, so we add it here:

Passage of this measure would allow the individual to seek care for removable partial dentures without seeing a dentist for diagnosis or advice about other treatment options.

Passage would allow the licensed denturist to act alone to plan the treatment as well as fabricate the removable partial denture without a complete diagnosis or regard for the patient's overall health.

This is important because partial removable dentures incorporate a patient's natural teeth. Before a partial removable denture is attached, the patient deserves to be thoroughly informed about the health of these teeth and his or her entire oral condition. It is important that the patient is offered all treatment options which are based on this complete diagnosis. Advanced academic and clinical education of the dentists qualifies them as the best individuals to provide this comprehensive service. Denturists are not trained in the diagnosis or treatment of tooth and gum conditions.

If you believe that the patient is guaranteed to save money by going to the denturist, consider whether it is likely to be true that all denturists will do it for less than all dentists, and whether it is a good trade-off for severely limited choices and lack of a full diagnosis which may compromise total dental health and patient satisfaction.

(This information furnished by Jane Myers, Director of Government Affairs, Oregon Dental Association.)

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

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

Measure No. 25

Proposed by initiative petition to be voted on at the General Election, November 5, 2002.

BALLOT TITLE

25 INCREASES OREGON MINIMUM WAGE TO \$6.90 IN 2003; INCREASES FOR INFLATION IN FUTURE YEARS

RESULT OF "YES" VOTE: "Yes" vote increases the Oregon minimum wage to \$6.90 in 2003; requires annual increases for inflation in future years, based on consumer price index.

RESULT OF "NO" VOTE: "No" vote rejects increasing Oregon minimum wage to \$6.90 in 2003, requiring annual increases for inflation in future years based on consumer price index.

SUMMARY: Oregon's minimum wage is set by statute at \$6.50 per hour. That minimum wage has applied since January 1999; current law does not adjust the minimum wage for inflation. This measure increases Oregon's minimum wage to \$6.90 for calendar year 2003 and requires that minimum wage be increased for inflation in each subsequent year. Requires the Commissioner of the Bureau of Labor and Industries to calculate the adjustment for inflation each September, based on any increase in the U.S. City Average Consumer Price Index for All Urban Consumers for All Items that occurred during previous twelve months. Provides that recalculated minimum wage is rounded to nearest five cents and new minimum wage becomes effective January 1 of the following year. Other provisions.

ESTIMATE OF FINANCIAL IMPACT: The measure would require state expenditures of \$1.19 million in 2003, \$1.22 million in 2004, and \$1.26 million in 2005. The measure would result in an increase in state revenues of \$847,000 in 2003, \$872,000 in 2004, and \$898,000 in 2005. For years after 2005 the impact on state expenditures and revenues is expected to increase at the rate of inflation.

The measure would require local government expenditures of at least \$350,000 in 2003, \$360,500 in 2004, and \$371,315 in 2005. There will be no impact on local government revenues.

in calendar year 2003, the commissioner shall calculate an adjustment of the wage amount specified in subsection (1) of this section based upon the increase (if any) from August of the preceding year to August of the year in which the calculation is made in the U.S. City Average Consumer Price Index for All Urban Consumers for All Items as prepared by the Bureau of Labor Statistics of the United States Department of Labor or its successor.

(c) The wage amount established under this subsection shall:

- (A) Be rounded to the nearest five cents; and
- (B) Become effective as the new Oregon minimum wage, replacing the dollar figure specified in ORS 653.025(1), on January 1 of the following year.

Section 2. ORS 653.040 is amended to read:

653.40. The Commissioner of the Bureau of Labor and Industries, in addition to the commissioner's other powers, may:

- (1) Investigate and ascertain the wages of persons employed in any occupation or place of employment in the state.
- (2) Require from an employer statements, including sworn statements, with respect to wages, hours, names and addresses and such other information pertaining to the employer's employees or their employment as the commissioner considers necessary to carry out ORS 653.010 to 653.261.
- (3) Make such rules as the commissioner considers appropriate to carry out the purposes of ORS 653.010 to 653.261, or necessary to prevent the circumvention or evasion of ORS 653.010 to 653.261 and to **establish and safeguard** the minimum wage rates [set] **provided for** under ORS 653.010 to 653.261.

If any part of this statute is held to be unconstitutional under the state or federal constitution, the remaining parts shall not be affected, and shall remain in full force and effect.

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

TEXT OF MEASURE

The Minimum Wage Inflation Adjustment Act

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

Section 1. ORS 653.025 is amended to read:

653.025. (1) Except as provided by ORS 652.020 and the rules of the Commissioner of the Bureau of Labor and Industries issued under ORS 653.030 and 653.261, for each hour of work time that the employee is gainfully employed, no employer shall employ or agree to employ any employee at wages computed at a rate lower than:

- (1) For calendar year 1997, \$5.50
- (2) For calendar year 1998, \$6.00
- (3) For calendar years after December 31, 1998, and before January 1, 2003, \$6.50.
- (4) For calendar year 2003, \$6.90.
- (5) For calendar years after 2003, a rate adjusted for inflation.

(2) (a) The Oregon minimum wage shall be adjusted annually for inflation, as provided in subsection (2) (b) below.

(b) No later than September 30 of each year, beginning

Measure No. 25

EXPLANATORY STATEMENT

Ballot Measure 25 amends Oregon statutes to increase the state minimum hourly wage to \$6.90 for calendar year 2003. For calendar year 2004 and beyond, the measure requires the minimum hourly wage to be adjusted annually for inflation.

Under current state law, the state minimum hourly wage is set at \$6.50. Current law does not adjust the minimum hourly wage for inflation.

Ballot Measure 25 requires the Commissioner of the Bureau of Labor and Industries to calculate the adjustment to the minimum hourly wage each September. The adjustment is based on any increase during the previous 12 months in the U.S. City Average Consumer Price Index for All Urban Consumers for All Items. The measure requires the adjusted minimum hourly wage amount to be rounded to the nearest five cents and to take effect on January 1 of the year following the adjustment.

Committee Members:

Representative Dan Gardner
Representative Diane Rosenbaum
Julie Brandis
Bill Perry
Ron Chastain

Appointed By:

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

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

Measure No. 25 Arguments

ARGUMENT IN FAVOR

VOTE YES ON MEASURE 25!

Who are Oregon's minimum wage earners?

Minimum wage workers care for our elders as health aides. They watch over our children in day care centers. They pick our food from the fields and serve it to us in restaurants.

Today, full time minimum wage earners make just \$13,500 per year. Many people are supporting families and have to rely on food banks and government assistance.

According to the Oregon Center for Public Policy, most minimum wage workers are women (60%), most are 20 or older (73%), and many are single parents (25%).

Measure 25 gives you, the voter, a chance to raise the Oregon minimum wage to \$6.90 per hour in January of 2003 and provide an annual cost of living increase in future years.

The average minimum wage worker is not a teenager living at home.

With more and more adults working in low-wage jobs, we are quickly realizing this is not a livable wage. People working full-time should not struggle to buy food and pay rent.

More than 100,000 low-wage workers in Oregon haven't had a raise since voters' overwhelmingly approved the last minimum wage increase in 1996.

Voters can provide Oregon's lowest paid workers a modest raise. You can help families who are struggling to escape poverty.

No one who works full-time should live in poverty.

Sincerely,

State Representative Diane Rosenbaum

Labor Commissioner-Elect Dan Gardner

(This information furnished by State Rep. Diane Rosenbaum.)

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

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

ARGUMENT IN FAVOR

Please Vote Yes on Measure 25

It's tough to survive on \$6.50 an hour.

I used to make more money, but lost my job after there was a company management change.

Living On \$1040 a Month

Between rent, utilities, car and insurance payments, food, gas and basic essentials for my children, we have a hard time making ends meet. It adds up so fast.

I Am Not Alone.

I am like thousands of other working moms, struggling every day to manage work, childcare and put food on the table. I don't want a handout. I want to make my own way...for a wage that is enough to take care of my family.

Increasing Cost of Living

Providing an annual cost of living adjustment helps. Food costs go up, rent has increased and utility bills just continue to grow.

Wages, Not Welfare

Oregon's minimum wage workers need a raise. Ask yourself this question: Could you and your family survive on \$1,040 a month? I can tell you from my own personal experience that it is nearly impossible.

Let's give Oregon's minimum wage workers a fighting chance to make ends meet.

Please, join me in voting yes on Measure 25.

Thank you,

Sylvia Lokey

(This information furnished by Sylvia A. Lokey.)

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

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

Measure No. 25 Arguments

ARGUMENT IN FAVOR

Oregon Catholic Conference Supports Measure 25 To Raise The Minimum Wage

In the hope that voters find our social teaching helpful, the Oregon Catholic Conference shares its perspective on the minimum wage.

Work has a special place in Catholic social thought: it is more than just a job, it is a reflection of our human dignity, and a way to contribute to the common good. Most important, it is the ordinary way people meet their material needs and community obligations.

In Catholic teaching, the principle of a living wage is integral to our understanding of human work. Wages must be adequate for workers to provide for themselves and their family in dignity.

While the minimum wage is not a living wage, the Church has supported increasing the minimum wage over the decades. The minimum wage needs to be raised to help restore its purchasing power, not just for the goods and services one can buy, but for the self-esteem and self-worth it affords the individual.

The Oregon Catholic Conference urges Oregon's voters to vote "Yes" on Measure 25 to raise the minimum wage.

(This information furnished by Robert J. Castagna, Oregon Catholic Conference.)

ARGUMENT IN FAVOR

I am the program developer for the Poverty Action Team and work at the Oregon Food Bank as a policy advocate.

THE PEOPLE I ADVOCATE FOR:

We're talking about adults working full time to put food on the table. Make no mistake, the stereotype of teenagers earning minimum wage has passed our society by.

Many are single mothers struggling to make ends meet. Imagine raising a family on less than \$13,500 a year.

I also find many two-parent households working temporary jobs fighting to get as many hours of work possible. Many minimum wage employers hire part-time and these families work less than a 40-hour workweek.

THE JOBS THEY DO:

Many are working at child-care centers while others baby-sit out of their homes. From certified nurses assistants in elder care centers with no benefits to service sector jobs like fast food, it is a tough way to make a living.

THE PLACE THEY WANT TO BE:

They want more education and training so they can get better paying jobs. Right now, minimum wage earners are making decisions based on necessities.

No one wants to be a crisis away from being homeless. I know because five years ago, I was a single parent attending college on a scholarship and earning the minimum wage.

Even with college tuition paid, Section 8 housing, food stamps and subsidized day-care, it was nearly impossible to meet my family's basic needs.

Heat or eat...

Medication or clothing...

School supplies or lunch money.

Today, I am proud to have earned a Bachelors and Masters degree from Portland State University.

I know first-hand the value of a paycheck based on my experiences as a single parent receiving public benefits and my life as an advocate.

Join me in supporting this sensible minimum wage increase. Oregon's lowest paid workers haven't received a minimum wage increase in four years. That's too long.

Please vote 'Yes' on Measure 25.

**Cassandra Garrison
Poverty Action Team**

(This information furnished by Cassandra Garrison, Poverty Action Team.)

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

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

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

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

Measure No. 25 Arguments

ARGUMENT IN FAVOR

**A message from Gene Pronovost, President
United Food & Commercial Workers, Local 555**

I'm privileged to represent over 22,000 working Oregonians in industries from retail sales, healthcare, food processing, garment and boot making, warehouses, hair care providers, law offices, web design, and numerous other professions.

Our top priority is fair and reasonable wages.

Not just for the men and women of Local 555, but that all Oregonians receive fair compensation for an honest day's work.

Oregonians working full-time should not have to rely on public support. Welfare checks, food boxes and reliance on state health care are all too common when a family wage-earner is making the minimum wage.

Think about it.

Full time work for only \$1,040 a month.
That's less than \$13,500 a year!

Could you live on that? It gets pretty tough after paying rent or a mortgage, food, clothing, gas, car insurance (don't even consider a vehicle breakdown), water utilities and the electric bill. Nearly every penny is eaten up by necessities.

Many of these people haven't received a raise since 1999. Passing Measure 25 provides a modest wage increase for the lowest wage earners.

I urge all Oregonians to support increasing the minimum wage because people working full-time shouldn't end up on public assistance.

Vote Yes on Measure 25

(This information furnished by Gene Pronovost.)

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

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

ARGUMENT IN FAVOR

Let's just be fair.

That should be the bottom line in any debate about Oregon's minimum wage. Unfortunately, the minimum wage debate often becomes a game of political football. But that shouldn't be the case for our most economically-challenged workers.

Ballot Measure 25 will fix the process.

Measure 25 does two things. First, it bumps up the current minimum wage to \$6.90 per hour. Do the math. No one is going to get rich at \$6.90 per hour, but it will be a welcome addition to families struggling to make ends meet.

Measure 25 also includes a cost of living trigger that will annually increase Oregon's minimum wage relative to the Consumer Price Index. That's something we have needed all along.

In relative terms, Oregonians working for the minimum wage make less money today than they did in the 1970s. That's just not right. But again, under our current system of "catch when catch can," modifying the minimum wage becomes political football, with the wage-earners the players left on the sideline.

Measure 25 fixes that problem, and takes the issue out of the political arena.

Who are minimum wage earners? Opponents to Measure 25 will tell you most minimum wage workers are teens in their first jobs.

But that's not true.

Almost 6 out of 10 minimum wage earners are women. Moreover, 25 percent of all minimum wage earners are single mothers, many of whom work full-time but still depend on charitable agencies to help feed their families.

And while there are some young workers in the fast food industry, there are thousands upon thousands of Oregonians earning minimum wage who either care for our children or care for our elderly. These are some of the most important jobs in our society, and it's a shame that people working them struggle to stay above the poverty line.

Let's be fair. Vote "Yes" on Ballot Measure 25.

(This information furnished by Don Loving, American Federation of State, County and Municipal Employees (AFSCME).)

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

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

Measure No. 25 Arguments

ARGUMENT IN FAVOR

The Coalition to Raise the Minimum Wage represents a diverse cross-section of Oregonians.

We believe those working full-time should not live in poverty.

Minimum wage earners are nursing home assistants and child-care workers. They work for large and small businesses. While many are single parents, increasingly we find two parent households struggling to make ends meet.

All too often, these hard-working people have to seek out charitable assistance or welfare. Remember, \$13,500 a year only goes so far.

Please join us in voting 'Yes' on Measure 25.

COALITION TO RAISE THE MINIMUM WAGE

- AFSCME Local 3336
- American Federation of Teachers – Oregon Better People
- Campaign for Patient Rights
- Cement Masons Local 555
- Coalition for a Livable Future
- Columbia Pacific Building Trades Council
- Committee in Solidarity with Central American People, Eugene
- Communications Workers of America, Local 7901
- Ecumenical Ministries of Oregon
- Harlequin Beads & Jewelry, Inc.
- Human Services Coalition of Oregon (HSCO)
- Laborers Local 483
- National Council of Jewish Women, Portland Section
- Northwest Oregon Labor Council, AFL-CIO
- Oregon Action
- Oregon AFL-CIO
- Oregon AFSCME, Council 75
- Oregon Education Association
- Oregon Food Bank
- Oregon Law Center
- Oregon Machinists Council
- Oregon Nurses Association
- Oregon Roads, Inc.
- Oregon School Employees Association
- Oregon State Building and Construction Trades Council
- Oregon State Council of Senior Citizens
- Oregon Women's Political Caucus
- Pacific Northwest Regional Council of Carpenters
- Paul's Bicycle Way of Life
- Portland Association of Teachers
- Portland Fire Fighters Association
- Portland Gray Panthers
- Portland Jobs with Justice
- United Food & Commercial Workers, Local 555
- United Seniors of Oregon
- United Steelworkers of America, Local 6163
- Women's International League for Peace & Freedom

For a complete list of endorsers, please go to our website at www.OregonMinimumWage.com

(This information furnished by Labor Commissioner-Elect Dan Gardner.)

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

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

ARGUMENT IN FAVOR

A Message from Ecumenical Ministries of Oregon

Support working Oregonians

Everyday in Oregon, more and more working Oregonians are relying on emergency food boxes, food stamps, and other supports to survive. Many of these working Oregonians hold minimum and low-wage jobs. These working Oregonians, many of whom are immigrants, women, elders, youth and people of color; provide essential services in our society such as healthcare, public safety, and food services.

No one working full-time should be forced to live in poverty due to low wages.

Cost of living outpaces wages

For low-wage workers, a disproportionate amount of their income goes toward cost of living expenses. Wages have not kept up with the cost of living. Living expenses such as housing, healthcare, and food have far outpaced wage levels for working families. During the nineties, Oregon's median hourly wage grew twenty-two percent. Median rent, however, increased from \$345 to \$500 a month or an increase of forty-five percent. Home prices rose twice that of income during the nineties. Over 100,000 Oregonians are on the Oregon Health Plan. An estimate of over 423,000 Oregonians, many of them working families, are without health insurance. The poor spend nineteen percent of their income on healthcare compared to three percent in wealthier households. Oregon is the hungriest state in the nation according to the U.S. Dept. of Agriculture. About 74,000 working Oregonians are food insecure, not including the many unemployed Oregonians due to the recession.

Minimum wage increase honors working Oregonians

Raising the minimum wage from \$6.50 to \$6.90 an hour would increase the annual earning to \$14,352. Oregon's current minimum wage is just sixty percent of Oregon's living wage. The minimum wage needs to be adjusted to inflation, guaranteeing at least a minimal raise yearly.

Justice demands more than a handout or charity. Increasing the minimum wage honors a hard day's work so that more working Oregonians can live in dignity.

Vote "Yes" on Measure 25

(This information furnished by Phillip Wong, Ecumenical Ministries of Oregon.)

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

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

Measure No. 25 Arguments

ARGUMENT IN FAVOR

Vote Yes on Measure 25 – Helping Those Who Help Themselves

Dear Fellow Oregonians:

I ask you to join me in voting Yes on Measure 25, which will increase the minimum wage and help it to keep pace with inflation so that full-time working Oregonians do not have to live in poverty.

Every day, over 100,000 hard-working Oregon families struggle to survive on less than \$13,500 a year. The average minimum wage worker is not a teenager living at home; instead, 60% of minimum wage earners are women and 25% are single mothers. These are full-time workers who deserve dignity and respect for the work they do.

In these tough economic times, it is the people at the lowest end of the economic scale who need our help the most, and an increase in the minimum wage will make a real difference in their bottom lines. In addition, these workers spend a high proportion of their income, which will provide another boost to Oregon's economy.

If we truly are to value work, we must value all of our workers, especially minimum wage workers. These hard-working Oregonians are playing by the rules, working full-time to help themselves, and we should help and support them in that effort.

Please join me in voting Yes on Measure 25.

Sincerely,

Bill Bradbury
Oregon Secretary of State

(This information furnished by Bill Bradbury, Oregon Secretary of State.)

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

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

ARGUMENT IN FAVOR

RAISING THE MINIMUM WAGE

HELPED OREGON'S ECONOMY

IN 1913, 1989 AND 1996.

IT CAN DO SO AGAIN IN 2002.

VOTE YES ON MEASURE 25.

OREGONIANS HAVE ALWAYS HONORED THE WORK ETHIC:

Starting in 1913, with the documentation of sweatshops prepared by Caroline J. Gleason (later Sister Miriam Theresa) came the first enforceable wage-hour law in the U.S. That became the model for the Federal Fair Labor Standards Act.

Continuing in 1989, our Oregon legislators listened to their constituents who were working full time and living in poverty. They also noted the lack of wage protection for farm workers who were the backbone of our agri-business economy. The Legislature chose to increase the minimum wage to \$4.75 an hour and add farm workers to Oregon's law.

Increasing in 1996 the minimum wage was raised through the citizen initiative process. Because the 1995 Oregon Legislature refused to acknowledge the diminishing purchasing power of the minimum wage, the Minimum Wage Coalition was forced to go to the voters to seek economic fairness for the workers who drive our economy. Voters overwhelmingly approved raising the wage to \$5.50 in 1997, \$6.00 in 1998 and \$6.50 in 1999.

OREGONIANS CAN CONTINUE TO HONOR THE WORK ETHIC:

By supporting in 2002 Measure 25 which raises the minimum wage to \$6.90 and adds a cost of living index. This initiative should not have been necessary. The 2001 Oregon Legislature refused to hold a work session and ignored the credible economic studies as well as Oregon's own positive experience with providing fair compensation to workers. This inaction transfers the responsibility to all Oregonians. Please join me in exercising that responsibility.

VOTE YES ON MEASURE 25

Ellen C. Lowe
1989 Minimum Wage Coalition Chair
1996 Minimum Wage Initiative Chief-Petitioner

(This information furnished by Ellen Lowe.)

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

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

Measure No. 25 Arguments

ARGUMENT IN FAVOR

THE OREGON CENTER FOR PUBLIC POLICY HAS DOCUMENTED THE SUCCESS OF MINIMUM WAGE INCREASES AND THE NEED FOR MEASURE 25

The Oregon Center for Public Policy analyzed the impacts of the voters' 1996 decision to raise the Oregon minimum wage.

Our report, *Getting the Raise They Deserved: The Success of Oregon's Minimum Wage and the Need for Reform* (<http://www.ocpp.org/2001/es010312.htm>), revealed that:

- Reversing a trend, the starting wages of former welfare recipients rose with the minimum wage increases. After three years of increases, the average starting wage of those leaving welfare hit \$7.56 in the first quarter of 1999, but fell by nearly two percent in 2000.
- As many as 16 percent of all Oregon workers benefited from the last minimum wage increases. Between the first quarters of 1998 and 1999 alone, 177,000 workers received raises taking them up to or above \$6.50.
- Low-wage workers, not just minimum wage workers, experienced real wage gains, after adjusting for inflation, with each phase of the minimum wage increase. These workers' wages began falling again following the final phase of the increase in 1999.
- The employment rate for young workers with low education grew faster than the rate of the workforce as a whole after the minimum wage increases.

It's been nearly four years since Oregon last increased the minimum wage.

The increase in the cost of living since 1999 means that minimum wage workers have seen their wages decline.

Measure 25 restores some of the purchasing power of the minimum wage lost since January 1999, and will annually adjust the minimum wage to keep pace with rising prices in the future.

Measure 25 may spur wage increases for those earning just above the minimum wage, helping more than just minimum wage workers.

Measure 25 will help low-income, working families make ends meet and pump more money into Oregon's economy.

THE OREGON CENTER FOR PUBLIC POLICY URGES A "YES" VOTE ON MEASURE 25

(This information furnished by Charles Sheketoff, Oregon Center for Public Policy.)

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

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

ARGUMENT IN FAVOR

I am the owner of a business in Oregon. I support raising Oregon's minimum wage and I want to tell you why.

I know when I can pay my employees a fair wage that allows them to keep food on the table and pay their bills, good things happen for my company.

- Turnover is less
- Training for new employees costs less
- Employees are more satisfied with their jobs
- My customers receive better service

Whether employees work in a day-care center, a leasing company like mine or a restaurant, providing these workers with a fair wage relieves some of the burdens of their day-to-day life. No one who works full-time should have to live in poverty.

When Oregon last voted to raise the minimum wage in 1996, opponents said Oregon would lose jobs and businesses would close. Just the opposite came true. Jobs for low-wage workers in Oregon increased and our economy was booming.

Why do the interests that advocate economic growth oppose wage growth and financial security for the working people of Oregon? Working people don't hoard their money or put it in international investment schemes. They spend right here in our community.

Oregon's minimum wage workers haven't had a raise since 1999.

- Meanwhile the cost of living has increased.
- Rents have increased.
- The cost of utilities has increased.
- It just costs more to live today than it did in 1999.

Now it is time to give Oregon's low-wage workers a raise. Please join me in voting yes on Measure 25.

**Joseph McKinney
Oregon Roads Inc.**

(This information furnished by Joseph L. McKinney, Oregon Roads, Inc.)

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

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

Measure No. 25 Arguments

ARGUMENT IN FAVOR

The Pacific Green Party of Oregon supports a living wage for every worker. However, a living wage measure is not on the ballot, so the PGP enthusiastically endorses the minimum wage initiative, Measure 25.

Measure 25 will raise the minimum wage to \$6.90 an hour in 2003 and index the wage to inflation in future years.

According to Holly Sklar, author of *Raise the Floor: Wages and Policies that Work for All of Us*, if earnings had kept pace with rising productivity since 1968, the minimum wage would have risen to \$13.80 by 2000. Oregon's \$6.50 an hour minimum wage is inadequate. Families cannot live on it; many households have two or more minimum wage earners, each working two jobs just to survive.

Forty percent of minimum wage earners in the United States are the chief breadwinners for their families. How many \$6.50 an hour apartments or houses have you seen for rent in your town? It is an unlivable wage, and we must do everything in our power to take each step towards a living wage for all Oregonians.

The people of Oregon can and must afford to pass this initiative. In difficult economic times, the people at the bottom of the ladder are hardest hit, and for them, there is no down. They're already there.

Meanwhile, in 1980, chief executive officer (CEO) salaries were 42 times greater than the average employee salary. By 2000, CEO salaries had risen to 531 times ordinary workers' salaries. If companies can afford to overcompensate their corporate heads, they can certainly afford to adequately compensate those who do the basic labor to create the company's wealth.

When the minimum wage increased from \$4.75 to \$5.50 an hour in 1997, studies showed no expected drop in employment as a result of the increase in the minimum wage. Opponents of a new minimum wage are simply unwilling to support reasonable wages. **Please vote yes on Measure 25.**

(This information furnished by Hope Marston, Pacific Green Party of Oregon.)

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

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

ARGUMENT IN OPPOSITION

Don't saddle rural Oregon with Measure 25.

Nyssa and Newport already have a higher minimum wage than New York City while Heppner and Hermiston already have a minimum wage higher than Honolulu.

Across rural Oregon, double-digit unemployment rates, bank foreclosures, and businesses on the brink of closing are far too common.

Measure 25 would make all this suffering much worse. The wage rates and indexing requirements of Measure 25 would hammer rural communities with costs that are too high even for big cities.

The inflation rate Measure 25 uses to calculate wage increases is based on urban areas. The cost of living next door to a high-tech plant in a large city is much higher than living in downtown John Day or Milton-Freewater or Burns or Sutherlin.

At \$6.50 per hour, Oregon's family farmers and ranchers and rural small-business owners already have a minimum wage that is higher than New York (\$5.15) and Hawaii (\$5.75) where the cost of living is certainly higher than Stayton or Astoria. Oregon's minimum wage is one of the highest in the U.S.

Oregon agriculture depends on exports to other states and countries to survive. Measure 25's large and continuing wage hikes would make the most efficient Oregon farmer or rancher unable to compete.

Rural family-owned businesses do not have the customer base or economy of scale that their urban cousins have. Rural small businesses cannot absorb increased costs like Measure 25 would impose.

In agriculture, despite the lowest family farm income since 1983, wages paid to employees continue to climb without Measure 25. At \$785 million, wages to employees was the largest single expense paid by Oregon agricultural producers last year.

There is no justification for raising small-town Oregon's minimum wage to \$1.75 per hour higher than New York's minimum wage.

Mainstreet rural Oregon cannot afford higher-than-Park Avenue wages.

**The family farmers and ranchers of
Oregon Farm Bureau urge you to
VOTE NO ON MEASURE 25.**

(This information furnished by Barry Bushue, president, Oregon Farm Bureau Federation.)

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

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

Measure No. 25 Arguments

ARGUMENT IN OPPOSITION

It's Not the State's Job

Measure 25 Violates Basic Bible Teaching

According to Romans 13 and 1 Peter 2, the civil magistrate's job is to punish criminals, not to set wages. God has given us the freedom of the marketplace to determine these matters. The parable of the workers in the vineyard asserts the **right of the owner to pay widely differing wages**. He said "Don't I have the right to do what I want with my own money?" (Matthew 20:14) The State of Oregon would answer, "No, you don't. We'll tell you what your employees must be paid."

Let My Teenager Work - Measure 25 Hurts Kids

More and more **young people would likely face unemployment** if Measure 25 passes. While it would mandate pay, it would not mandate any increased productivity on the part of workers. Employers either have to raise prices or lay workers off as wages increase without resultant productivity increases. At least some would do the latter.

Let My Teenager Learn - Measure 25 Hurts Kids

In days gone by, young teens would **learn job skills and a proper work ethic by doing simple tasks for lesser wages**. If the private businessman can no longer pay a young teen lower wages for such work, these jobs would go away, and along with them, the training and experience opportunities they once provided.

This Measure purports to help workers, but it actually **hurts** them.

If a law could be passed increasing productivity, maybe we could look at passing one increasing wages. But **the State is not God**, even though it sometimes thinks it is. **It cannot make better workers by legislation.**

Prepared by the **Parents Education Association**, a family-based biblical alternative to the National Education Association
See all our Ballot Measure recommendations at
www.peapac.org

(This information furnished by Dennis R. Tuuri, Parents Education Association.)

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

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

ARGUMENT IN OPPOSITION

Oregon Has One Of the Highest Unemployment Rates In the Country

Oregon Has a Miserable Economy; Why Make It Worse? Economists say that increasing the Oregon minimum wage will worsen our economy and put more people out of work. Measure 25 increases the minimum wage every year, even in the middle of a recession.

30,000 More People Could Be Out of Work. Economists estimate that nearly 30,000 more Oregonians could lose their jobs as a result of the new higher minimum wage. Oregon already has the highest unemployment rate in the nation, we can't afford to lose more jobs.

Rural Farmers Will Be Required to Pay Portland Prices. Economists indicate that if we pass one of the nation's highest minimum wage standards, rural farmers will be hit the hardest by a wage standard based on a Portland CPI. Measure 25 will force a Portland indexing on rural communities with double-digit unemployment.

Food, Gas, Healthcare and Housing Costs Will Rise Dramatically. Economists believe that with one of the nation's highest minimum wage standards, food, gas, healthcare and housing costs will escalate out of control.

Let's Get Oregon Back on Track. Oregon already has one of the highest minimum wage rates in the country. With Oregon in a recession, this is no time to increase the cost of labor and products. Let's stabilize Oregon's economy, solve our school funding crisis and get people back to work to feel secure again.

Vote No on Measure 25. Now is Not the Time.

(This information furnished by Bill Perry, Oregon Restaurant Association.)

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

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

Measure No. 25 Arguments

ARGUMENT IN OPPOSITION

Oregon Small Business Owners Request a NO Vote on #25

The National Federation of Independent Business (NFIB) represents nearly 13,000 small businesses in Oregon. Over two-thirds of these businesses have less than 10 employees. NFIB opposes Measure 25.

Oregon's economy currently can't sustain Measure 25:

Oregon's economy is in the deepest recession of the past 20 years. Small businesses are folding or scaling back. Our unemployment is among the highest in the U.S. While the booming economy of the late 1990's allowed us to significantly raise the minimum wage without repercussion, we are in a vastly different economic circumstance today.

Measure 25 will increase prices: When the cost of operating a business goes up, the prices for their goods and services must go up. This will hurt low and fixed income consumers, particularly senior citizens on tight budgets and those who've become unemployed due to the recession.

Measure 25 will cost new jobs: Measure 27 will increase the cost of an entry level job by several hundred dollars per year. Whatever prospect there is for new jobs in our local communities will be considerably dampened by the realities of mandated increased labor costs.

Measure 25 will make it harder to reduce high unemployment: Oregon's unemployment rate has been the highest in the U.S. for most of the year. Many argue that our minimum wage, which is already among the highest in the country, is at least partly responsible. Measure 25 will only exacerbate the problem, making it more difficult to pull out of our recession and create more jobs.

Measure 25 will mean cuts to employee benefits: Currently over 90% of Oregon small businesses provide benefits in addition to wages. Measure 25 upsets that balance and causes employers to cut benefits that might only be affordable through the employer (i.e. Health Insurance) to meet the cost of Measure 25.

Please Vote NO on Measure 25

(This information furnished by J.L. Wilson, NFIB/Oregon.)

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

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

ARGUMENT IN OPPOSITION

PLEASE VOTE NO ON ARTIFICIAL WAGE HIKES

Associated Oregon Industries, representing over 20,000 Oregon businesses, a NO VOTE on Measure 25.

INCREASES IN THE MINIMUM WAGE HARM EMPLOYEES AND EMPLOYERS DURING A RECESSION!

Imagine yourself as an owner of a business during a recession, you may wish or need hire a new employee to better serve your customers but you can't.

Imagine that the State has told you to increase your entry level wage from \$6.50 to \$6.90 and further increases will be tied to the Portland area's inflation rate – never mind that you may be located in a rural community where the economy is much worse. The RECESSION is causing **double digit unemployment in rural communities.**

Now as the employer, you must consider how the minimum wage increases other costs that are tied to wage rates –

- Social Security Taxes
- Unemployment Insurance Taxes
- Workers' Compensation Taxes

Further, if the new employee is earning a wage that is artificially inflated by the State – you may have to raise the wages of your current employees – even though your annual budget for wages and benefits has been set. This increased wage may reduce the money available for the important benefits your employees have asked for, such as health care.

Imagine you are a business owner – business is down because of a recession, employee costs continue to rise – you will not hire the entry-level employee.

Minimum wage increases reduce the current and future number of entry level and training opportunities for those with the least experience, whom the proponents of a higher minimum wage purport to help.

Mandated minimum wage increases greatly impact the bottom line of Oregon's small and family owned businesses and cost vulnerable individuals an opportunity to work. Oregon is in the middle of the recession ... **LET'S NOT ADD MORE COSTS OR MORE UNEMPLOYMENT TO OUR STATE.**

Please vote NO on Ballot Measure 25.

Associated Oregon Industries (AOI)

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

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

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

Measure No. 25 Arguments

ARGUMENT IN OPPOSITION

Why One of Oregon's Most Important Employers Can't Afford Measure 25

Oregon food processors have struggled for five years against global competitors who pay a fraction of Oregon's minimum wage – already one of the highest in the nation.

Oregon food processors already pay well above the Oregon minimum wage, but cannot afford the upward wage pressure a higher minimum wage creates for all its employees, and still compete against domestic and international competitors who don't have this added cost.

The same initiative as Measure 25 passed four years ago in Washington State, where a major food processor is considering leaving the state as a direct result of Washington's non-competitive minimum wage. Hundreds of family wage jobs could be lost, and a whole community's economic and tax base could be virtually wiped out.

Rural farmers will be required to pay Portland wages. Rural farmers would be hardest hit if forced to pay wage standards similar to downtown Portland. Measure 25 will force Portland price indexing on rural communities already struggling with double-digit unemployment. How will a minimum wage tied to high Portland prices help rural communities with lower inflation, but much higher unemployment, create jobs and economic opportunities for its young people?

A higher minimum wage creates inflation, which ripples through the economy. Oregonians will pay more for food, energy, health care, and housing. Can consumers afford inflation when they're already worried about keeping their jobs in an economic recession?

Let's Get Oregon Back on Track. Oregon already has one of the highest minimum wage rates in the country. With Oregon in the worst recession in twenty years, this is no time to increase the cost of labor and products all Oregonians buy. This well-intentioned measure is the wrong solution. Measure 25 will rob workers of economic security and drive unemployment higher in Oregon.

Vote No on Measure 25. Now is Not the Time.

(This information furnished by Ken Yates, Oregon Food Processors FOODPAC.)

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

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

Measure No. 26

Proposed by initiative petition to be voted on at the General Election, November 5, 2002.

EXPLANATORY STATEMENT

BALLOT TITLE

26 AMENDS CONSTITUTION: PROHIBITS PAYMENT, RECEIPT OF PAYMENT BASED ON THE NUMBER OF INITIATIVE, REFERENDUM PETITION SIGNATURES OBTAINED

RESULT OF "YES" VOTE: "Yes" vote makes it unlawful to pay, receive payment based on number of signatures obtained on initiative, referendum petitions; does not prohibit other payment methods.

RESULT OF "NO" VOTE: "No" vote retains current law not prohibiting paying, receiving payment based on the number of signatures obtained on initiative, referendum petitions, or other payment methods.

SUMMARY: Amends constitution. Current law does not prohibit paying or receiving payment based on the number of signatures obtained on an initiative or referendum petition, or other methods of paying petition circulators. Under current law, if anyone is to be paid for obtaining signatures, each signature sheet must contain a notice stating that some petition circulators are being paid. The measure makes it unlawful to pay or to receive money or other thing of value based on the number of signatures obtained on an initiative or referendum petition. The measure does not prohibit payment for signature gathering that is not based, directly or indirectly, on the number of signatures obtained.

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

Ballot Measure 26 amends the Oregon Constitution to make it unlawful to pay or receive money or any other thing of value based on the number of signatures obtained on an initiative or referendum petition.

Current law does not limit the ways in which persons sponsoring initiative and referendum petitions may pay for signature gathering. This measure makes it unlawful to pay money or anything of value for signature gathering activities when such payment is based on the number of signatures obtained.

Current law also does not limit the ways in which persons gathering signatures for initiative and referendum petitions may be paid. This measure makes it unlawful to receive payments of money or anything of value based on the number of signatures obtained.

This measure does not prohibit paying or receiving payments for signature gathering activities that are not based, directly or indirectly, on the number of signatures obtained.

This measure makes unlawful:

- paying or receiving a specified price per signature obtained;
- paying or receiving amounts per signature based on the number of signatures obtained; and,
- paying or receiving bonuses or commissions based on the number of signatures obtained.

This measure does not prohibit:

- paying signature gatherers an hourly wage or salary;
- establishing minimum signature production requirements for signature collectors; and,
- paying persons for signature gathering projects that are not related to the number of signatures collected, like making phone calls or mailing and processing petitions to prospective signers.

Signature gathering activities by unpaid volunteers are not affected by this measure.

This measure applies to initiative and referendum petitions at the state, county, city and district level.

TEXT OF MEASURE

To protect the integrity of initiative and referendum petitions, the People of Oregon add the following provisions to the Constitution of the State of Oregon:

It shall be unlawful to pay or receive money or other thing of value based on the number of signatures obtained on an initiative or referendum petition. Nothing herein prohibits payment for signature gathering which is not based, either directly or indirectly, on the number of signatures obtained.

Committee Members:

Ellen C. Lowe
 Timothy J. Nesbitt
 Dan Meek
 Bill Sizemore
 Representative 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.)

Measure No. 26 Arguments

ARGUMENT IN FAVOR

**Forgery
Fraud
Identity theft**

The payment-per-signature business has gotten out of control.

Measure 26, the Initiative Integrity Act, will bring some welcome accountability to Oregon's initiative petition signature gathering "industry." That's right — industry. Because with the advent of paid signature gatherers a decade or so ago, gathering signatures has become a big business in our state, and now it's a business run amok.

This most recent election cycle saw convictions on a variety of forgery, fraud and identity theft counts, charges pending against others and allegations of dozens more.

What's the answer?

Measure 26.

Measure 26 takes the incentive for fraud out of the system with one simple step — it mandates that signature gatherers be paid by the hour, not by the signature. No more signature "bounty hunters." **Signature gatherers would be paid just like everyone else: an honest day's wage for an honest day's work.**

If Measure 26 passes, there will be no reason to cheat. A person can work 8, 10, 12 hours a day gathering signatures and be paid accordingly — without the incentive to copy signatures from one petition to another.

The Supreme Court has ruled that states cannot ban the use of paid signature gatherers. Measure 26 protects that right, while properly regulating the method of payment. The Initiative Integrity Act is a "win-win" measure for all parties involved EXCEPT for those wishing to defraud the system for their own gain.

This is, simply put, a great idea.
Vote "Yes" on Ballot Measure 26

(This information furnished by Don Loving, American Federation of State, County and Municipal Employees (AFSCME).)

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

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

ARGUMENT IN FAVOR

BUSINESS AND LABOR AGREE

Measure 26 is good for Oregon

When an industry has no accountability, it is ripe for fraud and abuse. The signature gathering business is no different. It should be held to minimum standards for honesty and integrity.

It's time to ensure accountability in our initiative system.

- **Do we really want our signatures to be bought and sold like commodities?** Under the current system, our signatures have a street value that rises as petitioners compete for names on their petition sheets. But this "marketplace" has little oversight and no accountability.
- **Do we feel safe with a system that rewards forgery and fraud?** It is simple economics. When paid by the signature, petitioners have every incentive to lie and cheat to get the highest return. The more signatures a circulator turns in, the more cash he is paid. It's no wonder that hundreds of people report their signatures were forged this election, and that's only the tip of the iceberg.
- **Is this any way to conduct the public's business?** One chief petitioner says, "When a petitioner leaves my office and goes to collect signatures, I have no idea where they go...frankly they're completely outside my control." (Bill Sizemore, KATU news May 13, 2002) During the past year, two of his petitioners were convicted of forgery, and complaints are pending on more than a dozen others.

Measure 26 offers us the opportunity to remove the incentives for fraud and forgery in the signature gathering process and restore accountability and integrity in our initiative system.

It's time to reign in the fraud and abuse of the Oregon initiative system

The Initiative Integrity Act puts much-needed accountability back into the system.

**Measure 26 is good for all of us.
Vote "YES" on Measure 26**

Lynn Lundquist
President
Oregon Business Association

Tim Nesbitt
President
Oregon AFL-CIO

(This information furnished by Tim Nesbitt, President, Oregon AFL-CIO; Lynn Lundquist, President, Oregon Business Association.)

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

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

Measure No. 26 Arguments

ARGUMENT IN FAVOR

LONG-TIME INITIATIVE ACTIVISTS

SAY MEASURE 26

RETURNS THE PROCESS TO THE PEOPLE

Fifty years ago as a young Republican and a young Democrat we worked together on a successful citizen initiative to grant every Oregonian an equal vote in our representative democracy.

We didn't agree on much, but we did acknowledge the necessity to use the initiative process to achieve election fairness.

We were part of a long history of citizen activism through the ballot box. These important reforms happened because of ballot measures:

Women's Right to Vote
One person – One Vote

But now, the Initiative system is losing its citizen center.

The Oregon initiative process has been almost completely taken over by signature gatherers who care only about making a quick buck. Stories of forgery and fraud filled the newspapers this summer.

Paying by the bounty system has corrupted the initiative process. It has to stop.

That's why we are joining forces once again. We have co-sponsored Measure 26, the Initiative Integrity Act.

Measure 26 is a simple fix

- **Eliminates** the incentive for fraud and abuse.
- **Protects** the initiative system from being corrupted by those who see it only as a money-making machine.
- **Restores** voter confidence so we all feel safe when we sign a petition that our names won't be copied onto something else.
- **Returns** accountability to the process

Please, vote "YES" on Measure 26.

Return the people's initiative system back to the people

Ellen C. Lowe, Chief Petitioner
Robert D. Davis, Chief Petitioner

(This information furnished by Ellen Lowe, chief petitioner; Robert D. Davis, chief petitioner.)

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

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

ARGUMENT IN FAVOR

These groups and individuals endorse MEASURE 26 to restore accountability and reduce fraud in the initiative system

- 1000 Friends of Oregon
- American Association of University Professors, Portland State University Chapter
- American Federation of State, County and Municipal Employees Council 75
- The American Federation of Teachers – Oregon
- The Association of Engineering Employees of Oregon Political Action Committee
- Association of Oregon Corrections Employees
- Attorney General Hardy Myers
- Association of Oregon Faculties
- Basic Rights Oregon
- Bend Police Association
- Eugene-Springfield Solidarity Network / Jobs with Justice
- Governor Barbara Roberts
- Governor John Kitzhaber, M.D.
- Hans Linde, Former Oregon State Supreme Court Justice
- Human Services Coalition of Oregon
- IBEW Local 125
- League of Women Voters of Oregon
- Oregon AFL-CIO
- Oregon Building and Construction Trades Council
- Oregon Business Association
- Oregon Council of Police Associations
- Oregon Education Association
- Oregon Food Bank
- Oregon Head Start Association
- Oregonians for Public Safety
- Oregon School Employees Association
- Oregon Sportsmens Political Victory Fund
- Oregon State Council of Senior Citizens
- Pacific Northwest Regional Council of Carpenters
- Rural Organizing Project
- SEIU Local 49
- Service Employees' International Union, Oregon State Council
- Sierra Club
- Siskiyou Regional Education Project
- Smith, Gamson, Diamond & Olney
- Voter Education Project
- Victor Atiyeh, Former Governor
- Washington County Police Officers Association
- Western States Center

Vote YES on Measure 26!

It's time to take fraud and forgery out of Oregon's initiative process!

(This information furnished by Chip Terhune, Oregonians for Initiative Integrity.)

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

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

Measure No. 26 Arguments

ARGUMENT IN FAVOR

Measure 26 is good law

The courts have agreed. Pervasive fraud and forgery requires action.

That's why the US Appeals Court upheld a North Dakota law with the same effect as Measure 26.

The court concluded that banning payment per signature was "necessary to insure the integrity of the initiative process."

- **Measure 26 is narrow in scope.** It targets the corrupting influence of money on the political process. It specifically prohibits the buying and selling of signatures, which has been proven to be an incentive for fraudulent content by some circulators.
- **Measure 26 is necessary.** The current system has become irreparably corrupt. It rewards illegal activities.
- **Measure 26 will not hinder the initiative process.** It affirms the right of chief petitioners to circulate measures using volunteers or circulators who are paid hourly.
- **Measure 26 will preserve the systems integrity.** When petitioners are paid per hour the inducement to commit fraud and forgery to make more money isn't there.

The precedent is clear.

The highest ruling on the issue of per-signature payments was issued by the Eighth Circuit Court of Appeals. When asked to overturn the ban of such payment schemes, the court affirmed the ban.

"Because these...regulations are designed to protect the integrity of signature gathering, do not unduly hinder the circulation of petitions, and comport with the recent Supreme Court decision in Buckley v. American Constitutional Law Foundation, Inc., 525 U.S. 182 (1999), we affirm."

Initiative & Referendum Institute v. Jaeger, 2001

**It's Good Law
Vote "YES" on Measure 26**

Hans Linde, Former Oregon Supreme Court Justice
Betty Roberts, Former Oregon Supreme Court Justice
Former Oregon Governor Victor Atiyeh

(This information furnished by Hans Linde, Former Oregon State Supreme Court Justice; Former Governor Victor Atiyeh; Betty Roberts, Former Oregon State Supreme Court Justice.)

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

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

ARGUMENT IN FAVOR

OREGON SECRETARIES OF STATE

SAY MEASURE 26 IS THE BEST WAY TO ERADICATE FRAUD

It is illegal to sell votes.

Measure 26 makes it illegal to sell signatures.

This year marks the 100th anniversary of the Oregon initiative system. For one century Oregon history has been formed by citizens exercising their right to direct democracy.

But now the initiative system needs our help.

The evidence of forgery and fraud is piling up. Investigating signature gathering crime is taking up more and more time for state elections officials. Meanwhile, initiatives are failing to qualify for the ballot because of the massive numbers of forged and invalid signatures.

It shouldn't be this way

Signatures on initiative petitions are as important as signatures on ballots in our elections. In both cases they represent the will of the voters. But paid signature gatherers are abusing this process. There is widespread evidence that they trick people into signing initiatives they do not support or forge names from one petition to another just so they can make more money.

We should not allow the buying and selling of signatures on petitions any more than we should allow the buying and selling of ballots in our elections.

Measure 26 will cut the fraud and make the initiative process more accountable to voters.

Measure 26 says that if petitioners are paid, it should be by the hour, not by the signature. It is a simple fix of the system that can be implemented immediately.

We urge you to help us cut the fraud.

Return the initiative system to the people of Oregon.

Vote "YES" on Measure 26.

**Former Secretary of State Mark O. Hatfield
Former Secretary of State Clay Myers
Former Secretary of State Norma Paulus
Former Secretary of State Barbara Roberts
Former Secretary of State Phil Keisling
Oregon Secretary of State Bill Bradbury**

(This information furnished by Former Secretary of State Mark O. Hatfield; Former Secretary of State Clay Myers; Former Secretary of State Norma Paulus; Former Secretary of State Barbara Roberts; Former Secretary of State Phil Keisling; Bill Bradbury, Oregon Secretary of State.)

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

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

Measure No. 26 Arguments

ARGUMENT IN FAVOR

The Initiative System is in Serious Trouble We need Measure 26

The Voter Education Project spent months this summer gathering information about signature gathering for ballot measures in Oregon.

This is what we learned and why we support Measure 26:

- Two petitioners were convicted of forgery. They had conned more than 10,000 Oregonians to sign a phony "gas tax" petition then copied their names onto real petitions.
- The Portland Police reported on a 14-year old runaway who says he was part of a crew earning \$50.00 a day gathering signatures for one of the top signature dealers in the state. The boy told police he was paid cash on the spot out of a seedy downtown hotel room.
- One petitioner scammed people into signing a petition to help disadvantaged children. Later, their names showed up on petitions that they do not support.
- Another petitioner turned in petitions that were falsely dated. Turns out he was actually being held in a county jail on those dates.
- During the Rose Festival another petitioner lured people to her table by giving away candy bars and pitching a fake petition to "stop child abuse." Videotapes of her clipboard show strong evidence of forgery.

Hundred of people have so far contacted the Voter Education Project to report that their signatures were forged.

Those who say these are just a few bad apples are ignore the fact that the top signature producers in the state are the ones who generate the most complaints.

Measure 26 is the single most effective thing we can do to return accountability and eliminate the incentive for forgery. It bans payment per signature while affirming the right to recruit volunteers or pay signature gatherers per hour.

The Oregon initiative system has served us well for 100 years. Measure 26 will take it back from the rogues and forgers who are destroying it.

Voter Education Project

(This information furnished by Jeannie Berg, Executive Director, Voter Education Project.)

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

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

ARGUMENT IN FAVOR

Payment-per-signature encourages forgery

**We know.
It happened to us.**

And we are not alone. Hundreds of people report that their signatures were forged on initiatives this year...there are probably thousands more.

We want to trust the initiative system again. Measure 26 is the best way for all of us to be more secure when we sign petitions. The initiative system is too important to leave in the hands of forgers. When petitioners are paid cash for our signatures, some will say anything, do anything to earn more money.

Patricia Moreno of Gervais, Oregon:

I support the initiative system, which is why I always sign the measures I want to see on the ballot. So last winter, I signed a measure I believe in.

Later, I was shocked to discover my signature was used as a sample to forge my name on at least two different measures that I had never seen. The frightening thing is there may be even more forgeries of my signature out there.

I have no way of knowing how many different times my name was forged and I no longer feel safe signing petitions.

I'm voting YES on Measure 26.

Rebecca Geis of Portland:

I am not sure how the person who forged my name got a copy of my signature. **I am angry that my name showed up on a petition that I am steadfastly against.**

I think most people are not aware of what a big business signature gathering has become. I didn't know until my signature was forged. It is outrageous that the Oregon initiative system has come down to how much money our signatures are worth.

We have to do something to clean things up before it's too late. I'm voting YES on Measure 26.

Please join us in stopping the forgeries and fraud

Vote YES on Measure 26

(This information furnished by Patricia Moreno; Rebecca Geis.)

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

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

Measure No. 26 Arguments

ARGUMENT IN FAVOR

Signature gatherers

say

Measure 26 will clean up the streets

No one cares more about the Oregon initiative system than we do.

We are signature gatherers who have years of experience in the business. We have worked in five states carrying petitions for initiatives on issues ranging from medical marijuana to tax reform.

We are fed up with the corruption that payment-per-signature encourages. The current system makes signature gathering about money, not conviction. The news stories about fraud that came out this summer were no surprise to us. We have seen other petitioners lie, cheat and forge while bragging about how much cash they're earning for every signature.

Signatures have become nothing but cash on a clipboard

When petitioners are paid on the bounty system, corruption becomes pervasive. We have seen it time and time again. Petitioners start caring only about getting the valuable signatures and will try every trick in the book to get the name on the page.

Elections should have accountability, oversight and structure

Instead, we have a free-for-all where signature gatherers know there is easy money to be had in Oregon.

Payment per signature has made it more difficult for grassroots organizations

When greed-driven mercenary petitioners control the streets it is nearly impossible for activist petitioners to successfully gather signatures.

When signature gatherers are paid per hour, they don't turn in as many bad signatures.

Two campaigns paid per hour this signature gathering season and they had the highest validity rate of all the initiatives.

Measure 26 will restore accountability and eliminate fraud and increase oversight

We know, we're signature gatherers

Vote "YES" on Measure 26

Tracy D. Lincoln
Wendy Alexander
Noah Wilkinson
Dustin Krueger
Chad McNeill

(This information furnished by Noah Wilkinson, Dustin Krueger, Tracy D. Lincoln, Wendy Alexander, Chad McNeill.)

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

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

ARGUMENT IN FAVOR

LEAGUE OF WOMEN VOTERS OF OREGON

URGES "YES" ON MEASURE 26

Vote yes to restore accountability, credibility and integrity to the initiative system
Stop fraud before it starts

The non-partisan League of Women Voters of Oregon, supports the Oregon initiative system. We also support accountability and good government practices. That is why the League has a long-standing position against per-signature payments for ballot initiative circulators. We strongly endorse Measure 26.

- **Measure 26 makes the initiative process more accountable.** Signature gatherers will be paid by the hour instead of per signature. That means more oversight and more control by the campaigns.
- **Measure 26 reduces the temptation for fraud and forgery.** Fraud in the signature gathering process is a growing problem in Oregon. The lure of cash for every signature is a huge incentive to copy signatures or scam voters into signing something they do not support.
- **Measure 26 restores confidence in the initiative system.** Voters should not have to worry about what happens when they sign a petition. They should not have to wonder if their names will be forged onto another measure.
- **Measure 26 restores integrity to the initiative system.** Whether to sign an initiative is an important decision with long-lasting implications. With per-signature payments, too often petitioners rush people into signing initiatives they may not understand.

Vote "YES" on 26

It restores accountability and reduces fraud

LEAGUE OF WOMEN VOTERS OF OREGON

(This information furnished by Beth Burczak, League of Women Voters of Oregon.)

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

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

Measure No. 26 Arguments

ARGUMENT IN FAVOR

**The Oregon Education Association
Asks You to Vote YES on Measure 26**

• Measure 26 Is A Lesson In Fairness

In Oregon's public schools we teach our students that our initiative process is a system of direct legislation by the people. To place an issue on the ballot, supporters of an issue must gather a specified number of signatures from registered voters via initiative petitions. For decades, volunteers committed to an issue gathered signatures. Today, however, many signature gatherers carry initiative petitions for multiple issues and receive money for each signature they get. Recent events prove that this system provides too much incentive for fraud and forgery to occur. Measure 26 eliminates this incentive, making Oregon's initiative process fair again. Measure 26 allows supporters of an issue to gather signatures either through the use of volunteers who are committed to it, or paying others on an hourly rate or a salary. **Vote YES on Measure 26.**

• Measure 26 Restores Integrity To The Process

The Oregon Education Association seeks to protect the right of individuals and organizations to place issues on the ballot. Unfortunately some wish to circumvent the system through illegal tactics – through signature forgery. Measure 26 restores integrity to the process and returns the initiative system to the people. **Vote YES on Measure 26.**

• Measure 26 Is A Workable Solution

This measure practices what it preaches. Signatures for this measure were obtained through volunteers or by individuals who were paid on an hourly basis. That's a good lesson for all of us. **Vote YES on Measure 26.**

**RETURN OREGON'S INITIATIVE PROCESSTO OREGONIANS
VOTE YES ON MEASURE 26**

Kris Kain, president
Oregon Education Association

(This information furnished by Kris Kain, President, Oregon Education Association.)

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

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

ARGUMENT IN FAVOR

**It's time to restore accountability
and stop the fraud**

It's simple. When there is a problem, you solve it. And right now, Oregon has a problem. Forgery and other election law violations have infected the state initiative system. Fraud is common place.

The evidence of fraud committed by signature gatherers is piling up. For example, two were caught on videotape forging. They were ultimately convicted after admitting that less than 30 percent of the signatures they turned in were valid.

When voters sign an initiative petition, they should not have to worry about what someone is going to do with their personal information like their home address. They should not have to worry about having their names signed to other petitions.

We have to do something to get a handle on this. It seems pretty clear that the money-per-signature system is encouraging people to break the law.

Measure 26 is the way to go. It takes away the promise of money for every signature; that takes away the incentive to break the rules.

Signature fraud will be reduced and integrity will be restored to the initiative process.

**Vote YES on Measure 26
It's the right thing to do**

Oregon United Sporting Dogs Association
Oregon Trappers Association

(This information furnished by Rod Klawitter, Oregon United Sporting Dogs Association; Joe Colver, Oregon Trappers Association.)

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

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

Measure No. 26 Arguments

ARGUMENT IN FAVOR

**1000 Friends of Oregon
asks you to
Vote YES on Measure 26**

The Oregon initiative system is critically important to grassroots environmental and land use groups. For example: four years ago Oregon voters dedicated funding for Oregon's parks and salmon.

We must protect the Oregon initiative system for the future. The right of citizens to directly legislate is at risk. The initiative system has become about money, not conviction. Initiatives are starting to look like the rest of politics, where it all comes down to the dollar.

Special interests are leaving little room for the rest of us. Deep-pocketed donors can afford to pay the street price for signatures, no matter how high it goes. People who are deeply committed to a cause cannot compete with professional mercenaries. Aggressive and illegal tactics have become commonplace by out-of-state signature hunters.

People are getting turned off to the initiative system. Thanks to our current payment scheme that encourages fraud and forgery, Oregonians are starting to be suspicious of signature gatherers. This hurts the volunteers and dedicated activists who truly believe in the petitions they carry.

The Oregon initiative system is for all of us. That's why we must stand up and protect it from the special interests and mercenary petitioners who are using it just to help themselves.

Vote "YES" on Measure 26
Take the initiative
and take the initiative system back
1000 Friends of Oregon

(This information furnished by Evan Manvel, 1000 Friends of Oregon.)

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

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

ARGUMENT IN FAVOR

**SENIOR CITIZENS
ENDORSE
MEASURE 26**

It Makes the Oregon Initiative System Accountable

We believe that ALL government should be accountable to the people of Oregon. That's why we strongly support Measure 26.

- **The current system has no accountability.**
- **The current system encourages petitioners to prey on voters.**
- **The current system isn't working for Oregon.**

Hundreds of people have reported that their signatures were forged — many of them senior citizens. Imagine what it would be like to learn that your name showed up on a petition that you did not support. But that's what happens under our current system. When every signature is worth cash, forgery and fraud is the likely outcome.

We are tired of being uncertain about what will happen with our names when we sign a ballot initiative. Measure 26 will make signing petitions safe again.

We believe our signatures are worth more than just a quick buck. Measure 26 will restore meaning to the initiative system.

We know that fraud has no place in government. Measure 26 will take away the incentive for forgery and abuse.

It is time for all of us to stand up and protect the citizen initiative system. Oregon's direct democracy is worth saving.

**"YES" on Measure 26
Because ALL government should be
accountable to the people**

Oregon State Council of Senior Citizens

(This information furnished by Jim Davis, Oregon State Council of Senior Citizens.)

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

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

Measure No. 26 Arguments

ARGUMENT IN FAVOR

Oregon educators endorse

Measure 26

We have learned some hard lessons about the Oregon initiative system this year:

- Money strongly influences signature gatherers. For petitioners who are paid for every signature, it's basic math: more signatures = more money.
- When the initiative system becomes more about money than conviction in an issue, forgery and fraud enter the picture
- In Oregon today, signatures have become commodities to be bought and sold.
- In 2002, hundreds of people came forth to say their signatures were forged on petitions.
- Oregonians simply do not feel safe signing initiatives anymore.

This is not the way it should be.

History teaches us that the right of citizens to pass laws through the initiative system is fundamental to Oregon. Civics teaches us that democracy should be accountable to the people.

Now, the research is clear – the initiative system favors those who have the money to pay for signatures and is no longer accountable to the people.

That is why Oregon educators strongly endorse Measure 26. It gives campaigns the flexibility to pay petitioners on an hourly basis or use volunteers.

**Measure 26 is about getting back to basics.
That's why we are voting YES on Measure 26.**

Tony Crawford, Canby
Jo Cooper, Rockaway
Dan Domenigoni, North Clackamas
Ed Curtin, Corvallis
Judy Richards, Jackson County

(This information furnished by Dan Domenigoni, North Clackamas; Tony Crawford, Canby; Ed Curtin, Corvallis; Judy Richards, Jackson County; Jo Cooper, Rockaway.)

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

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

ARGUMENT IN FAVOR

The headlines are clear:

Paying bounties for signatures encourages fraud, forgery and abuse.

"We support the initiative system, but not how it is being used. Out-of-state signature gatherers are hired and paid for every name they collect. It shouldn't surprise us that fraud often is committed to get these names.

Until Oregon voters do something to fix this law, our system will be corrupted by some greedy folks. It's up to us to change and it can be done. It just requires citizens to realize that even the best systems need updated and protected from people who would exploit it."

East Oregonian editorial
November 21, 2001

"If you are paid a dollar a name, say, it must be tempting to augment your income by adding a few otherwise legitimate signatures to the petitions you are circulating."

Albany Democrat-Herald editorial
November 27, 2001

"Voters warned of illicit tactics. Some people are using illegal means to get signatures, officials say"

Statesman Journal
December 20, 2001

"The scandal surrounding signature gathering for ballot initiatives is raising concerns that there are a large number of invalid signatures"

Oregon News Service
May 28, 2002

"Safeguard your signature. The autograph hunters are out in force, and they're looking for you"

The Oregonian editorial
June 8, 2002

"It appears there is a direct correlation between the rise in the number of bounties paid for signatures and the number of forged and duplicated signatures."

The Daily Astorian editorial
July 30, 2002

"We took in 30,000 signatures that we paid for before we realized' none of the sheets could be used because most of the signatures on them were forgeries."

Bill Sizemore, The Oregonian
August 12, 2002

Return accountability to the citizen initiative system and stop the fraud

Vote "YES" on Measure 26
Oregonians for Initiative Integrity

(This information furnished by Chip Terhune, Oregonians for Initiative Integrity.)

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

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

Measure No. 26 Arguments

ARGUMENT IN OPPOSITION

It's Not the State's Job

This Measure would not prohibit paying signature-gatherers. It would only prohibit a particular **method** of paying them. This is wrong in principle, since according to Romans 13 and 1 Peter 2, the **civil magistrate's job is to punish criminals, not to set wages or how these wages are paid.** God has given us the freedom of the marketplace to determine the most effective means of getting any legitimate job done. The parable of the workers in the vineyard asserts the right of the owner to set the sort of wages he will pay (Matthew 20:4).

Punish Forgers, Not Workers

The State clearly has a compelling interest in punishing those who would forge signatures on government documents. But this measure does not increase penalties for forgery.

The passage of Measure 26 will not result in less forged signatures, but less freedom!

We believe the gathering of signatures for initiatives lies properly in the private sector. **The free market will be the most effective means to accomplish the goals of the initiative process.** We see no compelling reason for the State to mandate to the marketplace which methods to collect signatures.

Protect Our Checks and Balances – Vote No on 26

Lying behind this Measure, we think we see a desire to diminish or eliminate the citizen initiative in Oregon, an outcome with which we do not concur. We think the initiative process is providing a sort of check and balance that is needed in our time of collectivism in both conservative and liberal circles. We think its time to move towards a **more Biblical analysis of public policy issues.** The initiative process gives us a venue for that discussion. We therefore ask you to vote No on this Measure

Prepared by the **Parents Education Association**, a family-based biblical alternative to the National Education Association
See all our Ballot Measure recommendations at www.peapac.org

(This information furnished by Dennis R. Tuuri, Parents Education Association.)

ARGUMENT IN OPPOSITION

While the Pacific Green Party of Oregon acknowledges that there are flaws built into the current initiative process, we oppose Measure 26, that would ban payment per signature, because it seeks to allow well-financed groups to dominate the initiative process while discouraging grassroots involvement.

First, Measure 26 is probably unconstitutional. In 1988, the United States Supreme Court struck down laws prohibiting payment for signatures. Since 1994, most federal courts have struck down "payment per signature" bans as violations of Freedom of Speech under the First Amendment. Measure 26 would certainly be challenged in the courts, with taxpayer money wasted on defending it.

Second, even if valid, Measure 26 would have no practical effect. According to the official Explanatory Statement, it "does not prohibit establishing minimum signature production requirements for signature collectors," such as 10 signatures per hour. Chief petitioners would hire a signature collector to be paid "by the hour" but who would be terminated if not producing 10 signatures every hour. The result is no real change.

Third, if Measure 26 were somehow interpreted to require all paid collectors to be "employees," it would vastly increase costs for grassroots initiative efforts. Large, well-funded corporations and unions can easily hire employees to gather signatures. But grassroots groups are founded on volunteerism, not commercialism. We prefer to remove monied interests from politics, insuring the opportunity for citizen involvement.

Grassroots groups sometimes pay a small incentive per signature to supplement their volunteer efforts. If everyone who is paid must be an "employee," then grassroots groups will need accountants to file literally dozens of governmental forms for each "employee."

There is no proof that paying petition circulators by the hour will bestow integrity. There are already criminal penalties for submitting false signatures.

Measure 26 is not needed, unconstitutional, and either ineffective or harmful by reserving the initiative process only for corporations and unions who can easily put signature gatherers on their payrolls.

Please vote no on Measure 26.

(This information furnished by Hope Marston, Pacific Green Party of Oregon.)

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

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

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

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

Measure No. 27

Proposed by initiative petition to be voted on at the General Election, November 5, 2002.

BALLOT TITLE

27 REQUIRES LABELING OF GENETICALLY-ENGINEERED FOODS (AS DEFINED) SOLD OR DISTRIBUTED IN OR FROM OREGON

RESULT OF "YES" VOTE: "Yes" vote requires labeling of foods derived from or processed using genetically-engineered (as defined) materials with label prepared by the Oregon Department of Agriculture.

RESULT OF "NO" VOTE: "No" vote rejects requiring labeling of foods derived from or processed using genetically-engineered (as defined) materials with label prepared by Oregon Department of Agriculture.

SUMMARY: Requires label stating "Genetically Engineered" on surface or outside packaging of genetically-engineered foods (as defined) sold or distributed in or from Oregon. Defines "genetically engineered" to mean produced by biological changes to the molecular or cell biology of an organism by means not possible under natural conditions; definition excludes breeding, hybridization, tissue culture, certain other processes. Applies to all foods derived from, or prepared with, genetically-engineered material, regardless of whether that material is present in the final product. Creates additional labeling requirements for genetically-engineered foods whose composition or nutritional value is significantly altered and those resulting from gene transfers from other species to allow those with dietary restrictions to observe those dietary guidelines. Legislature to implement and enforce requirements. Other provisions.

ESTIMATE OF FINANCIAL IMPACT: The financial impact of this measure on state and local government expenditures cannot be determined because the Legislative Assembly must act to carry out this measure. There is no impact on state or local revenues.

(The State Treasurer dissents from this estimate.)

TEXT OF MEASURE

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

The Oregon Revised Statutes, is amended BY THE ADDITION OF THE FOLLOWING NEW PART ____, TO READ:

Part ____. Labeling of genetically engineered food. (1) Declaration of the People.

Labeling of genetically engineered food and food additives shall be required in order to create and enforce the fundamental right of people in Oregon to know if they are buying or eating genetically engineered food and to have the choice in buying or eating foods that have been altered through genetic engineering.

(2) **Definitions.** As used in this part ____ unless the context otherwise requires:

- (a) "Agricultural products" means any agricultural, horticultural, viticultural, or vegetable product grown or produced;
- (b) "Food" means any articles used for food or drink for man or other animals, chewing gum, and articles used for components, including food additives, of any such article;
- (c) "Food additive" means any substance, the intended use of which results or may be reasonably expected to result, directly or indirectly, in its becoming a component or

otherwise affecting the characteristics of any food (including any substance intended for use in producing, manufacturing, packing, processing, preparing, treating, packaging, transporting, or holding food and including any source of radiation intended for any such use);

- (d) "Genetically Engineered" means grown, manufactured, processed or otherwise produced or altered with techniques that change the molecular or cell biology of an organism by means or in a manner not possible under natural conditions or processes, including but not limited to recombinant DNA techniques, cell fusion, micro- and macro-encapsulation, gene deletion and doubling, introducing a foreign gene, and changing the positions of genes. "Genetically Engineered" shall not include breeding, conjugation, fermentation, hybridization, in-vitro fertilization and tissue culture processes;
 - (e) "Label" means a display of written, printed, or graphic matter upon or connected to the immediate container or surface of any article; and by or under the authority of this section a requirement that any word, statement, or other information appearing on the label shall not be considered to be complied with unless such word, statement or other information also appears on the outside container or wrapper, if any, of the bulk, wholesale or retail package of such article or is easily legible through the outside container or wrapper;
 - (f) "Labeling" means all labels and other written, printed, or graphic matter upon an article or any of its containers or wrappers, or accompanying such article; and
 - (g) "Principle display panel" means that part of a label that is most likely to be displayed, presented, shown, or examined under normal and customary conditions of display for bulk, wholesale or retail sale.
- (3) **Labeling.** All foods in the following categories sold or distributed in or from Oregon, shall bear a label, created by the Oregon State Department of Agriculture, that is plainly visible on the principal display panel and contains the words "Genetically Engineered":
- (a) All foods derived in whole or in part from any genetically engineered microorganisms, plants or livestock, if that genetically engineered material accounts for more than one tenth of one percent of the weight of the product;
 - (b) All food products prepared or processed using genetically engineered enzymes or other genetically engineered processing agents, whether those enzymes or agents are present in the final product or not;
 - (c) All foods derived from agricultural products cultivated using genetically engineered agricultural inputs, whether those agents are present in the final product or not;
 - (d) All dairy and meat products derived from livestock that have been fed genetically engineered feed or feed additives or ingredients, or derived from livestock that have been treated with genetically engineered hormones or drugs;
 - (e) All genetically engineered foods that are significantly altered in composition or nutritional value, or that require preparation steps different from their natural counterparts which shall, in addition to being labeled "genetically engineered," be labeled to specify those changes in properties;
 - (f) All genetically engineered foods resulting from trans-species gene transfers which shall specify, in the label, the source of the transgene used and the purpose of the transfer. For instance, "This squash contains viral genetic information designed to make it resistant to viral infection."; and
 - (g) All genetically engineered foods resulting from transfer of animal genes into plants which shall be labeled to indicate this fact in a manner that will allow vegetarians and those with dietary religious restrictions to observe their dietary guidelines. For instance, "this tomato contains genetic material derived from the flounder, a fish of the family Bothidae."

Measure No. 27

- (4) **Enforcement.** By the effective date, the legislature shall prescribe, enact and enforce measures implementing this new part ____.
- (5) **Effective date.** This new part ____ shall become effective ninety days after the proclamation of the vote by the governor and shall supercede any federal law, act or regulation which contains less stringent or less complete labeling information for any product subject to the provisions of this part.
- (6) **Revisions of this law.** The voters of Oregon authorize the legislature to make changes consistent with the intent of this law so long as the changes further the purpose of this amendment. Substantive changes, such as changes to the categories of foods or food additives, the full or partial omission of any category of food or food additive, tolerance levels expressed as a percentage, definitions pertaining to terms used in this part or labeling requirements are to be referred to a vote of the people.

EXPLANATORY STATEMENT

Ballot Measure 27 requires, by statute, all foods and beverages sold or distributed in or from Oregon that are derived from or processed using genetically engineered (GE) materials to be so labeled. The Oregon Department of Agriculture shall create the labels.

The labeling requirements apply to all foods and beverages in the following categories that are sold or distributed for human or animal consumption:

- Foods containing more than one-tenth of one percent GE material by weight;
- Foods derived from or prepared with GE material, whether or not that material is present in the final product;
- Foods grown using GE agricultural inputs;
- Dairy and meat products derived from animals that have been fed GE feed or feed additives; and
- Products derived from animals treated with GE hormones or drugs, whether or not they are present in the final product.

In addition to being labeled "genetically engineered," further labeling requirements apply as follows:

- Foods that have a significantly altered composition or nutritional value, or that require preparation steps different from their natural counterparts shall specify those changes in properties;
- Foods resulting from gene transfers between species shall specify the genetic source of the gene and why it was added to the food; and
- Foods resulting from the transfer of animal genes into plants shall be so labeled to inform vegetarians and those with dietary religious restrictions.

Foods and other substances are defined by the measure as "genetically engineered" if they are grown, manufactured or processed using means or methods that could not occur in nature. Means and methods that could not occur in nature include cutting and splicing DNA, cell fusion, microencapsulation or macroencapsulation, deleting or doubling a gene, inserting a foreign gene or changing the position of a gene. Genetic engineering does not include breeding, conjugation, fermentation, hybridization, in-vitro fertilization, or tissue cultures.

The measure declares that it supercedes any federal law or regulation that contains less stringent or less complete labeling information for any affected food. It authorizes the legislature to make changes that are consistent with the measure's intent, but requires that substantive changes be referred to a vote of the people.

The measure would take effect 90 days after it is declared passed. By that date, the legislature is required to enact laws to implement and enforce the measure.

Committee Members:

Donna Harris
Laurie Heilman
Pat McCormick
Terry Witt
Kathleen Beaufait

Appointed By:

Chief Petitioners
Chief Petitioners
Secretary of State
Secretary of State
Secretary of State

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

Measure No. 27 Arguments

ARGUMENT IN FAVOR

The Center for Food Safety Urges You to Vote Yes on Measure 27

Oregonians should have the right to know what they are eating. Up to 60% of processed foods on your grocery store shelves contain genetically engineered (GE) ingredients. There is strong scientific evidence of numerous potential health and environmental risks of GE foods. These foods could be toxic, could cause allergic responses, could have lowered nutritional value and could compromise the immune responses in consumers. They may also cause environmental problems, such as the growth of "superweeds" and the extinction of native species. Under federal government policies, GE foods reach your supermarkets without any required testing for these human health and environmental problems.

By passing Measure 27, Oregon will become the first state to allow its citizens to make an informed decision on whether or not they wish to eat GE foods.

- Without mandatory labeling, there is **no way consumers can tell** which foods are genetically engineered.
- Without mandatory labeling, genetic engineering firms can use consumers and our children as **unknowing guinea pigs** to test the safety of their GE foods.
- Without mandatory labeling, consumers and health professionals will not know if **adverse reactions to foods** are due to their being genetically engineered.
- Without mandatory labeling, consumers have no means of **holding the producers of GE foods liable** should these foods eventually prove hazardous.

Mandatory labels on GE foods would benefit everyone — except for the corporations that want to boost their profits and deny consumers the ability to know exactly what it is they are buying.

We urge the citizens of Oregon to be leaders and to protect consumers' right to know. Vote Yes on Measure 27.

For more information, call the Center for Food Safety at 1-800-600-6664 or visit our website at www.centerforfoodsafety.org.

(This information furnished by Joseph Mendelson, III, The Center for Food Safety.)

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

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

ARGUMENT IN FAVOR

Greenpeace Urges Yes on 27 - Label Genetically Engineered (GE) Food

Greenpeace supports Oregon consumers' right to know if their food has been genetically engineered, and offers these comments:

Labeling GE food does not increase prices: In more than 25 countries, labels are currently required on GE foods. In these countries, when labeling was proposed, the biotech industry threatened that labeling would be enormously costly, and taxes and food costs would increase. **In fact, no country has seen price increases or higher taxes from GE food labeling.** One of England's largest supermarket chains stated that GE food labeling required no price increases. Every supermarket in Europe, and many elsewhere, have conformed to labeling laws, and none has raised prices. Oregon citizens should not be bullied by industry's empty threats.

Doctors warn that GE foods could harm our health: *The New England Journal of Medicine* warned that GE foods could cause new allergies. The leading doctors' organization in England has stated that a ban on GE foods should be considered if they are unlabeled. A statement by over 2,000 doctors called the use of antibiotic genes in GE foods "a danger to health that can be avoided."

Infants and children are most at risk: A Harvard University pediatrician stated, "I especially worry about the safety of [GE] foods when it comes to children." A leading scientific society has noted that infants could be especially at risk for food allergies from GE foods. These doctors say GE foods are risky for children.

Genetically engineered food harms the environment: Genetic engineering means more pesticides on our food and in the environment. Farmers who grow natural and organic food can lose their harvest when GE crops contaminate their fields. Labels on GE food would protect farmers and consumers who want the right to choose safe, natural non-GE food.

For a list of worldwide endorsers of Oregon Measure 27, see www.greenpeaceusa.org/oregon

Greenpeace USA
Charles Margulis, GE Campaigner

(This information furnished by Charles Margulis, GE Campaigner, Greenpeace USA.)

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

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

Measure No. 27 Arguments

ARGUMENT IN FAVOR

Vote Yes on 27!

The Colorado Genetic Engineering Action Network (COGEAN), a statewide grassroots organization of Colorado activists, applauds Oregon citizens for championing the consumers right to know what is in their food. We fully support the labeling initiative and are ready to cooperate in any way, including working with local farmers, producers, grocers and cooperative markets, to help the State of Oregon comply with this crucial law. You are the torchbearers on this issue, and we thank you. People have a right to know what is in their food, what they are feeding their families, their children. The risks are too high not to allow people to choose. We are accumulating a sign on sheet of those in support of your initiative at <http://www.foodlabeling.org>.

(This information furnished by Patrick West, Colorado Genetic Engineering Action Network.)

ARGUMENT IN FAVOR

The Campaign to Label Genetically Engineered Foods has been working since 1999 to pass federal legislation to require the mandatory labeling of genetically engineered foods in the United States. We strongly support Oregon Ballot Measure 27.

According to a June 13-17, 2001 survey from ABC News, 93 percent of those polled said the federal government should require labels on food saying whether it has been genetically modified. ABC News stated "Such near-unanimity in public opinion is rare."

While legislation to require the mandatory labeling of genetically engineered foods nationwide was introduced into both the 106th and the current 107th U.S. Congress, it has not received the priority treatment needed to pass it into law.

In the European Union, Australia, Japan, China and many other nations, the controversy over genetically engineered foods has received significant media coverage. As a result, mandatory labeling laws have been enacted in all those countries. Yet in the United States, we still don't have this right.

The food industry does not want labels on genetically engineered foods because they are concerned people will start asking questions such as "Have these foods ever been safety tested for human consumption?" The answer to that question is "NO!" The FDA decided that genetically engineered foods are "substantially equivalent" to non-genetically engineered foods and need no additional safety testing or labeling. Currently the biotech companies do not even need to notify the FDA that they are bringing a new product to market. The very corporations that have a financial interest in selling the products get to decide whether they are safe or not.

Oregon voters are smart and have often shown leadership in important areas of public concern before the rest of the country. Oregon citizens now have another opportunity to show leadership in the area of labeling genetically engineered foods.

Tell big business that you want the right to know if your foods have been genetically engineered. Vote YES on Measure 27!

(This information furnished by Craig Winters, The Campaign to Label Genetically Engineered Foods.)

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

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

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

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

Measure No. 27 Arguments

ARGUMENT IN FAVOR

Yes on 27

Almost everyone wants labeling of genetically engineered food

"COMPILATION AND ANALYSIS OF PUBLIC OPINION POLLS ON GENETICALLY ENGINEERED (GE) FOODS (UPDATED FEBRUARY 1, 2002)

Below is a compilation of poll results concerning of genetically engineered foods, listed in chronological order:

- **90% of Americans** said foods created through genetic engineering processes should have special labels on them (**Rutgers University' Food Policy Institute study, 11/01**)
- **90% of American farmers** support labels on biotech products if they are scientifically different from conventional foods and **61%** support labels on biotech products even if not scientifically different. (**Farm Foundation/Kansas State University, survey of farms throughout the U.S., 9/01**).
- **93% of Americans** say the federal government should require labels saying whether it's been genetically modified, or bio-engineered. "Such near unanimity in public opinion is rare" (**ABC News.com poll, 6/01**).
- **86% of Americans** think that the government should require the labeling of all packaged and other food products stating that they include corn, soy or other products which have come from genetically modified crops (**Harris Poll, 6/00**).
- **86% of Americans** want labels on genetically engineered foods (**International Communications Research, 3/00**)
- **81% of Americans** think the government should require genetically engineered food products to be labeled. **89%** of Americans think the government should require pre-market safety testing of genetically engineered foods before they are marketed, as with any food additive. (**MSNBC Live Vote Results, 1/00**).
- **92% of Americans** support legal requirements that all genetically engineered foods be labeled. (**BSMG Worldwide for the Grocery Manufacturers of America, 9/99**).
- **81% of American consumers** believe GE food should be labeled. **58%** say that if GE foods were labeled they would avoid purchasing them. (**Time magazine, 1/99**).
- **93% of women** surveyed say they want all GE food clearly labeled. (**National Federation of Women's Institutes, 1998**).

A Work Product of the Center for Food Safety - Washington, DC 2002

For more polls see

<http://www.centerforfoodsafety.org/facts&issues/polls.html>

(This information furnished by Donna Harris, Oregon Concerned Citizens for Safe Foods.)

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

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

ARGUMENT IN FAVOR

Market of Choice Urges Yes on Measure 27

"Informed consumers are essential to the fair and efficient functioning of a free market economy."

– Congressional declaration of policy, *U.S. Code of Federal Regulations*, January 1999

We, at Market of Choice, enthusiastically support the right of all consumers to know what is in their food in order to make an informed choice in our free market economy.

Vote Yes on 27

Rick Wright, Vice President, Wright's Foodliner, dba Market of Choice

(This information furnished by Rick Wright, Wright's Foodliner, dba Market of Choice.)

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

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

Measure No. 27 Arguments

ARGUMENT IN FAVOR

OREGON CONCERNED CITIZENS FOR SAFE FOODS URGE YOU TO VOTE YES ON MEASURE 27

We have the right to know what is in our food.

We are women and men, young and old, married and single, of every race and religion, from every corner of Oregon. We are scientists, physicians and lay people. We are farmers and consumers, meat-eaters and vegetarians, rich and poor. We have differences, but have all joined hands to bring you this message.

We have serious, scientifically-based concerns about the known and unknown dangers of genetically engineered food, both for human health and the environment.

We do not feel adequately informed or protected. We realize that many will find the following points hard to believe, but they are a matter of public record:

- The Food and Drug Administration (FDA) does not conduct any of its own tests for the safety of genetically engineered food.
- There are no independent tests required for the safety of genetically engineered food.
- The only testing done is by the corporations who produce these foods and who stand to profit by their sale. These corporations are not even required to inform the FDA of all their test results.

The people and governments of the European Union, Japan and many other nations around the world have demanded and required that any genetically engineered food be labeled. This has been accomplished with little or no price increase.

Numerous polls have shown that the vast majority of Americans want genetically engineered food to be labeled and yet we have been denied this basic right.

It is time for the people of Oregon to once again assume leadership in the nation, just as we have in the past.

It is time to assert our common sense.

Please vote Yes on Measure 27.

Oregon Concerned Citizens For Safe Foods
www.labelgfoods.com

(This information furnished by Richard North, Oregon Concerned Citizens For Safe Foods.)

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

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

ARGUMENT IN FAVOR

Environmentally Responsible Investors urge Yes on 27

There are many documented risks connected with genetic engineering-- human health risks, environmental risks, cultural and community risks. There are also unknown risks due to the newness of the technology and the conflicting nature of the information that is available. As a result, it is essential that genetically engineered foods be labeled so that consumers can choose whether or not to purchase these modified foods.

Measure 27 provides much needed transparency. Note that Measure 27 does not prevent the sale of genetically engineered foods and crops—it simply requires that consumers be informed.

Increased Chances of Allergic Reactions. The transfer of genes from one organism to another, via genetic engineering, has tremendous implications for individuals with allergies who, without labeling, can inadvertently eat a food containing a gene to which they are allergic.

Risks to the Organic Industry: Organic farming, the processing of organic foods and products, and the sale of these products is a growing industry in Oregon. Genetically modified crops present numerous risks to the organic industry, including the risk that pests will become resistant to organic farmers' methods and the risk of genetic pollution whereby genetically modified crops could contaminate organic crops.

Risks to Wildlife / Biodiversity and ecosystem integrity: Some genetically engineered crops have been shown to be lethal to certain organisms and thus represent a clear threat to biodiversity. Other genetically engineered crops have been found to release toxins into the soil.

Risks to the Developing World: There are significant concerns associated with companies engaged in genetic engineering, particularly in the way they deal with indigenous cultures and developing nations.

Support your right to know. Give consumers the ability to choose whether to support genetic engineering given the risks to human health, the local economy, the global environment, and the developing world.

Carsten Henningsen
Troy Horton

(This information furnished by Carsten Henningsen, Environmentally Responsible Investors.)

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

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

Measure No. 27 Arguments

ARGUMENT IN FAVOR

Oregon Rural Action Urges YES ON MEASURE 27!

Oregon Rural Action is a grassroots membership organization in Eastern Oregon working for social justice, agricultural and economic sustainability, and stewardship of the land, air, and water.

We believe that we have the right to know what is in the food we eat!

By voting YES on Measure 27, we can choose to label genetically engineered (GE) foods. Genetic engineering involves taking a gene from one species and splicing it into another to transfer a desired trait. This process does not occur naturally, where natural barriers limit the transfer of genetic traits between different species. Genetic engineering is relatively new and incomparable to traditional animal and plant breeding techniques.

Oregon can become the first state trusted for GE food labeling in the U.S. Many other countries already require labeling. Since many of our nationally known brands already sell food overseas that is free of GE ingredients, or are at least required to label such foods, it is right that we have the same consumer opportunity here in Oregon.

Labeling genetically engineered foods is the only method to ensure that you have a choice and are in control of what your family eats! Vote YES to protect the health of our children.

Our choice of food is too important to be left to the corporations selling chemicals and biotechnology contracts to farmers for bottom-line stockholder profits. Given the corporate scandals we've seen this year, why should we trust the food corporations to tell us what regulations are best? We believe that family farmers have the right to be free from corporate control and liability for a technology outside their influence.

If GE foods were as wonderful as the corporations would have us believe, why won't they label to showcase GE ingredients?

Your YES vote on Measure 27 gives you the power to make your own decision about GE foods.

Ulee Yanok, Vice President, Oregon Rural Action
www.oraction.org

(This information furnished by Ulee Yanok, Oregon Rural Action.)

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

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

ARGUMENT IN FAVOR

RELIGIOUS LEADERS IN SUPPORT OF MEASURE 27

God said, "Let the earth sprout vegetation: herbage yielding seed, fruit trees yielding fruit each after its kind, containing its own seed on the earth." And it was so. And the Earth brought forth vegetation: herbage yielding seed after its kind, and trees yielding fruit, each containing its seed after its kind. And God saw that it was good. Genesis 1:11-12

Religious traditions teach about the exquisite unity and awesome beauty and wonder that God placed within creation. Religion also instructs us about our responsibility to be stewards of creation. We are told in Genesis 2:15 – God takes the newly created human, and placed the human in the Garden of Eden to "cultivate and protect it."

The Bible provides us with insight about our role as caretakers in creation. It is our belief that one of the expressions of this responsibility is to be extremely careful before taking any action that could bring harm to the well-being of God's creation. The use of genetically engineered foods is such an action.

Our conscience calls us to speak out about the proliferation of these foods. We are greatly concerned that they are not adequately tested and that they bring enormous risk to the natural order of creation. We believe that at minimum producers of such foods have the responsibilities to provide labeling that will allow consumers who share our concern of conscience to know when they are purchasing such as product. The ability to discern genetically engineered products from those naturally grown allows us to make decisions based upon our ethical commitments.

The psalmist reminds us, "The earth is the Eternal One's and the fullness thereof ..." Let us be careful stewards of God's creation.

Join us in supporting Measure 27.

For a list of Oregon religious leaders urging you to vote Yes on Measure 27, check www.labelgefoods.com.

**Rabbi Yitzhak Husbands-Hankin
Rev. John Pitney
Father Robert W. Krueger**

(This information furnished by Rabbi Yitzhak Husbands-Hankin.)

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

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

Measure No. 27 Arguments

ARGUMENT IN FAVOR

Oregon Physicians for Social Responsibility, a group of doctors committed to human health, patient safety, scientific honesty and environmental protection, supports a yes vote on Measure 27.

Less than a decade since their introduction, two-thirds of products in U.S. supermarket shelves contain genetically engineered (GE) ingredients. Only one-third of Americans are aware that their foods contain GE ingredients. Multiple polls show that 85% to 95% of citizens favor labeling.

Currently, food substances are labeled for vitamin, mineral, caloric and fat content; wines containing sulfites warn those allergic. The European Union requires labeling; many countries ban import of GE foods from the US; other countries have or are considering labeling laws and import bans. Unfortunately, US regulatory agencies rely on safety tests done by GE product-producing companies.

Risks of GE foods include: toxicities from new proteins (deadly eosinophilia-myalgia syndrome in consumers of GE tryptophan supplements); altered nutritional value; transfer of antibiotic resistance genes, contributing to antibiotic resistance; increased pesticide use when pests develop resistance to GE food toxins; herbicide-resistant "superweeds"; non-target insects dying from exposure to pesticide-resistant crops, with ripple effects on other species; GE plants and animals interbreeding with and contaminating wild populations; GE plants outcompeting, or driving to extinction, wild varieties; GE plants adversely altering soil quality; decreased agricultural biodiversity; and corporate control of agriculture, with the transmigration of farmers into "bioserfs."

Labeling of GE foods will prevent dangerous allergic attacks (as occurred in unsuspecting consumers of soybeans modified with Brazil Nut genes); allow vegetarians to avoid plants injected with animal genes; and allow concerned individuals to avoid ingesting milk from cattle injected with recombinant BGH, which increases levels of potentially-carcinogenic IGF-1 in milk.

Labeling will increase public awareness of genetic engineering, allow us freedom to choose what we eat based on individual willingness to confront risk, and ensure a healthy public debate over the merits of genetic modification of foodstuffs.

Board of Directors
Oregon Physicians for Social Responsibility

(This information furnished by Martin Donohoe, MD, FACP, for Oregon Physicians for Social Responsibility.)

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

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

ARGUMENT IN FAVOR

A Retail Grocer's Perspective on Measure 27

As President of New Seasons Market, a locally owned Portland based grocery chain, I ask you to join me in voting Yes on Measure 27, the campaign to label genetically engineered food.

I believe strongly that our customers have the right to know what they are buying and eating. This includes, as much as possible, labeling where the food was grown or produced, whether it's organic and if it has been genetically engineered. Congress declared in its Fair Packaging and Labeling Act that, "Informed consumers are essential to the fair and efficient functioning of a free market economy." Without Measure 27 consumers in Oregon and throughout our country will continue to be kept in the dark about this risky experiment with genetic engineering. The system is broken and this is our chance to fix it.

There are serious, scientifically valid concerns about the dangers of genetically engineered food to our health and to the health of our environment. In the European Union, citizens and governments have demanded that genetically engineered foods be labeled so that consumers can make informed purchasing decisions. I want to offer that choice to our customers also. They deserve it.

For many, food is connected to religion, culture, ethical concerns and the environment. For everyone, food choices are connected to health. Isn't it time we assert our rights as citizens of this country to be kept adequately informed on a subject so critical to all of us?

In one survey after another, a vast majority of Americans have stated that they want to see genetically engineered foods labeled. To me, it is not only good business sense to comply with the wishes of my customers, it is also just plain common sense.

For yourself, your family and for future generations, please vote Yes on Measure 27.

Sincerely,
Brian Rohter

(This information furnished by Brian Rohter, President, New Seasons Market.)

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

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

Measure No. 27 Arguments

ARGUMENT IN FAVOR

GE labeling statement by Harry MacCormack—Organic Farmer and Co-Founder & former Executive Director of Oregon Tilth

The relationship between food consumers and the farmer-manufacturers of those foods is one of trust. When that trust is questioned or fractured, rules or laws are needed. We cannot tolerate an incursion into this relationship of trust by those who promote the genetic alteration of grains, vegetables, fruits, and dairy products.

In Oregon, which has the oldest Organic Labeling Law, awareness of the problems with genetically altered foods is becoming more widespread. That an estimated 70% of foods on store shelves contain genetically engineered (GE) ingredients with no identifying label makes the public leery. We need to know what is in our foods—we have the right to know. A GE labeling requirement is necessary.

As a farmer, I share concerns with consumers regarding drift from genetically altered pollens. In crops like corn, this drift is rapidly spreading to all corn across the world. Wheat, rice, soy, canola—the list of GE crops grows. As growers, it is difficult to defend ourselves from this outrageous violation of our sacred seed base.

GE potatoes can contain a pesticide and therefore be toxic, especially to children. But without labeling, how does anyone know when they are ingesting these altered foods?

How is it that those of us who try to grow clean, health-promoting foods in accordance with natural, biological processes can be so quickly displaced by corporate arrogance? There has been almost no testing of the effects on humans, animals, or microbial life of this genetic engineering practice. We can only hope that a GE labeling requirement will slow down the practice until our collective knowledge catches up with reason to replace the secrecy that allows greed yet another victory.

I will vote YES on Measure 27.

Harry MacCormack

(This information furnished by Harry MacCormack.)

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

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

ARGUMENT IN FAVOR

YES ON 27

**"Let Oregonians join the growing global community"
Label genetically engineered foods**

Countries that presently have existing bans or mandatory labeling of genetically engineered foods:

Australia, Austria, Bolivia, Chile, China, Croatia, Czech Republic, Ethiopia, France, Germany, Greece, Hungary, Italy, Indonesia, Ireland, Japan, New Zealand, Norway, Poland, Saudi Arabia, Slovakia, Slovenia, Spain, South Korea, Switzerland, United Kingdom

Countries proposing, or in the process of enacting, laws to label genetically engineered foods.

Brazil, Hong Kong, Israel, Mexico, Russia

"Oregonians have the right to know"

Public opinion surveys in foreign countries show that a vast majority (including 98% in Canada) of those surveyed, believe that genetically engineered food should be labeled. More than three billion people live in countries with laws in place, planned or proposed, to label or ban genetically engineered food.

- Why does America, which prides itself on democratic values, keep its own citizens from having the right to know how our food has been genetically altered.
- Why are some biotech companies and food industry groups willing to spend millions of dollars to try to defeat this initiative, which gives Oregon citizens the opportunity to make informed choices?

Oregonians have the right to protect their families and future from the potential unanticipated health effects of genetically engineered foods.

Common sense says, "if a food product is safe, nutritious, and environmentally friendly, why stop consumers from having full disclosure of these experimental products"?

The United States, which produces over 70% of the GE food globally, needs to have its citizenry take greater accountability of the proliferation of these products.

- Please join the worlds' growing concerns about genetic engineered food.
- Help pass Measure 27 and let Oregon, again, be a leader for the rest of our country.
- Oregon's success will be heard and appreciated throughout America and the rest of the world.

Exercise your democratic right and vote "Yes" on Measure 27.

Mel Bankoff, President of Emerald Valley Kitchen

(This information furnished by Mel Bankoff, Emerald Valley Kitchen President.)

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

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

Measure No. 27 Arguments

ARGUMENT IN FAVOR

Rachel's Friends Breast Cancer Coalition is a grassroots Oregon organization (www.rachelsfriends.org) concerned about environmental toxins causing breast and other cancers. We believe in the precautionary principle, which asks whether potentially risky behavior can be avoided. Our support for Ballot Measure 27 flows from our organizational purposes and philosophy.

Genetically engineered food is experimentation on human beings and our environment. Its consequences aren't presently known, and may not be reversible if ultimately found harmful. Because these risks are not necessary, they should be avoided.

To support this ballot measure, however, you only need agree with Oregon's long tradition of giving citizens information so they can make informed private choices. Product labeling will enable those who wish to purchase genetically engineered foods to find these products and permit others to avoid them.

Choice are important for people who wish to avoid certain foods for health reasons or religious or ethical principles. If some tomatoes contain genetic material derived from flounders, without labeling people who don't eat fish would have to avoid all tomatoes. If Ballot Measure 27 passes, they would know which tomatoes they could purchase safely.

Moreover, we don't know the long-term effects, for example, of genetically modifying a plant to increase its resistance to a particular herbicide or to kill certain insects. Genetically engineered plants and animals are living things which will reproduce, crossbreed and potentially dominate or eliminate non-engineered varieties. In the short term, we may receive greater yields, but in the long term we may discover that this was a tragically wrong choice which cannot be corrected.

The theory of a free market economy is that products survive or fail based on consumer choice. Without labeling, consumers are powerless to decide whether they want to accept or avoid the risks inherent in genetically engineered food. Passage of Ballot Measure 27 would restore that freedom of choice.

(This information furnished by Nancy Crumpacker, Rachel's Friends Breast Cancer Coalition.)

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

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

ARGUMENT IN FAVOR

HUNDREDS OF SCIENTISTS, INCLUDING THE FDA'S OWN EXPERTS, HAVE WARNED THAT GENETICALLY ENGINEERED FOODS POSE HIGHER RISKS TO HUMAN HEALTH THAN DO OTHER FOODS.

VOTE YES ON 27 TO LABEL THEM.

- Professors of molecular biology at leading universities such as Harvard, M.I.T., and the University of California, Berkeley have issued cautions about the abnormal risks of GE foods.
- Professor Philip Regal, a renowned expert at the University of Minnesota, has written: **"...there are scientifically justified concerns about the safety of genetically engineered foods, and some of them could be quite dangerous."** *Declaration, 5/28/9*
www.biointegrity.org/regaldeclaration.html
- The Royal Society of Canada states it is "scientifically unjustifiable" to presume that GE foods are safe. *Expert Panel Report, 1/01*
- **The scientists at the Food and Drug Administration (FDA) also recognized the unique hazards of GE foods and repeatedly warned about them.** This was exposed when a lawsuit by public interest groups forced the FDA to divulge its files.
- **The FDA's scientists concluded that genetic engineering is inherently hazardous and can produce unintended new toxins that are unpredictable and difficult to detect. They cautioned that no GE food can be considered safe unless it has passed rigorous toxicological tests.**
- An FDA official summarized the experts' opinions by stating: **"The processes of genetic engineering and traditional breeding are different, and according to the technical experts in the agency, they lead to different risks."** (Dr. Linda Kahl memo, 1/8/92. #1 in the set of photocopies of FDA memos at www.biointegrity.org/list.html)
- Nevertheless, FDA bureaucrats, who admit they are following a directive to foster the biotechnology industry, disregarded their experts' input and claimed there's an overwhelming consensus among experts that GE foods are so safe they don't need to be tested. Based on this false claim, they allowed GE foods to be marketed without any testing.
- **No GE food has passed all the safety tests the FDA experts said are necessary.**

(This information furnished by Steven M. Druker, Executive Director, Alliance for Bio-Integrity.)

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

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

Measure No. 27 Arguments

ARGUMENT IN FAVOR

LABELING GENETICALLY ENGINEERED FOOD IS NOT COSTLY

EXCERPTS FROM MAJOR FOOD RETAILERS' COMMENTS

"With our policy to remove all GM (genetically modified/engineered) derivatives from Safeway brand products, the impact on cost of moving to Non-GM was thus largely minimized...The supply chain for non-GM materials is now much more established such that the product pricing of Soya/Maize raw materials is market competitive."

- **George Uden, Safeway – United Kingdom (UK)**

"Has the CWS increased the price of any product that it retails as a direct result of the introduction of European labeling legislation for GM ingredients? No. At the outset, our policy was to label...alongside routine packaging changes. However, as exclusion of GM ingredients became more practical, this was our preferred course of action and meant that no additional labeling was necessary...previous changes were reversed in routine label updates as far as possible and so any cost impact was minimal."

- **David Croft, CWS Retail (UK's largest retail cooperative and commercial farming operation)**

"...we have eliminated GM ingredients from all our brand food, pet food and dietary supplements, involving over 4,000 products...by replacing soya and maize ingredients with alternatives or using validated non-GM sources..."

...changes in packaging took place at the print run stage and no additional costs were incurred.

...removal of GM ingredients has neither affected the final product quality nor cost to the consumer."

- **Rachel Wilson, Sainsbury's (UK's second largest grocery chain)**

- Above excerpts from answers by major food retailers included in *"Labeling of Genetically Modified Organisms (GMO's) is Becoming Standard Practice Around The World – References, Reports and Documents, Greenpeace, October 2001*

America has the "know-how" to label GE foods affordably and offer consumers an informed choice.

Please Vote Yes on Measure 27.

www.labelgfoods.com

(This information furnished by Donna Harris, Oregon Concerned Citizens For Safe Foods.)

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

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

ARGUMENT IN FAVOR

OREGONIANS DESERVE A CHOICE!

No matter what our personal food decisions are, Oregonians all agree we deserve a choice - the choice to buy and eat genetically-modified organisms or not.

There are Oregonians with

- allergies to genetically-modified-organisms
- religious concerns about genetically-modified organisms
- personal health concerns about genetically-modified organisms
- environmental and social concerns about genetically-modified organisms

But none of these countless thousands of Oregonians can make a simple choice - because foods containing genetically-modified organisms are not labeled in our state.

This common-sense proposal should not be contentious - after all, consumer choice is the very basis of a healthy market economy. If products list common ingredients like wheat, sugar and salt, why should they not also list genetically-modified organisms?

Corporations that profit from the marketing of genetically-modified organisms will argue that labeling is unnecessary and too expensive. Nonsense. We heard those same arguments from corporations when the public asked for seat belts and air-bags to be required in cars.

While labeling is a simple step, our thousands of customers and members believe that Oregon deserves greater protection from genetically-modified organisms. In short, we believe that genetically-modified organisms do not belong on our dinner plates or in our environment.

As a first step, Oregonians needs a chance to choose.

OREGONIANS DESERVE A CHOICE!

VOTE YES ON 27!

People's Food Cooperative, Portland, OR
Alberta Cooperative Grocery, Portland, OR

(This information furnished by Rolf Skar, Board President, People's Food Cooperative; Alberta Cooperative Grocery.)

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

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

Measure No. 27 Arguments

ARGUMENT IN FAVOR

**Stahlbush Island Farms, Inc.
Vote Yes On Measure 27**

Our family has been farming in Oregon for 116 years (4 generations). We understand the need for advanced research and modern agricultural sciences. Stahlbush Island Farms, Inc. has received national recognition for advanced "sustainable farming practices". We support measure 27 for three reasons:

Chemical Residues in Food...

- Stahlbush has likely done more chemical residue testing on food and soils than any farm in Oregon. If you apply BT (*Bacillus Thuringiensis*, a natural insecticide) to a crop, or you genetically engineer BT into the plant, you still have this compound in the environment. Any chemical, whether applied as an insecticide or genetically engineered into a plant, may end up as a residue in your food, or may leave a residue in the soil. We would not knowingly eat this or feed it to our children.

Crop Contamination...

- At Stahlbush, our neighbors are conventional and organic growers. Corn is a wind-pollinated crop, so it is virtually impossible to prevent gene drift. Growing a non-GMO corn crop requires careful planning, communication and cooperation with neighbors.

Consumers Should Know...

- You should know if your foods are GMO or not. We believe you should know where your food is grown. Our Japanese & European customers demand Non-GMO food, and they label where the food is grown.

For the past 100 years in the U.S., we have focused agricultural research on increasing yields to provide cheap food for the consumer in order to "feed the world". In Oregon, we are close to "feeding the farmers"; as we have put so many good farms out of business. We need to focus on niches, and specialty markets to survive. We want consumers to trust we are growing the healthiest food products possible. Measure 27 helps communicate this trust. Most important, it helps consumers make an informed choice.

Bill & Karla Chambers, Owners
Stahlbush Island Farms, Inc.

Vote Yes on Measure 27

(This information furnished by Karla Chambers, Owner, Stahlbush Island Farms.)

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

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

ARGUMENT IN FAVOR

Let Consumers Know What's In Their Food - Vote Yes on Measure 27

The more than 15,000 members of the following consumer-owned grocery cooperatives simply want to know what is in their food.

We are asking for basic consumer information. Measure 27 is not designed to stop biotech research, but to give consumers the information we need in order to choose whether or not to consume genetically engineered (GE) food.

Many experts question the consumption of food made with GE ingredients without more in-depth, long-term studies.

They feel these products have been released without broad consideration of the long-term effects. We have experienced many new technologies hailed as innovative enhancements of our quality of life, only to discover serious problems years later. Problems that would not have impacted so many people if adequate long term research had been done before approving them for public use.

Concerns regarding a negative effect on our state's economy and your cost of groceries are unfounded.

The European Union and Japan require labeling of GE foods, and major US food manufacturers as well as Oregon potato farmers are already supplying labeled products for export. It has not measurably affected the cost of foods in those countries.

Very little GE food is grown in Oregon. The largest farmers cooperative in our state has chosen to go GE free to make sure that it can satisfy it's Pacific Rim customers. It won't hurt our farmers, but will assure them that they can continue to have access to foreign markets with a label that will give them an advantage over other agricultural states.

Major manufacturers already label for the rest of the world. Vote yes to give Oregonians the same RIGHT TO KNOW what is in OUR food.

The consumer-owners of:

- Ashland Community Food Store, Ashland
- Coos Head Food Store, North Bend
- First Alternative Natural Foods Co-op, Corvallis
- Food Front Cooperative Grocery, Portland
- Oceana Natural Foods Cooperative, Newport

(This information furnished by Laurie Heilman, First Alternative Natural Foods Co-op.)

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

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

Measure No. 27 Arguments

ARGUMENT IN FAVOR

Vote Yes on 27

Is the truth about genetically engineered food being reported?

In 2001, the prestigious "Goldman Environmental Prize" www.goldmanprize.org was awarded to six environmental heroes, including two journalists who upheld truth about genetically engineered food and consequently lost their jobs.

"In late 1996, journalists **Jane Akre** and **Steve Wilson** began investigating rBGH, the genetically modified growth hormone American dairies have been injecting into their cows. As investigative reporters for the Fox Television affiliate in Tampa, Florida, they discovered that while the hormone had been banned in Canada, Europe and most other countries, millions of Americans were unknowingly drinking milk from rBGH-treated cows. The duo documented how the hormone, which can harm cows, was approved by the government as a veterinary drug without adequately testing its effects on children and adults who drink rBGH milk. They also uncovered studies linking its effects to cancer in humans. Just before broadcast, the station cancelled the widely promoted reports after Monsanto, the hormone manufacturer, threatened Fox News with "dire consequences" if the stories aired. Under pressure from Fox lawyers, the husband-and-wife team rewrote the story more than 80 times. After threats of dismissal and offers of six-figure sums to drop their ethical objections and keep quiet, they were fired in December 1997. In 1998, Akre won a suit against Fox for violating Florida's Whistleblower Law, which makes it illegal to retaliate against a worker who threatens to reveal employer misconduct..." <http://www.goldmanprize.org/recipients/recipientProfile.cfm?recipientID=106>, 8/23/02

Other Awards

"BOULDER, Colo. .. special award for Courage in Journalism from the Alliance for Democracy", -www.foxbghsuit.com, (4/30/99)

"WASHINGTON, D.C. ...The Joe A. Calloway Award for Civic Courage was presented to [Akre and Wilson] ...by the Shafeek Nader Trust For The Community Interest" -www.foxbghsuit.com, (12/16/98)

"LOS ANGELES - The national Society of Professional Journalists (SPJ) presented [Akre and Wilson] its Award for Ethics...only the fourth time the group has bestowed such an ethics honor in its 89-year history." -www.foxbghsuit.com, (10/24/98)

Jeff Peckman
www.big-g-alliance.org

(This information furnished by Jeff Peckman, B.I.G.G. Alliance.)

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

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

ARGUMENT IN FAVOR

Endorsements for Measure 27

Union of Concerned Scientists
Democratic Party of Oregon
Sierra Club
James K. Wyerman, Executive Director, 20/20 Vision
Organic Consumers Association
Washington Biotechnology Action Council
Carol Merrick, Chair, EarthSave Portland/Vancouver Chapter
Britt Bailey, Senior Associate, Center for Ethics and Toxins (Cetos)
Prof. Phillip L. Bereano
Charles Margulis, GE Campaigner, Greenpeace USA
The Campaign to Label Genetically Engineered Foods

"Hagelin, NLP Support Oregon Initiative to Label GE Food

...I encourage all supporters of the Natural Law Party and advocates for safe food to support this initiative campaign in every way possible. Our self-governing power is eroding faster than we can imagine. We must reassert control directly through such ballot measures and reign in our runaway government, currently in the grip of special interests." John Hagelin, Natural Law Party, http://www.natural-law.org/enews/2002_02_20.html

"Consumers have a basic right to labels telling them what's in their food and how it was produced.

Labels make possible informed choices among foods based on personal values. Vegetables approved by FDA on the basis of safety considerations, for example, might nevertheless be offensive to those wanting to avoid consuming animal genes. Without labeling, consumers never know whether animal genes are present.

In addition, labels allow consumers to influence the decisions about production. With labels, consumers can vote "with their forks" for alternatives to genetic engineering (of which there are many). Without labeling, consumers are stuck with a technology chosen primarily by the biotechnology industry and government.

Finally, labeling allows for the monitoring of any adverse health effects caused by genetic engineering. Without labeling, consumers have no chance of connecting unexpected ills to particular foods.

We live in an age adept at managing information. **Oregon's Measure 27 uses our technology to give consumers choice and power.** - Margaret Mellon Ph.D., J.D., Director, Food and Environment Program Union of Concerned Scientists" - <http://www.thecampaign.org/states/oregon-act.htm> 8/23/02

See www.labelgefoods.org for more endorsements

(This information furnished by Donna Harris, Oregon Concerned Citizens for Safe Foods.)

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

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

Measure No. 27 Arguments

ARGUMENT IN FAVOR

The Pacific Green Party supports the right of all Oregonians to be informed about ingredients in the food we eat. The ability to make healthy food choices is a human right.

Genetic engineering alters genes and transfers them from one organism to another. The resulting products are called genetically modified organisms (GMOs). A biochemist might insert selected genes from soil bacteria into potatoes to increase yield, or alter the vegetable so it's pesticide tolerant. Two-thirds of our food is genetically modified – including staples like corn and soybeans. The act of restructuring just these two foods affects breads, yogurts, infant formula, ice cream, vitamin E, chocolate, alcohol, powdered sugar, salad dressings and many more. Yet our food producers refuse to provide the information that would allow us to make informed choices about what we take into our bodies as nourishment.

Buying food is the not the same as volunteering to be part of an experiment. Yet since 1996, when genetically modified organisms began appearing in our food without our knowledge, American consumers have been treated as guinea pigs. There is no proof that foods containing these ingredients are safe to eat. If individuals want to participate in experiments to determine the effect of GMO foods, that should be a conscious choice. It should not imposed on all of us by keeping food content a secret.

More than thirty-five countries, containing half the world's population, either have or are adopting GMO labeling laws. U.S. exports to these countries are already being labeled, so cost is not a factor. Ninety percent of Americans support GMO labeling.

This is another case of corporate greed stepping on basic human rights. Our commercial food producers seem to have forgotten the duty that comes with the opportunity to sell their wares. That duty is to inform consumers about what they purchase. Food is essential for life, it is vital that we know what we eat. **Please vote yes on Measure 27.**

(This information furnished by Hope Marston, Pacific Green Party of Oregon.)

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

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

ARGUMENT IN OPPOSITION

AN ORGANIC FARMER SPEAKS OUT AGAINST COSTLY LABELING LAW

I am going to vote against Measure 27 because I feel that this could possibly be a Pandora's box of needless and unwanted regulations. I do not believe that in the long run this ballot measure will see the desired benefit of helping me as an organic farmer. Rules and regulations always multiply...they do not decrease, especially when the government is involved. I see more and more impossible regulations that will heavily burden the conventional farmers and the very real possibility that I, as an organic farmer, will eventually be hit with some of these paperwork and regulation nightmares. This will not make our food safer, but it will definitely make it harder for the American farmer to compete on the world market that is already unfair.

DON'T BELIEVE THE SCARE TACTICS.

I believe that this ballot measure is largely symbolic and is designed to scare folks about their food supply. This is unnecessary. Measure 27 has been brought forward by organic proponents who would have us believe that conventionally produced food is bad. This seems rather heavy handed.

I think this Measure 27 has been thrust upon us by out-of-state proponents to use our state as a guinea pig for something that has failed in several other states numerous times.

I want people to buy my organic products and to support the values of sustainable agriculture, but I think that we are above scaring people into buying.

Please take a careful look at Measure 27 and vote NO with me.

(This information furnished by Greg Pile, Willamette River Organics, inc.)

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

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

Measure No. 27 Arguments

ARGUMENT IN OPPOSITION

As former Director of the Oregon Department of Agriculture and Director of the Oregon Economic Development Department, I am concerned about decent paying jobs and profitability for those assuming risks inherent with business in a global market place. I find Measure 27 to be one more extreme, badly written measure that adds unrecoverable costs to already critically priced products.

If you are concerned about your knowledge of the food you ingest, healthy food, food nutrition, nutrition-oriented disease, starving people around the globe, jobs in Oregon, a diverse economy, sustaining family farms and rural communities, you will not vote for Measure 27.

The issue is not labeling. The issue is protecting the consuming public with scarce resources in a global market place.

The issue is not labeling contents, points of origin or consumer education. It is about improving the human condition, eradicating starvation and addressing disease derived from food deficiencies. Measure 27 steals scarce resources away from these paramount food policy objectives.

The issue is uncontrollable cost of producing food and fiber in Oregon.

The extreme aspect of Measure 27 relates to the uncontrollable expenses and taxes that will have to be borne by the market place. These cumulative costs will be extracted from the producer's pocket, further pushing Oregon producers into extinction.

The Environmental Protection Agency, Food and Drug Administration and Oregon's Department of Agriculture manage the Federal system of food safety through intense, continual scrutiny. Thousands of university-based, publicly financed research projects provide basis for protection of food and fiber supplies.

The consequential loss of jobs, livelihood and tax revenue adds burden to the remaining taxpayers to carry the burgeoning costs of a la carte ballot measures such as Measure 27. By Department of Agriculture estimates, Measure 27 will add \$118 million to our already oversized general fund expenses through 100,000 inspections and by adding 60 new staff positions.

**Robert Buchanan
Former Director
Oregon Department of Agriculture and Economic Development Department**

(This information furnished by Bob Buchanan.)

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

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

ARGUMENT IN OPPOSITION

**Nobel Peace Prize Laureate
Norman E. Borlaug
Explains His Concerns About Measure 27.**

Measure 27 would hinder the continued progress of science in expanding the world's food supply.

In the last 20 years, biotechnology has become an invaluable scientific tool to improve and increase the world's food supply. Anti-technology proposals, like Measure 27, seek to ban this important, safe technology by scaring consumers into suspecting there's something to fear in their food. As numerous studies and leading health organizations around the world have affirmed, this spurious claim is wholly unfounded.

Extremists in the environmental movement from rich nations like ours seem to be doing everything they can to stop scientific progress. Small, but vociferous anti-science groups are attempting to slow the application of new technology.

While affluent nations can certainly afford to pay more for food produced by so-called "organic" methods, the one billion chronically undernourished people of the low-income, food-deficit nations cannot.

World population doubled from 1960 to 2000, increasing from 3 billion to 6 billion. Food production kept up with population growth because we created and adopted many new technologies – better techniques to cultivate soil, new irrigation technologies, more advanced biodegradable pesticides, better genetic strains and better machinery. But by 2050, world population is expected to rise to 9 billion.

While biotechnology alone is not the only answer to feeding the world, it is vital to our continuing quest for genetic improvement of crops – an effort that's been underway since the dawn of agriculture more 10,000 years ago.

We can't afford to let anti-science activists force us to reject a tool so vital to food improvement and hunger relief efforts.

Please Vote No on Measure 27.

Norman E. Borlaug, Professor of International Agriculture, was awarded the Nobel Peace Prize in 1970 for his "Green Revolution" which helped Pakistan, India and a number of other countries improve their food production. Since then he has continued working tirelessly in saving millions from starvation and suffering.

(This information furnished by Dr. Norman E. Borlaug.)

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

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

Measure No. 27 Arguments

ARGUMENT IN OPPOSITION

**A Message Opposing Measure 27 from
Peter Barton Hutt**

**Former Chief Counsel of the Food and Drug Administration
Coauthor of Casebook on Food and Drug Law
Lecturer on Food and Drug Law at Harvard Law School
Member of the Institute of Medicine of the
National Academy of Sciences**

The Food and Drug Administration (FDA) reviews all food crops developed through biotechnology to assure that they are at least as safe as conventionally bred crops. Leading medical and scientific organizations also have all declared their confidence in the safety of biotech foods — including the American Dietetic Association, American Medical Association, Institute of Food Technologies, Food and Agriculture Organization of the United Nations, National Academy of Sciences and World Health Organization.

**Food labels required by Measure 27
would mislead consumers.**

During my tenure as Chief Counsel of FDA, I was a strong proponent of informative food labeling. I prepared the first regulations requiring nutrition labeling, complete ingredient labeling, and other requirements for truthful and nonmisleading food labeling. That's why Measure 27 is so troubling. It proposes to put misleading labels on foods produced with biotech ingredients and processes. Measure 27 would mislead consumers into thinking the labeled foods are less safe, when that is plainly not true.

Scaring people about food is irresponsible.

We should promote truthful and accurate labeling, not confusing and misleading labeling. Our entire food supply has been altered by such techniques as selective breeding over the past century. It is dangerous and irresponsible to scare people into believing that FDA-reviewed foods produced through biotechnology pose any health threats or are any less safe than our traditional modified food supply.

Measure 27 is a misguided attack on a technology vital to the continued expansion of our food supply to meet the demands of a growing world.

I urge Oregon voters to Vote NO on Measure 27.

(This information furnished by Peter Barton Hutt.)

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

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

ARGUMENT IN OPPOSITION

**MEASURE 27 WOULD FORCE OREGONIANS
TO PAY FOUR WAYS**

As an economist and former professor of agricultural economics, I believe Measure 27 is a poorly written and costly labeling scheme laden with higher costs and no benefits. Retaining a strong competitive position in global agricultural markets is essential to the economic well being of our state, our schools and other tax-supported infrastructures. Oregon will not prosper if we pass senseless measures that reduce our ability to compete.

If passed by Oregon voters, Measure 27 would impose unwieldy labeling regulations and bureaucratic red tape that would force Oregonians to pay four ways:

1. **Family farmers and food processors** would face compliance costs under Measure 27 that would add more than 25% to their production costs. These costs would be incurred for the array of recordkeeping and system changes needed to track and isolate food and food additives that would require special labeling under Measure 27. In addition, Oregon food producers would be forced to pay the costs of other process changes — from handling systems to barcodes and liability insurance — required to meet this sweeping regulation.
2. **Grocery stores, restaurants and food service facilities** would face higher costs for recordkeeping and tracking of an estimated 500,000 food products, beverages and menu items they sell or serve.
3. **Taxpayers** would pay \$120 million over 10 years to enforce Measure 27's complicated new labeling requirements. Department of Agriculture's estimates included 60 additional staff members and equipment needed to conduct over 100,000 inspections, audits and lab tests each year, requiring a doubling of the Department's current General Fund Budget.
4. **Consumers** would pay higher food costs. In fact, a recent study estimated that Measure 27's labeling scheme would cost an average family of four an additional \$550 a year.

It's clear that Measure 27 is a costly labeling law that deserves to be defeated.

Clinton Reeder, PhD
Former Professor of Agricultural Economics
Oregon State University

(This information furnished by Clinton B. Reeder, Ph.D., Farmer, Consulting Economist and Public Policy Analyst.)

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

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

Measure No. 27 Arguments

ARGUMENT IN OPPOSITION

Measure 27 Would Seriously Threaten Oregon Farmers and Food Producers

My wife, Nancy, and I, together with my brother and his family, farm 900 acres near Mt. Angel. Most of the vegetable and seed crops we grow are shipped throughout the United States and around the world. Much of it is processed through a cooperative owned by farmers like us.

Measure 27 would be devastating for farmers and the food industry in Oregon. The misleading labels Measure 27 would require on many Oregon food products would worry consumers about their foods when they are known to be safe. Consumers in other states and countries, given the choice between an Oregon-made product with the warning label and an identical product made elsewhere without a label, will most often buy the unlabeled product.

Warning labels would put Oregon food products at a competitive disadvantage.

Forcing food producers to put what will appear to be warning labels on foods from Oregon would put us at competitive disadvantage and cost us millions of dollars in lost sales. Oregon farmers and food processors are struggling already. Complying with Measure 27 would require segregated handling of biotech foods and ingredients from their non-biotech counterparts. Either separate equipment would be used or downtime would be required for thorough cleaning. Tracking would need to trace foods from the seed producer through the final products.

All these costs would make Measure 27 expensive for Oregon farmers and food processors – and ultimately for consumers. We urge you to **VOTE NO on MEASURE 27.**

Mark Dickman
Dickman Farms

(This information furnished by Mark Dickman, Dickman Farms.)

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

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

ARGUMENT IN OPPOSITION

Boardman, Oregon Grocer: Measure 27's Labeling Scheme is Ridiculous

Our family has operated a grocery store in Boardman for 19 years. I've seen some extreme measures on our state ballot and soon we'll all be voting on another one — Measure 27.

I've read all about Measure 27 and its labeling scheme. And, I have to tell you, it's simply ridiculous.

Measure 27 would dump a whole new set of food labeling regulations and red tape on grocers like me and on Oregon family farmers and restaurants. And, it would create a whole new state bureaucracy to enforce the most confusing and complicated regulations I've ever seen.

Measure 27 would force me and my customers to pay more. My businesses costs would go up, consumer food costs would go up and taxpayer costs would go up.

I sure don't want to charge my customers more for basic food items, like bread and milk, because I have to do a lot of paperwork and stick on a bunch of scary and misleading labels that say about 70% of the food on my shelves isn't 100% organic. If my customers want to buy organic foods, they just have to look at all the products I stock that are labeled organic.

State law would impose fines and jail terms if I mislabel a can or jar of food. In fact, the penalties would be higher than for some real crimes, like illegal drug use.

Look into Measure 27 yourself. When you do, I think you'll agree with me — the more you know about Measure 27, the less you'll like it.

Dean Kegler
Owner, Kegler Sentry Market

(This information furnished by Dean Kegler, Kegler's Sentry.)

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

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

Measure No. 27 Arguments

ARGUMENT IN OPPOSITION

OREGON'S LEADING BUSINESS ASSOCIATION RECOMMENDS YOU VOTE **NO** ON MEASURE 27

Measure 27 is another example of narrow special interests trying to use Oregon's ballot measure process to push their radical political agenda.

The organic food companies and activists behind Measure 27 want to ban the use of biotechnology to improve agriculture and food crops, and they have proposed a scheme to put special warning labels on thousands of products that are not 100 percent "organic."

Measure 27 would require a huge and expensive regulatory program.

Measure 27's labeling regulations would be so sweeping that the Oregon Department of Agriculture estimates it would have to monitor, test, and track more than a half-million food products and menu items in order to enforce the law. Paying for that enforcement would more than double the department's current general fund budget and cost taxpayers more than \$118 million over the next 10 years.

Anyplace food is sold or served, labels would be required.

Measure 27's scary warning labels would be required not only on food and beverages sold in Oregon stores, but on food served in restaurants, school cafeterias, church bake sales, prison mess halls, vending machines — anyplace food is sold or served.

Labels also would be required on farm products and food grown or made here in Oregon and shipped throughout the world. Oregon's economy relies heavily on the state's natural resource industries, including agriculture and food production. Measure 27 would have a direct negative effect on Oregon farmers, our food production and distribution industry, our restaurants and food service operations, and on other businesses in the state that rely on these industries.

Associated Oregon Industries, Oregon's largest business organization opposes the Co\$tlly Labeling Law:

Measure 27 Would Unfairly Hurt Oregon Farmers and Businesses. PLEASE VOTE **NO** ON 27.

Associated Oregon Industries (AOI)

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

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

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

ARGUMENT IN OPPOSITION

Measure 27 unfairly harms Oregon family farmers and ranchers.

Some extremists are at it again - pushing their special-interest agenda at the expense of Oregon family farmers and ranchers. They are promoting Measure 27, a misleading and unnecessary labeling law that threatens the future of Oregon's agricultural exports.

About 80% of Oregon's agricultural production is shipped out of state, with half sold overseas. Agriculture is the third largest sector of Oregon exports and supports over 20,000 jobs in our state. In fact, every dollar of agricultural exports generates an additional \$1.32 in economic activity.

Measure 27's labeling scheme puts Oregon food producers at a competitive disadvantage.

Oregon farmers and ranchers sell their products in highly competitive multi-state, national and international markets. Our ability to remain competitive would be severely damaged if Measure 27 passes.

Under Measure 27, we would have to put special warning labels on thousands of products that aren't 100% "organic." These ominous labels would be required on any product made with any biotech ingredient or process — despite the fact that they pose no health risk and even if the final product doesn't contain any biotech ingredients.

To make matters worse, Oregon would be the only state in the country and the only place in the world that requires these labels. There's no doubt that labels that look and sound alarming would scare off buyers here and abroad. And, that's just what the promoters, the large organic food corporations, of Measure 27 want.

Measure 27's could cost us tens of millions of dollars in lost sales and higher overhead.

The proposed labeling scheme would force farmers and ranchers to pay for detailed record keeping and complicated product labeling. Thus, our overhead costs would increase as our sales decrease.

Please join me and the 22,000 family farmers and ranchers of the Farm Bureau in voting **NO** on 27, the Co\$tlly Labeling Law.

David Cruickshank
Yamhill County Farm Bureau

(This information furnished by David Cruickshank, Yamhill County Farm Bureau.)

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

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

Measure No. 27 Arguments

ARGUMENT IN OPPOSITION

Oregon Food Processors Strongly Oppose Measure 27's Costly Labeling Mandates

Oregon's food industry is deeply concerned about Measure 27's costly and complicated regulations requiring misleading labels on most foods that aren't 100% "organic."

Compliance costs would fall heavily on Oregon's struggling food processors. Companies would have to implement costly recordkeeping and segregation systems to isolate food and food additives when labeling is required. Processors would face huge potential costs for separate processing lines, dual storage warehouses, special facility and equipment cleaning, testing of inputs, documentation from suppliers extending all the way back to farmers and seed producers, label changes, new barcodes and, of course, liability insurance.

Compliance costs are likely to add 15-20% to Oregon Products

Under Measure 27, Oregon's food industry would face competitive disadvantages. Food makers in other states would be required to apply misleading labels only for food they sell in Oregon. Oregon companies must label food, regardless of where it is sold. Consumers elsewhere would avoid products from Oregon that carry scary sounding labels on shelves next to identical products from other states that don't have those labels.

Oregon's farmers, food processors and suppliers form the heart of an industry with deep roots here. We take great pride in the quality of our products. Warning labels that make Oregon-made products falsely appear to be less than safe or healthy are clearly misleading.

Measure 27 would be expensive for Oregon's food industry to implement — and for consumers. It would also be expensive for Oregon taxpayers, wasting more than \$118 million over the next 10 years to pay for a new bureaucracy attempting to implement an unneeded and unfair law.

The Oregon Food Processors FOODPAC urges you to **VOTE NO on MEASURE 27**.

(This information furnished by Ken Yates, Oregon Food Processors FOODPAC.)

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

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

ARGUMENT IN OPPOSITION

Measure 27 Would Create a Regulatory Nightmare for Oregon Restaurant Owners

Measure 27 would force Oregon restaurant owners to provide special warning labels with thousands of menu items served each that aren't 100% "organic." Organic food companies are promoting the labeling scheme, to try to give themselves a competitive advantage over conventional food producers.

State officials estimate regulating restaurant food labels will cost nearly \$9 million a year.

State officials estimate the Oregon Department of Agriculture will have to monitor more than 400,000 menu items served in Oregon restaurants, actually auditing 100,000 of those items, then sampling and testing 20,000 of them. State restaurant monitoring and inspections will cost the state nearly \$9 million per year with nearly \$3 million in start-up costs.

Measure 27 would also cost restaurant owners millions more. Restaurants would face a complicated new burden — special record keeping and research to track and determine the origin of virtually every product or ingredient used in any dish we serve. Staff time and costs would be passed on to Oregon consumers through higher prices. On top of that, we'd face huge fines and even jail terms if we accidentally use the wrong labels.

Many basic foods would require costly labels.

Basic food items like bread, dairy products, meats and many beverages, would require Measure 27 labels reading "Genetically Engineered," even if they don't contain any genetically engineered ingredients. The labels would be useless. They are just intended to scare consumers away from "non-organic foods" -- even though they are just as safe as "organic" products.

On behalf of all the members of the Oregon Restaurant Association, I urge you to say NO to the Costly Labeling Law.

Please Vote NO on Measure 27.

Bill McCormick, President
McCormick & Schmick's Restaurants

(This information furnished by Bill McCormick, Oregon Restaurant Association.)

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

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

Measure No. 27 Arguments

ARGUMENT IN OPPOSITION

Measure 27 Shifts Funds from Short-Changed Schools to Pay for a Meaningless New Food Labeling Bureaucracy.

One Teacher's Concerns about Measure 27.

As a teacher, I'm painfully aware of how Oregon's economic slump has forced budget cuts in schools across the state, including where I teach.

At a time when Oregon is struggling to find funds for schools, Measure 27 proposes to create a new state bureaucracy — costing taxpayers more than \$118 million over the next 10 years — to put meaningless labels on foods that aren't 100% "organic."

Schools Would Have to Put Labels on Food and Beverages Served in School Cafeterias, Vending Machines and Concession Stands

To add insult to that injury, Measure 27 is so poorly written that it would require schools like mine to label foods and beverages served in the school cafeteria, in vending machines on school property and at concessions stands during athletic events.

Measure 27 is another example of initiative activists forcing Oregon voters to decide on an innocent-sounding proposal with huge, hidden impacts on government programs, taxpayers and consumers.

When Oregon's economy is sour, proposals like this are even more damaging. School costs make up nearly half of state budget expenditures. So nearly half of Measure 27's costs are likely to come from funds that otherwise would be available to pay for teachers, textbooks and testing — all of which have been cut in the current budget crisis.

Measure 27 Is a Right-to-Learn Issue

Backers of Measure 27 claim it's a right-to-know issue, but in fact the information on the labels it requires would be misleading and useless to consumers. I think of Measure 27 as a right-to-learn issue. I believe my students have a right to an adequately funded education. Their right to learn should be the state's top funding priority — not some new bureaucratic program designed to further one group's political agenda.

Kraig Hoene
High School Social Studies Teacher

(This information furnished by Kraig J. Hoene.)

ARGUMENT IN OPPOSITION

The Lifescience Industry Organization Urges Oregonians to Vote NO on 27.

Oregon's Budding Biotechnology Industry Will Be Harmed If Measure 27 Passes.

The Lifescience Industry Organization represents Oregon biotech companies and we oppose Measure 27. It is a direct attack on the science that forms the basis of the industry that we are trying to grow to help diversify our state's economy. Measure 27's attack on biotechnology could hurt all of Oregon's emerging biotech industry, chasing away research dollars and investment capital.

Top US scientists have determined foods made from biotechnology are safe.

The FDA stated in 1992 that GMO food is safe to eat, and that consumers can be confident that products made using biotechnology meet the government's most stringent safety standards. It would therefore be misleading and confusing to place warning labels on foods that are known to be safe.

Measure 27 will add a further financial burden to Oregon's citizens.

At a time when our state budget is in crisis, Measure 27 would require the Oregon Department of Agriculture's general fund budget to double in order to enforce its provisions. Moreover, Oregon farmers, food processors and transporters would be saddled with additional expenses reducing already meager profits on agricultural products. These extra costs will undoubtedly be passed on to consumers in the form of higher food prices.

Measure 27 is Ten Times Stricter Than Any Other Country.

Measure 27 would be the most stringent consumer labeling law in the world. In order to sell their non-GMO products in Oregon, food producers from outside Oregon would have to meet standards that go well beyond any other regulations, making it unlikely that they would sell their products here. Similarly, Oregon farmers and food producers exporting outside our state would be burdened with additional costs making their products more expensive and less competitive.

We urge you, please, to vote NO on Measure 27.

Thank you.

C. Jeff Lipps, President
Lifescience Industry Organization

(This information furnished by C. Jeff Lipps, President, Lifescience Industry Organization (LIO) of Oregon.)

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

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

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

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

Measure No. 27 Arguments

ARGUMENT IN OPPOSITION

The Oregon State Grange Asks You to Vote NO on Measure 27

The Oregon State Grange is the largest grassroots, rural-based fraternal organization in Oregon and has been active in protecting Oregon for 129 years.

Grange members have always advocated for farmers and families. Measure 27 would be bad for our families, our farmers and our state.

Measure 27 Would Be Costly

Those who grow, distribute, process, prepare and serve food would face higher costs and competitive disadvantages. Making Oregon farmers put unnecessary and confusing warning labels on their products could scare away buyers, costing them millions even though the foods they are selling are completely safe.

Measure 27 would also cost millions to taxpayers. The Oregon Department of Agriculture would be required to oversee the program and would have to virtually double its current general fund budget.

Measure 27 Would Be Irresponsible and Extreme

Genetically engineered food products occur in nature and have not been shown by scientific research to cause ill effects. Most common food and clothing items are the result of natural or planned genetic modification. Genetically engineered crops are safe, good for our environment and good for our economy. Measure 27 seeks to block the technology that promises to bring benefits to families, farmers and the world.

Genetically engineered foods are as safe as other foods and are grown with fewer pesticide applications than traditional crops. A label would appear to be a warning making consumers believe the food is unsafe, which is incorrect and irresponsible. Foods derived through biotechnology are the most thoroughly tested and heavily regulated crops in human history.

Measure 27 is too extreme because even farm produce stands, church bake sales, food carts and schools would be required to add labels to the foods and beverages they serve.

Measure 27 Would Hurt Oregon

Read Measure 27 and you will agree with the 19,000 plus members of the Oregon State Grange and **vote "NO" on Measure 27.**

(This information furnished by John Fine, Oregon State Grange.)

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

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

ARGUMENT IN OPPOSITION

TAX WATCHDOG GROUP: **NO** on 27

Measure 27, the proposed labeling law, is another example of the widespread damage that a special interest agenda can wreak on our state, its people and our economic future.

Measure 27 would cost taxpayers millions.

This labeling scheme would cost taxpayers over \$17 million in the first year alone, diverting already limited funds from needed programs and services. Creating a new government bureaucracy to enforce unnecessary regulations when our state is coping with a staggering budget deficit is staggeringly ludicrous.

Measure 27 would unfairly burden family farmers, grocers and restaurants with red tape and higher costs.

The poorly written initiative would force all businesses that produce, sell or serve food or beverages to put warning labels on an estimated 500,000 products that aren't 100% "organic." This would increase business costs, while farmers and processors who export over 80% of their products at a daunting competitive disadvantage. Such punitive, costly regulations could only worsen Oregon's mounting job losses and drag our economy further down into recession.

Measure 27 would increase consumer food costs.

The increased costs imposed on food production and distribution would be passed on to Oregon consumers. A recent study estimated that Measure 27 would ultimately cost an average Oregon family of four several hundred dollars a year.

Oregon needs to direct its political will and dwindling tax dollars to combating our state budget deficit, mounting unemployment and further erosion of discretionary income of Oregon families.

Measure 27's costly and extreme regulations would only exacerbate Oregon's current problems. That's a proposition that deserves to be defeated.

Join me — and the 10,000 members of Citizens for a Sound Economy — in voting **NO** on 27.

R. Russell Walker
Executive Director
Oregon Citizens for a Sound Economy

(This information furnished by R. Russell Walker, Oregon Citizens for a Sound Economy.)

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

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

Measure No. 27 Arguments

ARGUMENT IN OPPOSITION

OREGONIANS FOR FOOD AND SHELTER STRONGLY OPPOSE MEASURE 27

Once again, an anti-technology, special interest group is using Oregon's initiative process to impose its own extreme agenda on us all. This time, they've targeted Oregon's food supply, with hopes of getting the other 49 states to follow.

Ironically, the same people who oppose the use of agricultural chemicals are attacking the technology that will allow our farmers to grow higher quality, more abundant food on less land, conserving topsoil and reducing pesticide use.

Measure 27 is a complicated, costly labeling scheme that would:

- Require all foods for humans or animals produced, sold or distributed in or from Oregon to carry a special warning label if they are made with any biotechnology process or have a biotech ingredient — even though the products are federally-approved and known to be safe;
- Require labeling of all foods, even at restaurants, farm stands, bake sales;
- Create a costly government bureaucracy for monitoring and enforcement activities; and,
- Cost Oregon businesses and consumers hundreds of millions of dollars, plus divert over \$118 million of state taxes in ten years from programs like schools and law enforcement.

What benefits would you get from all the burden? In a word — NONE! The labels wouldn't provide any useful or reliable information. They are designed to scare people into believing the only "safe" foods are "organic" foods.

This is not a "Right to Know" issue. It benefits a select few organic companies at the expense of us all. As the old saying goes, "The devil is in the details." Read for yourself what the statute will do, not what the proponents tell you it will. The more you know about Measure 27, the less you'll like it.

Vote **NO** on 27.

Terry Witt
Executive Director
Oregonians for Food and Shelter

Paulette Pyle
Director of Grass Roots
Oregonians for Food and Shelter

(This information furnished by Terry Witt, Paulette Pyle, Oregonians for Food and Shelter.)

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

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

ARGUMENT IN OPPOSITION

OREGON FAMILY FARMERS URGE **NO** ON 27

Family farming is a proud tradition here in Oregon. Family farmers work long and hard — facing all kinds of challenges — to supply healthy and safe food for our families and our communities.

But now, we are facing a threat to our future that will do nothing but make our jobs tougher and consumer food prices higher. That threat is Measure 27, the Co\$tlly Labeling Law.

Measure 27 makes no sense. This proposed law would require warning labels on food that is researched, tested and regulated to ensure safety. These scary labels would have to be stuck all over any food that contains a biotech ingredient or was processed using biotechnology. The Department of Agriculture has estimated that these labels would apply to over 500,000 food and beverage products.

Measure 27 would bury us in red tape. Family farmers would have to keep elaborate records to determine which foods require which labels. Then, whether we sell our food at farm stands or to grocery stores, we would have to label each product. Because the labeling requirements under Measure 27 are so badly written, virtually all our products could be subject to these regulations.

Measure 27 threatens us with harsh penalties. If we make a mistake and use the wrong label or the wrong labeling language, we face fines of up to \$5,000 and up to six months in jail.

Please don't allow a few organic food companies to expand their business on the backs of Oregon's family farmers. Vote **NO on 27.**

Larry George
Oregon Family Farm Association

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

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

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

County Elections Offices

Baker

Tamara J. Green
Baker County Clerk
1995 3rd St. Suite 150
Baker City, OR 97814-3398
541-523-8207 TTY 541-523-8208

Benton

James Morales
Elections Division
120 NW 4th St.
Corvallis, OR 97330
541-766-6756 TTY 541-766-6080 Fax 541-766-6757

Clackamas

Ardis Stevenson
Clackamas County Clerk
Elections Division
825 Portland Ave.
Gladstone, OR 97027-2195
503-655-8510 TTY 503-655-1685 Fax 503-655-8461

Clatsop

Elections Division
PO Box 178, 749 Commercial
Astoria, OR 97103-0178
503-325-8511 TTY 503-325-9307 Fax 503-325-9307
e-mail: nwilliams@co.clatsop.or.us
<http://www.co.clatsop.or.us>

Columbia

Elizabeth (Betty) Huser
Columbia County Clerk
Courthouse, 230 Strand St.
St. Helens, OR 97051-2089
503-397-7214 TTY 503-397-7246 Fax 503-397-7266
e-mail: huserb@co.columbia.or.us
<http://www.co.columbia.or.us>

Coos

Terri L. Turi, CMC
Coos County Clerk
Courthouse, 250 N. Baxter St.
Coquille, OR 97423-1899
541-396-3121, Ext. 301 TTY 1-800-735-2900
Fax 541-396-6551
e-mail: coosclerk@co.coos.or.us
<http://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

Curry

Renee Kolen
Curry County Clerk
PO Box 746
Gold Beach, OR 97444
541-247-3297 Fax 541-247-6440

Deschutes

Mary Sue (Susie) Penhollow
Deschutes County Clerk
Deschutes Services Bldg.
1340 NW Wall St.
Bend, OR 97701
541-388-6546 TTY 541-385-3203 Fax 541-389-6830
e-mail: susiep@deschutes.org
<http://www.deschutes.org>

Douglas

Doyle Shaver, Jr.
Douglas County Clerk
PO Box 10
Roseburg, OR 97470-0004
541-440-4252 Fax 541-440-4408
e-mail: elections@co.douglas.or.us

Gilliam

Rena Kennedy
Gilliam County Clerk
PO Box 427
Condon, OR 97823-0427
541-384-2311

Grant

Kathy McKinnon
Grant County Clerk
201 S. Humbolt St. #290
Canyon City, OR 97820
541-575-1675 TTY 541-575-1675 Fax 541-575-2248
e-mail: grantco@oregontrail.net

Harney

Maria Iturriaga
Harney County Clerk
Courthouse, 450 N. Buena Vista
Burns, OR 97720
541-573-6641 Fax 541-573-8370
e-mail: clerk@co.harney.or.us
<http://www.co.harney.or.us>

Hood River

Sandra Berry
Director, Records/Assessment
Courthouse, 309 State St.
Hood River, OR 97031-2093
541-386-1442

Jackson

Kathy Beckett
Jackson County Clerk
1101 W Main St. Suite 201
Medford, OR 97501-2369
541-774-6148 TTY 541-774-6719 Fax 541-774-6140
e-mail: becketks@jacksoncounty.org
<http://www.co.jackson.or.us>

Jefferson

Kathy Marston
Jefferson County Clerk
Courthouse Annex A, 66 SE "D" St. Suite C
Madras, OR 97741
541-475-4451 TTY 541-475-4451 Fax 541-325-5018
e-mail: kathy.marston@co.jefferson.or.us

Josephine

Georgette Brown
Josephine County Clerk
PO Box 69
Grants Pass, OR 97528-0203
541-474-5243 TTY 1-800-735-2900 Fax 541-474-5246
e-mail: clerk@co.josephine.or.us

Klamath

Linda Smith
Klamath County Clerk
305 Main St.
Klamath Falls, OR 97601
541-883-5134 or 1-800-377-6094 Fax 541-885-6757
e-mail: lsmith@co.klamath.or.us
<http://www.co.klamath.or.us>

County Elections Offices

Lake

Stacie Geaney
Lake County Clerk
513 Center St.
Lakeview, OR 97630-1539
541-947-6006 TTY 541-947-6007

Lane

Annette Newingham
Chief Deputy County Clerk
135 E. 6th Ave.
Eugene, OR 97401
541-682-4234 TTY 541-682-4320 Fax 541-682-2303
<http://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
<http://www.co.lincoln.or.us/clerk/>

Linn

Steven Druckenmiller
Linn County Clerk
300 SW 4th
Albany, OR 97321
541-967-3831 TTY 541-967-3833

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
e-mail: ddejong@malheurco.org
<http://www.malheurco.org>

Marion

Alan H. Davidson
Marion County Clerk
Elections Division
4263 Commercial St. SE, #300
Salem, OR 97302-3987
503-588-5041 or 1-800-655-5388 TTY 503-588-5610
e-mail: elections@co.marion.or.us
<http://www.co.marion.or.us/clerksoffice/>

Morrow

Barbara Bloodsworth
Morrow County Clerk
PO Box 338
Heppner, OR 97836-0338
541-676-5604 TTY 541-676-9061

Multnomah

John Kauffman
Director of Elections
1040 SE Morrison St
Portland, OR 97214-2495
503-988-3720 Fax 503-988-3719
e-mail: john.kauffman@co.multnomah.or.us
<http://www.co.multnomah.or.us/elect/>

Polk

Linda Dawson
Polk County Clerk
Courthouse, Room 201
Dallas, OR 97338-3179
503-623-9217 TTY 503-623-7557 Fax 503-623-0717
e-mail: dawson.linda@co.polk.or.us
<http://www.co.polk.or.us>

Sherman

Linda Cornie
Sherman County Clerk
PO Box 365
Moro, OR 97039-0365
541-565-3606 Fax 541-565-3312
e-mail: scclerk@sherman.k12.or.us

Tillamook

Tassi O'Neil
Tillamook County Clerk
201 Laurel Ave.
Tillamook, OR 97141
503-842-3402 Fax 503-842-1599
e-mail: toneil@co.tillamook.or.us
<http://www.co.tillamook.or.us>

Umatilla

Patti Chapman
Director of Elections
PO Box 1227
Pendleton, OR 97801
541-278-6254 Fax 541-278-5467
e-mail: elections@co.umatilla.or.us
<http://www.co.umatilla.or.us>

Union

R. Nellie Bogue-Hibbert
Union County Clerk
1001 4th St. Suite D
LaGrande, OR 97850
541-963-1006 Fax 541-963-1013
e-mail: nhibbert@union-county.org
<http://www.union-county.org>

Wallowa

Charlotte McIver
Wallowa County Clerk
101 S. River St., Room 100
Enterprise, OR 97828-1335
541-426-4543, Ext. 15 Fax 541-426-5901
e-mail: wcclerk@co.wallowa.or.us
<http://www.co.wallowa.or.us>

Wasco

Karen LeBreton
Wasco County Clerk
Courthouse, 511 Washington St.
The Dalles, OR 97058
541-296-6159 TTY 541-296-6159 Fax 541-298-3607
e-mail: karenl@co.wasco.or.us

Washington

Ginny Kingsley
Elections Division
3700 SW Murray Blvd. Suite 101
Beaverton, OR 97005
503-846-5800 TTY 503-846-4598

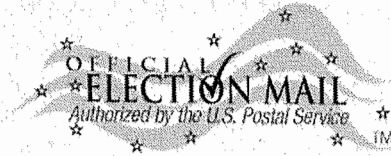
Wheeler

Barbara S. Sitton
Wheeler County Clerk
PO Box 327
Fossil, OR 97830-0327
541-763-2400 TTY 541-763-2401 Fax 541-763-2026
e-mail: bsitton@ncesd.k12.or.us

Yamhill

Charles Stern
Yamhill County Clerk
Courthouse, 535 NE 5th St., Room 119
McMinnville, OR 97128-4593
503-434-7518 TTY 1-800-735-2900 Fax 503-434-7520
e-mail: elections@co.yamhill.or.us
<http://www.co.yamhill.or.us/clerk/>

SECRETARY OF STATE
Bill Bradbury
State Capitol
Salem, Oregon 97310-0722



NONPROFIT
CAR-RT SORT
U.S. Postage
PAID
Portland, OR
Permit No. 815

RESIDENTIAL CUSTOMER

voters' pamphlet

Volume 1 of 2

MEASURES

General Election
November 5, 2002



Please **RECYCLE** this pamphlet