

# The INDEPENDENT

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## Opinion

### More Ballot Measures...

**MEASURE 94, STATUTE** — This would repeal the 1994 Ballot Measure 11 which set mandatory minimum sentences for certain felonies. This is an odd measure in many ways. While many are worried about the felons who would be released upon repeal, there is a tendency to forget that the measure requires the same felons to be resentenced. The financial impact is another convoluted situation. Some costs will decrease, some will increase, but it appears that reducing the bond repayment costs for new prison construction will create a substantial savings — assuming the rate at which people fill the prisons will slow down.

A major problem with Measure 11 is that it gives prosecutors the power to judge individuals because, by determining the charge, they have determined the sentence. Yes, even innocent people are afraid of going to prison and will plea bargain for a lesser charge and, yes, there are some prosecutors who are not as careful as we would like. The main reason for approving Measure 94 and repealing Measure 11 is to maintain a separation of powers in the criminal justice system. Let prosecutors do their jobs, let defenders do their jobs, and let juries or judges do their jobs.

Recommend a YES vote on Measure 94

**MEASURE 95, CONSTITUTIONAL AMENDMENT** — This is a plain old teacher bashing measure; it would determine teacher compensation based on what the students learn. While that may sound reasonable, it doesn't provide a way to measure students' ability to learn; it doesn't require parents to provide a nurturing home life or even to turn off the TV; it doesn't require that students be healthy or well-rested or interested. And it doesn't require the legislature to provide adequate funding for schools so teachers have the support they need.

If none of that bothers you, consider this: Voters have already eliminated local control of school financing. With this vote, they can also eliminate local control of teacher compensation; everything would be done in Salem. That's a scary enough reason to vote against it.

Recommend a NO vote on Measure 95.

**MEASURE 96, CONSTITUTIONAL AMENDMENT** — This measure would prohibit the legislature from passing laws or referring ballot measures that would make the initiative process more difficult. Oregon's "catalog" of ballot measures makes it obvious why some would want to slow down the process; the question is: Should the legislature be allowed to interfere with citizens' existing rights to the initiative process?

Recommend a NO vote on Measure 96.

**MEASURE 97, STATUTE** — This would ban body-gripping traps to capture mammals and restricts commerce in fur from such trapping. It also bans the use of sodium cyanide to kill animals.

No recommendation on Measure 97.

**MEASURE 99, CONSTITUTIONAL AMENDMENT** — Approval of this measure would create a nine-member commission that will set standards in home care services for elderly and disabled people receiving publicly-funded personal care. This would be a sensible approach toward setting some necessary standards.

Recommend a YES vote on Measure 99.

**MEASURE 1, CONSTITUTIONAL AMENDMENT** — Would require the legislature to adequately fund schools for the goals set by statute. If there is a reason, the legislature couldn't provide the funding, this measure allows publishing those reasons. The measure is a bit inconsistent, but it's a step in the right direction.

Recommend a YES vote on Measure 1.

**MEASURE 2, CONSTITUTIONAL AMENDMENT** — Would create a process for petitioning the legislature to require a review of administrative rules. Administrative rules made by state agencies can be a major nuisance, but is this a good use of our part-time legislature? If there is a real problem, people will talk to their legislators anyway. This is unnecessary.

Recommend a NO vote on Measure 2.



**MEASURE 3 — CONSTITUTIONAL AMENDMENT** — This measure would require that a person be convicted of a crime before property is seized by the government. This is obviously needed; it's appalling that the government has been allowed to seize people's property based only on suspicion of having committed crimes. In some areas, the situation is so out of line that law enforcement agencies are accused of deliberately supplementing their budgets through the sale of seized property.

Let's stop this practice in Oregon before it reaches that point.

Recommend a NO vote on Measure 3.

**MEASURE 4** — Would create a trust fund from proceeds of the tobacco settlement, with the earnings to be used for low-income health care. There are no restrictions, at this time, on how the tobacco settlement can be used. Since the lawsuit was based on tobacco-related health problems, this would be a good way to use the income from the settlement. The funds would also qualify as matching revenue for federal Medicaid and children's health insurance programs, bringing in more money to deal with problems created by poor health.

Recommend a YES vote on Measure 4.

**MEASURE 5** — Would expand background check before transfer of any firearm at a gun show. If this applied only to dealers, it would be a reasonable cost of doing business, however, it includes private parties who are not dealers, furthermore, it would require retaining the information gathered for five years. The intrusive nature of this measure, requiring a criminal check without a substantial reason, runs uncomfortably counter to basic civil liberties.

Recommend a NO vote on Measure 5.

**MEASURE 6** — Would provide limited public funding to candidates accepting limits on spending and private contributions. This isn't a very strong measure but, if we truly want campaign finance reform, it is a step in the right direction.

Recommend a YES vote on Measure 6.

**MEASURE 7, CONSTITUTIONAL AMENDMENT** — This is a "feel good, think dumb" measure. If government regulations reduce property value should the property owner be reimbursed by other property owners? That is what passage of this measure would do, but it's worded in such a way that it says "the government" would pay the landowner. Turn the proposition around: If government regulations increase property value should the property owner be required to share

with other property owners?

Recommend a NO vote on Measure 7.

**MEASURE 8, CONSTITUTIONAL AMENDMENT** — This would limit state appropriations to 15 percent of personal income in the state in the prior biennium and is a very short-sighted move. If the limit had been in place a few years ago when voters approved major expenditures for new prisons, it would have caused major cuts in everything else that is funded primarily from income taxes. Ironically, that would have included law enforcement. If the limit had been in place this biennium, nearly \$4 billion in appropriations would have been cut, doing a lot more harm than good, especially to our schools.

Recommend a NO vote on Measure 8.

**MEASURE 9** — This would prohibit public school instruction, kindergarten through community college, from "encouraging, promoting, sanctioning" homosexual/bisexual behaviors. Why some folks have to dwell on others' sexuality is puzzling, but interfering with the schools is harmful. The language is confusing so, rather than take a chance on losing funds, schools will eliminate units in health education that deal with sexually transmitted diseases and AIDS. That is counterproductive, to say the least. Beyond that, do you really think teachers should strive to keep our children ignorant?

Recommend a NO vote on Measure 9

### Columbia County Measures

There are three county money measures on the ballot:

Measure 5-66 seeks a five-year tax levy of 10-cents per \$1000/assessed property value and would raise about \$300,000 per year for the county fairgrounds. The funds are needed for maintenance and improvements to the 70-acre property.

Measure 5-67 seeks a four-year tax levy of 15.9-cents/\$1000 for county parks maintenance and operations. The parks receive nothing from the general fund and, without additional income, some of them will probably be closed.

Measure 5-81 asks for approval to increase the depletion fee paid by sand and gravel operators. The increase would be 10-cents per ton; currently the fee is 15-cents per ton. The depletion fee is earmarked for county roads.

Recommend YES votes on all three county measures, 5-66, 5-67 and 5-81.