



## **OREGON 2008 BALLOT MEASURES**

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### Pros & Cons

**MEASURE 54 – AOI No Position.** *Allows 18-year-olds to vote in school board elections, consistent with their eligibility to vote in state and federal elections. The minimum voting age for school board elections is 21, set by voters in a 1948 constitutional amendment. The voting age for state and federal elections was lowered to 18 in 1971.*

*Pro:* Edited and abridged from filed Arguments in Favor Statement, Oregon SOS.  
[www.sos.state.or.us/elections/nov42008/guide/meas/m54](http://www.sos.state.or.us/elections/nov42008/guide/meas/m54),

*The 26th Amendment to the United States Constitution prevents denial or abridgment of the voting rights of a citizen 18 years of age or older. Oregon’s Attorney General in 1972 held that the requirement is unenforceable.*

*Con:* None

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**MEASURE 55 – AOI No Position.** *Allows legislators to complete their elected terms in their original districts even if they are placed elsewhere through redistricting plans, which are drawn every 10 years after each census. The next plan is set for 2011, after the 2010 Census.*

*Pro* Edited and abridged from filed Legislative Statement, Oregon SOS.  
[http://www.sos.state.or.us/elections/nov42008/military\\_vp/m55.html](http://www.sos.state.or.us/elections/nov42008/military_vp/m55.html)

*In late 2001, after the last redistricting, several legislators were assigned to represent districts that did not overlap at all with the districts in which they were elected. Voters should be represented by the people they elect. Each legislative district has distinct interests. Voters in every district deserve a legislator who understands the issues unique to that district.*

*Con:* None

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**MEASURE 56 – AOI Opposes.** *Exempts May and November elections from the state constitution's "double-majority" requirement, which requires 50 percent of registered voters to cast ballots and a majority of voters to approve property-tax measures. Currently only the general election in even-numbered years is exempt from the requirement, which voters approved in 1996.*

*Pro:* Edited and abridged from Voting Matters Oregon  
<http://www.votingmattersoregon.com>

*No* shows count as “no” votes. This means registered voters who have moved out of state, died, are on vacation, or all three, are counted as “no” votes. The current system is outdated, unfair, and unnecessary. Someone who does not bother to vote should not cancel out the voice of someone who does. Measure 56 returns power to Oregonians who vote.

Con: *Edited and abridged from FreedomWorks*  
[www.freedomworks.org](http://www.freedomworks.org)

*There are four election dates every year; one in March, May, September, and November. Voter turnout in General Elections is usually above 60 percent. Turnout for regular May primaries is typically less than 40 percent and slanted towards the party with the “hottest” primary races. Turnout in the other election dates is commonly in the 15-20 percent range. Before the Double Majority, governments put unpopular tax increases on the ballot in those other elections. With 18 percent voter turnout, it only takes 9 percent of the voters, plus one, for a small minority to pass a tax increase. Measure 56 takes us back to huge tax increases passed by only 10 percent of the voters.*

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**MEASURE 57 – AOI Supports.** *Increases prison sentences for drug trafficking, theft against older persons, and repeat property and identity-theft offenders; requires drug treatment for some offenders.*

Pro: *Edited and abridged from Better Way to Fight Crime*  
<http://www.betterwaytofightcrime.com>

*Note: this measure was passed by the legislature as an alternative to Measure 61.*

*The one-size-fits-all approach for property and drug crime is not working. Measure 57 will hold those who commit certain crimes accountable.*

- *Imposes tougher sentences for major drug trafficking of meth, cocaine and heroin.*
- *Eliminates probation for drug pushers who target our kids.*
- *Cracks down on identity thieves and those who target the elderly.*
- *Increases sentences for repeat offenders.*

*85 percent of incarcerated property offenders in Oregon are addicted to drugs or alcohol and 49 percent of those who commit property crimes re-offend when released. By requiring treatment, Measure 57 breaks the cycle of crime. And, those who refuse to complete treatment will get longer sentences until they get the message. Measure 57 is the only measure that:*

- *Requires addiction treatment for certain offenders.*
- *Explicitly increases sentences for theft against the elderly.*
- *Offers more than the rigid, one-size-fits-all approach to drug and property crimes that is failing to keep our families safe.*

Con: *Edited & abridged from Oregon Anticrime Alliance*  
[http://www.oaaoregon.com/home/ballot\\_measures](http://www.oaaoregon.com/home/ballot_measures)

*According to a June 2008 evaluation by the Oregon Criminal Justice Commission, Measure 57 will leave 3000 convicted felons free on probation over the next six years. These felons will be convicted for crimes such as drug dealing, burglary, identity theft, and auto theft. Measure 57 cancels mandatory minimum prison sentences. Other source: Cost of approximately \$140 million per biennium, 1,600 new beds required.*

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**MEASURE 58 – AOI No Position. Bars bilingual education of public-school students after two years of enrollment.**

Pro: Edited and abridged from filed Arguments in Favor Statement, Oregon SOS.  
[http://www.oregonir.org/Meaure\\_58.htm](http://www.oregonir.org/Meaure_58.htm)

*Allows up to two years of specialized intensive English instruction. Current programs using bilingual, ELD, ESL or ELL models in Oregon are failing. Last year, the Dept. of Education reported that only 22 of the 129 school districts met minimum standards - an almost 80 percent failure rate. Limited-English proficiency students in Oregon are funded at one and one-half times the amount for regular students, yet from 2005-07, amongst 8th graders learning English, only 15 percent passed the writing test and only 36 percent passed math. Dr. Rosalie Porter, advisor to public school districts across the country and to the U.S. Congress, said the following: "California, Arizona and Massachusetts recently changed their state laws to improve the education of English Learners. They threw out bilingual programs that never worked and require English Immersion teaching. There is already documented proof in these states that teaching children English from the first day of school, with special help, gives the greatest chance for academic success."*

Con: Edited and abridged from Oregonian editorial  
[http://www.oregonlive.com/opinion/index.ssf/2008/10/bad\\_idea\\_in\\_any\\_language.html](http://www.oregonlive.com/opinion/index.ssf/2008/10/bad_idea_in_any_language.html)

*About 85 percent of the 68,000 students learning English as a second language are already taught exclusively in English. The rest, about 10,000 students, learn part of the day in their native language. The measure makes no exceptions for students with learning disabilities and would threaten dual immersion programs, which help students become fluent in two languages. Measure 58 also raises legal questions. The research on language acquisition tells us that full proficiency can take multiple years – and that teacher quality and home life have the greatest impact on student success. Oregon should focus its efforts on building strong schools and healthy communities, not on punishing students to make a political point.*

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**MEASURE 59 – AOI Opposes. Allows full deduction of federal income taxes on state income-tax returns.**

Pro: Edited and abridged from filed Arguments in Favor Statement, Oregon SOS.  
[http://www.sos.state.or.us/elections/nov42008/military\\_vp/m59.html](http://www.sos.state.or.us/elections/nov42008/military_vp/m59.html)

*Measure 59 is a fair and measured way to reduce taxes and keep state spending at sustainable levels. If Measure 59 were in place now, the reduction in revenue would only be about half of the current increase in state spending. In other words, it would not have actually reduced the amount of money the state had from one budget to the next. It would only have reduced the rate of growth to a more sustainable level. If there is a downturn in the economy and revenue drops, everything the state funds – from schools to prisons to parks to social programs – could all suffer major cuts. School districts and state agencies will have artificially expanded their budgets to unsustainable levels and will have to cut back, which means they likely will lay off employees, including K-12 teachers, college professors, state police officers, caseworkers, and even prison guards.*

Con: Edited and abridged from Oregonian editorial  
[www.oregonlive.com/editorials/oregonian/index.ssf?/base/editorial/1222475116296630.xml&coll=7](http://www.oregonlive.com/editorials/oregonian/index.ssf?/base/editorial/1222475116296630.xml&coll=7)

*The measure would benefit just a handful of high-income taxpayers while dealing a devastating blow to the state's general fund at a time when the economy is staggering. The very state-funded services on which low- and middle-income Oregon taxpayers most rely -- public education and public health care and coverage -- would be damaged. The Oregon Legislative Revenue Office estimated that the general fund would be cut by about \$1.1 billion -- about 7.5 percent -- over the next biennium and \$1.9 billion and \$2.2 billion in the bienniums that follow. If Measure 59 passed, it would provide scant relief to any household earning less than \$100,000 but considerable relief to those earning more than \$200,000. Of the 50 states and the District of Columbia, 41 have some form of income tax. Of those, eight allow some deductibility of federal taxes, and of those, only three allow full deductibility. Oregon and four other states allow limited deductibility.*

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**MEASURE 60 – AOI No Position.** *Bars use of seniority to determine teacher pay in favor of "classroom performance."*

Pro: Edited and abridged from FreedomWorks  
[http://www.freedomworks.org/informed/issues\\_template.php?issue\\_id=3021](http://www.freedomworks.org/informed/issues_template.php?issue_id=3021)

*Public education allows teachers to demonstrate fitness for continued employment based almost solely upon seniority, which may have little to do with teaching ability and less with student performance. Hard-working, creative, effective teachers are compensated the same as their less devoted, less productive peers. If a reduction in the labor force is required, protecting a tenured teacher's job is more important than providing the best teacher for the job. Measure 60 empowers administrators to use the evaluation process to identify, reward and retain good teachers—whether they have taught three years or twenty-three—while also releasing supervisors to more effectively manage unmotivated, unproductive or burned-out personnel.*

Con: Edited & abridged from Argus Editorial  
<http://www.oregonlive.com/opinion/argus/index.ssf?/base/editorial/1220034081141580.xml&coll=6>

*Measure 60 is vague and poorly worded, and full of unintended consequences. It does not define how teachers' performance will be measured, even though their jobs and pay depend on it. It does not define who will be doing the judging. The measure would unfairly punish teachers who take on the most challenging assignments. Teachers who work in low-income areas or have many special education students will be paid less because their students may not do as well on standardized tests - if testing is part of the evaluation. It may cost millions of dollars a year to implement. This is money better spent reinvesting in smaller class sizes, adding back lost programs, hiring more teachers, fixing leaky roofs or buying new textbooks.*

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**MEASURE 61 – AOI Opposes.** *Sets mandatory minimum prison sentences for property, identity theft and drug offenders.*

Pro: Edited and abridged from Oregon Anticrime Alliance  
[http://www.oaaoregon.com/home/ballot\\_measures](http://www.oaaoregon.com/home/ballot_measures)

Oregon's "property crime" rate is the eighth highest in the nation. With no requirement of prior criminal history, mandatory minimum prison sentence:

- For Class A felony drug manufacturing or dealing – 36 months.
- For Class B felony drug manufacturing or dealing – 30 months.
- For identity theft or burglary in the first degree – 36 months.

With a "serious criminal record" (one or more prior felony conviction or two or more prior misdemeanor convictions) mandatory minimum prison sentence:

- For forgery in the first degree, or motor vehicle theft – 18 months.
- For theft in the first degree or burglary in the second degree – 14 months.

"Motor vehicle theft" is a new crime as a Class C felony. It does not replace Unauthorized Use of a Motor Vehicle so the latter can still be charged as an alternative. Sentences must be served "in state prison facilities and work camps." This is less strict than Measure 11 (which requires secure facilities) to enhance work program prospects. Sentences are not to be served in county jails except for time pending trial. State must reimburse each county "as to the actual cost of pretrial incarceration" for each person sentenced under the Act.

Con: Edited and abridged from Lake Oswego Review Column, Rep. Greg Macpherson  
[http://www.lakeoswegoreview.com/opinion/story.php?story\\_id=122229893089072200](http://www.lakeoswegoreview.com/opinion/story.php?story_id=122229893089072200)

Measure 61 applies the same sentence to someone convicted for the first time as a repeat offender, taking away from judges the discretion to make the punishment fit the crime and the criminal's record. It does nothing about drug addiction. Property offenders would continue to cycle through our prisons. It would cost about \$200 million a year in additional prison operating costs and require spending \$1.3 billion to construct new prisons. Every additional dollar spent by Measure 61 has to come from somewhere — either higher taxes or out of schools, health care, and other public safety programs.

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**MEASURE 62 – AOI Opposes.** Amends the Oregon Constitution to allocate 15 percent of lottery proceeds to a Public Safety Fund. These funds will be distributed as follows: 50 percent to Oregon State Police; 15 percent to District Attorneys; 15 percent to Sheriffs; 20 percent to counties for early childhood programs for at-risk children.

Pro: Edited and abridged from Oregon Anticrime Alliance  
[http://www.oaaoregon.com/home/measure\\_62](http://www.oaaoregon.com/home/measure_62)

Two of the biggest challenges in public safety are maintaining good funding for crime lab and forensics operations and developing better funding for local crime control activities. This measure dedicates half of the new Fund to fund the criminal investigation, crime lab, and forensics operations of the Oregon State Police to recruit and retain highly qualified investigators and forensics experts. Half of the Fund goes to counties for crime prevention programs, additional investigation and fieldwork by sheriffs' departments and for additional resources for prosecutors. Projections are that lottery funds will grow so that currently funded programs there will have at least 6 percent growth available to them even if the Public Safety Fund is established.

Con: Edited and abridged from Stand for Children  
<http://www.stand.org/Page.aspx?pid=834&srcid=513&chid=5>

*This will reduce the lottery funds now supporting K-12 education. This measure would cut school funding by \$100 million every year. This money goes to reducing class sizes, buying textbooks, and training new teachers. Measure 62 will take money directly out of our classrooms. With another downturn beginning, it would be unwise to divert funds now used to support schools. The Legislature has recognized the need to increase funding for the Oregon State Police. In their February 2008 session, they approved an additional \$485,223 to hire and equip more state police troopers.*

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**MEASURE 63 – AOI No Position.** Exempts improvement projects under \$35,000 from building permit requirements.

Pro: Edited and abridged from filed Arguments in Favor Statement, Oregon SOS. – Bill Sizemore  
[http://www.sos.state.or.us/elections/nov42008/military\\_vp/m63.html](http://www.sos.state.or.us/elections/nov42008/military_vp/m63.html)

*The building permit process in Oregon can be complicated and intimidating. To get a permit, even for small jobs, detailed drawings and plans are often required. Negotiating the permit process can take longer than the actual work. When city or county inspectors get involved, a small home improvement project, which one person could do in a weekend, becomes a big deal when it requires multiple permits and multiple visits from one or more building and/or electrical inspectors. Small remodeling jobs cost far more and take much longer than necessary due to the complexities of the permit process.*

Con: Edited and abridged from Oregonians Against Unsafe Housing  
<http://oregoniansagainstunsafehousing.org/>

*Un-permitted improvements that pose safety hazards could be hidden from potential homebuyers and real estate agents. Budgets of agencies that oversee safety inspections will be slashed, reducing their ability to serve the remaining projects. There will be un-permitted work that could result in dangerous situations in case of an emergency, putting the lives of Oregon's first responders at risk. There will be a decrease in the ability of assessors to track the real value of homes, decreasing market values and property tax collections for schools, fire districts and other local public services. Homeowner insurance rates will increase because of unknown risks associated with undocumented or un-inspected home improvement projects. Consumer fraud will increase due to unscrupulous, unlicensed contractors. Shoddy home improvements can decrease neighboring property values.*

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**MEASURE 64 – AOI No Position.** Bars use of "public resources" to collect union dues for political purposes.

Pro: Edited and abridged from filed Arguments in Favor Statement, Oregon SOS – Bill Sizemore  
[http://www.sos.state.or.us/elections/nov42008/military\\_vp/m64.html](http://www.sos.state.or.us/elections/nov42008/military_vp/m64.html)

*Some of the organizations using the public payroll system to collect money, in addition to the charitable things they do, spend millions of dollars hiring professional lobbyists, donating to*

political candidates, and supporting or opposing ballot measures. Measure 64 allows charities to continue collecting donations for legitimate purposes, but prohibits using taxpayer owned, public resources to collect political funds. It stops organizations from commingling charitable funds with political funds when the money was collected using public resources. Our system demands that all political donations be fully disclosed, so we can tell who is donating to whom and whether any conflict of interest is being created by the donations.

Con: Edited and abridged from Don't Silence Our Voice  
<http://www.dontsilenceourvoice.com/faqs.html>

This measure singles out public employees and prohibits them from making their own decisions about how to use payroll deductions to make voluntary contributions to the charities, non-profits, and unions of their choice. It silences the voices of working Oregonians. Measure 64 would cut funding to the many charities that rely on payroll deductions and the Oregon Charitable Check-off program. Groups that rely on small contributions from public workplace giving programs like United Way for their advocacy efforts would completely lose those funds. It would also prevent them from speaking out on issues that matter to their members.

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**MEASURE 65 – AOI Supports.** Changes the primary election to advance the top two finishers, regardless of party affiliation, to the general election. Currently only voters registered with a major political party can vote in a primary to nominate that party's candidates for the general election.

Pro: Edited and abridged from Make Every Voter Count – Yes on 65  
<http://www.oneballot.com/>

Right now, 25 percent of all registered voters in Oregon are completely shut out from participating in partisan primary elections. They don't have a voice and they don't have a vote. That's not fair. An Open Primary would change that so everyone could vote in every election, regardless of party registration. It would also allow voters to cross party lines to vote for the candidate they think is best suited for the job. (Other source) this measure would encourage candidates to appeal to as broad a base of voters as possible, thus reducing partisanship.

Con: Edited and abridged from No on 65  
<http://www.voteno65.org/>

Five Reasons to Vote NO on Measure 65

1. It will pit minor political parties against major parties in one free-for-all.
2. It will decrease voter participation, just like it did in Washington and Louisiana.
3. It is a "Top Dogs" system that favors well-funded and extreme candidates.
4. It gives moneyed elites and corporations more influence over who runs for office.
5. Voters from every political party deserve the right to nominate candidates.

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