Measure 5: A massive threat to meeting public needs

Allowing the public to "vote on everything" sounds fair and reasonable in a democracy. But 1994's Ballot Measure 5 has the potential to do things to government that the 1990 version barely contemplated.

WHAT IT DOES - In its simplest form, Ballot Measure 5, which qualified a year in advance of the deadline for measures to qualify, requires a vote of the people for all tax or fee increases or decreases. Among the short list of exceptions are user fees charged by public utility districts or port districts; school, college, or university tuition or fees; "user fees paid voluntarily for specific services not monopolized by government"; nongovernmental labor costs and pass-throughs of other costs; fines and forfeitures. The measure permits two elections a year: the Primary and General elections in even-numbered years, and two dates to be set by the Legislature in odd-numbered years.

Ballot Measure 5 is sponsored by athletic club owner Frank Eisenzimmer, who sponsored Measure 5 four year ago, and Bill Sizemore, sponsor of Ballot Measure 8.

FLAWS IN MEASURE - The measure has many flaws:

• **Voters who do not pay** a fee and do not benefit from the service will be voting on whether to approve new or increased fees. For example, city residents will vote on county land use fees even though they do not pay them; people who neither hunt nor fish will vote on fishing and hunting license fees.

• **Any resident or legal entity** doing business in a taxing district named as a defendant would be entitled to sue if they thought a public agency raised a fee improperly, even though they may not pay the fee or benefit from the service — and they would be entitled to all attorney's fees and court costs paid by the *taxpayer*. This will make the measure a lawyer's dream. If the public agency prevails, it is prohibited from collecting fees and costs from the plaintiff.

• **Other hidden costs** to the taxpayer would begin to appear. For example, the decline in the state's bond rating that would result from this measure's passage would cost Oregon *taxpayers* $300-$400 million over the next 20 years.

• **To the extent fee increases are turned down by the voters**, the measure will cause services supported by the fee to be subsidized by all taxpayers — or discontinued — instead of by those using the service.

• **It will pit program against program** — whether fee-supported or not — programs you like, or work in, against those you've never heard of.

• **A complete exemption** from voter approval is granted to public utility and port districts. A user fee for an identical activity would not be exempt from voter approval if imposed by a city, county, special district, or the state.

• **Hospital and doctors' fees** may be subject to voter approval if the only hospital in the county (and therefore a "service monopolized by government") is a county hospital. A rural area may lose its hospital if it can't raise fees to meet expenses.

• **Voter approval is not required** to enact tax breaks for a certain class of taxpayers, however, existing exemptions could not be removed without voter approval.

• **Ballots will become longer and more complicated**, with increased elections costs, as voters face tax or fee questions from the state, city, county, councils of government, special districts, and cities on the same ballot. Customarily, voters confronted with such a bewildering array of choices vote NO.

• **Even minor fees**, like increasing the fee for copying papers in Oregon's district courts, marriage license fees, the price of getting a copy of driving records or birth certificates, could be subject to a vote.

• **The money spent by political action committees** to educate voters about tax or fee questions would increase by millions of dollars a year.

• **Many agricultural products** cannot be sold or shipped to other states and countries without adequate inspection. Growers who want to raise their own fees to pay for more inspectors would have to receive voter approval.

Measure 15: "Ed First" threatens millions of dollars of GF programs

Threatening millions of dollars worth of state General Fund programs is the so-called "Education/Kids First" initiative, Ballot Measure 15 on the November ballot.

WHAT IT DOES - Ballot Measure 15 would require the Legislature to finance kindergarten through community college (K-14) educational programs at their 1993-95 levels, plus come up with additional funding to cover inflation, enrollment, or population growth, as well as *the loss of any current revenue.*

Many Oregonians believe that we face a serious problem regarding the way we finance public education. That is true of the members of the organizations opposing Ballot Measure 15. Many of the organizations opposing Ballot Measure 15 — including OPEU — have supported various tax reform measures to address this problem and we are committed to working on solutions in the future.

MISDIRECTED - However, Ballot Measure 15 is misdirected and destructive in its attempt to protect K-14 education at the expense of other public programs — including, in this case, those dealing with education and children. For example, it would cost funding to programs that protect abused children, those that provide early intervention of at-risk youth, and programs to reduce juvenile crime. Services provided by private nonprofit organizations, such as the OPEU-represented Children's Farm Home in Corvallis, along with cities, counties, and other state-sponsored programs would be at risk.

Ballot Measure 15's fiscal underpinning stops with community college programs. Consequently, Oregon's battered System of Higher Education colleges and universities would face further budget restrictions, reduced course offerings, faculty and staff layoffs, and higher tuition.

BUDGET IMPACT - Because of the enormity of its budget impact, Ballot Measure 15 wouldn't stop with education and children's programs. It would also jeopardize funding for public safety programs such as police, fire protection, prisons, and the courts, at a time when the public is very concerned about personal safety.

HUMAN RESOURCES IMPACTS - Among Human Resources programs affected are services for senior citizens, the mentally ill, people needing vocational rehabilitation, and those seeking self-sufficiency in the job market.

Half of the state's General Fund budget is spent on kindergarten through community college education and, if Ballot Measure 15 were to pass in November, would not only be exempt from cuts in funds, but would have inflation factors built in. The remaining half of the General Fund budget supports higher education, human resources, and public safety. Without additional revenue, it is there that the Legislature would have to go to find the money to meet Measure 15's obligations.

25% PROGRAM CUTS - The Legislative Revenue Office estimates that 1990's Measure 5 will result in 12% cuts in General Fund programs during the 1995-97 biennium because of the loss of property tax revenues to local government and local schools. If Ballot Measure 15 were to pass, one dollar in every four (25%) of the General Fund devoted to higher education, human resources, and public safety would have to be cut with the money diverted to K-14 education.

$153,000 BOUGHT BALLOT SPOT - The financial backers of the measure, the Oregon Education Association, spent $153,000 in the few months of the late spring and early summer paying signature gatherers as much as $1 a signature to successfully put it on the ballot.

Joining OPEU opposing Ballot Measure 15 are the Oregon Student Lobby; the Human Services Coalition of Oregon; the Association of Oregon Counties; the Oregon Federation of Teachers, Educators, and Health Professionals; the Oregon AFL-CIO; and the SEIU Oregon Service Council.