

Measure 53 would eliminate 'double-majority' rule

A 50 percent voter turnout would no longer be needed to pass a ballot measure

By Michael Burnham
Community Editor

In the upcoming May 19 primary election, voters will once again determine whether Oregon's double-majority requirement for passing ballot measures will sink or swim.

The current law — dubbed the "50/50" or "double-majority" rule — is the result of Measure 47 in 1996 and Measure 50 in 1997. The measures amended the Oregon Constitution, requiring a 50 percent or greater margin of voter participation to pass certain property tax measures.

The change sent some legislators reeling and led to the creation of Measure 53 for the 1998 election.

Measure 53, which was referred to the ballot by the 1997 Legislature, would require the state to revert back to the traditional single-majority method of passing revenue measures.

The measure would further amend the state Constitution by eliminating the 50 percent re-

quirement of voter participation to pass any ballot measures, thereby allowing approval of local property tax measures regardless of voter turnout.

Opponents of the current double-majority standard have argued that the requirement counts those who do not vote in an election as a "no" vote. These opponents, who cut across party lines, argue that the 50/50 rule threatens many ballot measures in elections where there is high voter apathy.

University associate law Professor Garrett Epps, who opposes the double-majority rule, questions its constitutional validity.

"It's completely undemocratic," he said. "The idea behind a 'fair' election is that whatever receives the most votes wins."

Epps said the double-majority rule threatens the First Amendment, claiming the rule "forces" people to vote.

Oregon Secretary of State Phil Keisling, a double-majority opponent, said in the 1998 Oregon Voters Pamphlet: "I strongly believe [the double-majority] provision violates basic standards of common sense and fairness — and threatens our most fundamental democratic principles."

Gov. John Kitzhaber, who is a proponent of Measure 53, said in the pamphlet: "Requiring the 'double-majority' takes the decision out of our hands and gives it to those individuals who chose to not participate ... [It] gives more power to the nonvoter than to an informed and active participant like you."

However, Measure 53 opponents claim the double-majority rule assures broad voter support for the passage of any measure and keeps property taxes down.

Richard Burke, the Libertarian gubernatorial candidate and a Measure 53 opponent, said he is in favor of the double-majority rule because of its effect on property taxes.

"When somebody proposes a tax — if I want to protect my property — I have to commit a defensive act by voting," he said. "We need to ensure that any tax

Measure 53

■ **RESULT OF A "YES" VOTE:** eliminates the 50 percent voter turnout requirement for passage of certain property tax measures.

■ **RESULT OF A "NO" VOTE:** retains the 50 percent voter turnout requirement for passage of certain property tax measures.

initiative has broad support."

Burke also said the double-majority rule ensures that taxes and other ballot measures are not "snuck" by voters in low-turnout elections. He said the rule gives those placing measures on the ballot an incentive to increase voter support.

"I think it makes it harder to pass taxes in special elections — but it should be hard," he said. "If we pass Ballot Measure 53, we will put in incentives to promote voter apathy."

The fight against Measure 53 has also spanned party lines, as Republican gubernatorial candidate Bill Sizemore argued in favor of the double-majority rule in the 1998 Oregon Voter's Pamphlet.

Sizemore agreed with Burke's stance that the double-majority

rule must be kept intact so that any tax measure that is passed is assured of broad support.

"Politicians have devised a strategy to pass tax increases that the majority of voters do not support," he said. "This strategy is designed specifically to subvert majority rule — to allow a small minority of voters to increase taxes on everyone else."

But according to the Oregon Secretary of State's office, voter apathy and Measure 53 might decide the future of some measures currently on the May 19 ballot.

If Measure 53 were to pass in the May 19 primary, it would immediately impact all 68 local ballot measures, five of which affect Lane County.

But if the measure were to fail in the primary election, historical statewide voting records in recent years do not bode well for the passage of some ballot measures.

According to the Secretary of State's office, Oregon has been unable to generate more than a 50 percent participation mark in a primary election since 1988. The results of the 1996 primary election — which garnered less than a 38 percent turnout — established a record low voter participation mark.

Cloonan, Webb running for District 4 GOP nomination

But incumbent Peter DeFazio is the only Democratic candidate for the U.S. House seat

By Tricia Duryee
Community Reporter

The congressional election for U.S. House District 4, which includes most of Southwest Oregon, will be taken in stride by incumbent and lone Democratic candidate Peter DeFazio during the May 19 primary.

"In the primary he has no opponent," said DeFazio's campaign manager, Alan Brown. "Right now we are just trying to reach out to the people voting to let them know he is running in the primary."

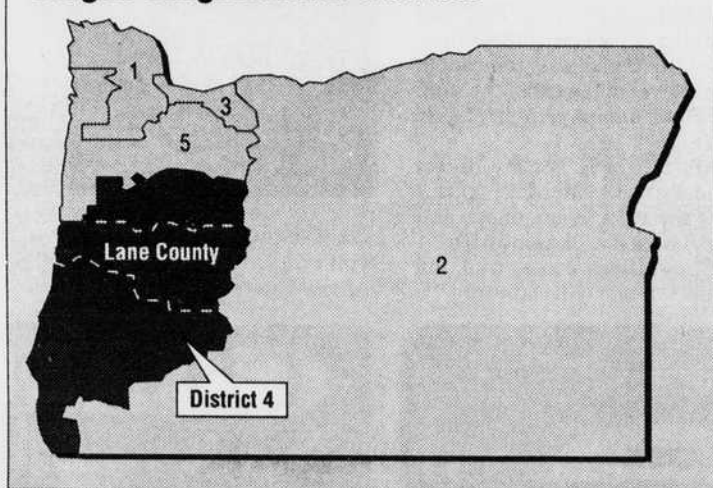
However, Republicans Michael R. Cloonan and Steve J. Webb will first have to face each other in the primary to decide who will challenge the popular DeFazio in the general election in November.

"DeFazio is a very strong candidate," Webb said. "It's going to take a lot of financial backing. The Republican party is going to have to help out, along with more contributions from individuals."

"If Cloonan or myself does not receive the money we need to ride on, DeFazio will have a free ride."

DeFazio has been re-elected for

Oregon congressional districts



CARA STRAZZO/Emerald

the position every two years since 1986.

"He's done a really good job in Washington, D.C.," Brown said. "The breadth of support [for DeFazio] really crosses party lines."

Webb said he thought it would be hard to raise funds in the Eugene-Springfield area because of the strong support DeFazio received throughout Lane County, which is just one of six counties in the district.

"It's hard to raise money in the district," Webb said. "Eugene and Springfield are quite a bit more Democratic and that is where most of the population is."

However, Webb said if he did get enough funding, he would like to educate the voters and put the "issues out there for them to compare."

"I am very cut and dry on issues," he said.

Webb said one of his main concerns was that the U.S. Department of Education should be eliminated and the money dispersed to each state according to need.

"Right now, the Department of Education decides standards and programs," Webb said, "one of which is outcome-based education, where students have to

score a certain percentage on tests in order to graduate.

"I feel that it should be for the states to decide."

But Webb has other concerns as well.

"As your congressman, I will join the war against partial-birth abortion, gay marriage, assisted suicide and the constant attack against the American family by the liberal establishment," Webb said in the 1998 Oregon Voter's Pamphlet.

Webb's political background comes from volunteering on the 1992 Pat Buchanan presidential campaign and the 1996 Bob Dole/Jack Kemp campaign. However, Webb has never held a political office. He is currently employed as night manager at Ralph's IGA in Stayton.

Cloonan wrote in the voter's pamphlet that if he is elected to Congress, he will work for a balanced budget, term limits for the House and Senate, a flat tax and the environment.

Cloonan is currently a drywall contractor and owner of a medical transcription service. He is also co-founder of Foundation

H.O.P.E., a homeless advocacy organization. His political experience consists of being a "committeeman" for the Linn County Precinct.

Balancing the budget is important to Cloonan. He wrote that if Oregon is required to have a balanced budget, then the federal government should have to as well.

"We have made great strides in the past few years toward balancing the budget," he wrote. "Let us continue in the process so that our children will not be faced with a future comprised of our debt."

Cloonan also is concerned about the future of Social Security.

"This problem is not simply going to go away," he wrote. "If dramatic changes are not implemented soon, the system will indeed collapse and future recipients will be left wondering what happened."



WEBB



CLOONAN

Oregon Daily Emerald

The Oregon Daily Emerald is published daily Monday through Friday during the school year and Tuesday and Thursday during the summer by the Oregon Daily Emerald Publishing Co. Inc., at the University of Oregon, Eugene, Oregon. A member of the Associated Press, the Emerald operates independently of the University with offices in Suite 300 of the Erb Memorial Union. The Emerald is private property. The unlawful removal or use of papers is prosecutable by law.

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