

guide

Ecumenical Ministries of Oregon *Fall 2014 Voters' Guide to Oregon Ballot Measures*

The voter's ballot measure guide: Why we do it & how we do it

This voter's guide to the ballot measures for the 2014 Oregon general election is provided as an educational resource approved by the Ecumenical Ministries of Oregon (EMO) Board of Directors, based on the recommendations of the Public Policy Advocacy Committee.

The Nov. 4 general election, like all elections, is important for people of faith and for all Oregonians. The production of this guide follows a tradition established by one of EMO's predecessor bodies—the Oregon Council of Churches—over 40 years ago, and continued by EMO today. In it, we provide information, analysis and recommendations for the seven ballot measures on the state ballot. We hope our discussion of the ballot measures will provide valuable insights for Oregon's voters, especially for people whose faith is their ultimate guide.

Foundational to our social principles is the belief that to be faithful means to “love God, and to love our neighbor as ourselves.” Christian minister William Sloan Coffin once stated, “In Christ's sight, there are no insiders or outsiders, for we are finally of one nature and one flesh and one grief and one hope. In Christ's sight, if we fail in love, we fail in all things else.”

Ecumenical Ministries of Oregon has also adopted a “Statement of Social Principles” that guides our public policy work. In this statement, we recognize the value of religious involvement with civic affairs and the governmental process, and we identify core principles and areas of social concern:

“We affirm the value of love, the respect of all life, and the dignity of every human being ... In our public witness we embrace compassion and forgiveness in all relationships, non-violence, and working in constructive and creative ways to make a better world. We commit ourselves to a society in which all persons are free to live together in peace and harmony. We affirm an inclusive community for nurturing the shared life of humankind.”

As we prayerfully engage in a discussion regarding each ballot measure, we consider arguments offered by both supporters and opponents of each measure, and we rely on the Scriptures, our social principles, our past positions on similar measures, and dialogue and deliberation in our Public Policy Advocacy Committee and among the EMO Board of Directors. We ask that you, also, prayerfully consider the wisdom of your own tradition and engage in a thoughtful process of discernment in exercising your civic duty to vote.

Our faith traditions call us to be thoughtful and active advocates for peace, social justice, human dignity and environmental stewardship. Through reflection on core principles, understanding of the political process, and knowledge of the issues, EMO seeks to empower people of faith and all Oregonians to fulfill their role in the democratic process.

EMO Statement of Social Principles

The EMO “Statement of Social Principles” identifies six key areas of social concern. These fall under the broad headings of *Peace and Global Justice*, *Human Rights and Religious Freedom*, *Environmental Stewardship*, *Economic Justice*, *Family and Community Well-being*, and *Public Witness and the Common Good*. In our discussions of the individual ballot measures found in this guide, we identify which area, or areas, of social concern relates to each measure. The complete statement of social principles can be found on our website at www.emoregon.org/witness_peacemaking.php.

Voter registration procedures

The Nov. 4, 2014, election is a statewide general election and will be vote by mail. Ballots will be mailed to voters between Oct. 15 and 21. The ballots must be returned in person or by mail to a county election office by 8 p.m. on Nov. 4.

Any Oregon resident who is at least 18 years old on Election Day is eligible to vote, but voter registration is required. For new registrants, the voter registration cards must be turned in to any county election office within five calendar days after signing the card. The last day to turn in cards is Oct. 14. You may also register online on the Oregon Secretary of State website at sos.oregon.gov/voting.

A registered voter who has moved, changed address or changed their name must re-register. This information may be updated through Election Day at a county election office.

Ballot Measure Forums:

A current schedule of EMO Ballot Measures Forums is posted on EMO’s website at www.emoregon.org. If you would like to schedule a forum at your congregation or organization, please contact Jan Elfers, director of Public Policy Advocacy, at jelfers@emoregon.org or (503) 221-1054.

Ecumenical Ministries of Oregon is a statewide association of Christian denominations, congregations, ecumenical organizations, and interfaith partners working together to improve the lives of Oregonians through community ministry, ecumenical and interreligious dialogue, environmental ministry and public policy advocacy.

The Roman Catholic Archdiocese of Portland in Oregon abstained from EMO’s deliberations regarding the November ballot measures. The Archdiocese releases all public policy statements through the Oregon Catholic Conference.

Measure 86: Constitutional Amendment—Requires creation of fund for Oregonians pursuing post-secondary education, authorizes state indebtedness to finance fund.

Summary & Analysis — Measure 86 was referred to the voters by the Oregon Legislature. With limited exceptions, the Oregon Constitution prohibits the state from incurring general obligation debt. A “yes” vote on Measure 86 would amend the state constitution by adding an article directing the Legislature to create a constitutionally-dedicated Oregon Student Opportunity Fund, authorizing state indebtedness to finance the fund through the issuing of general obligation bonds. The Legislature would be required to create a constitutionally-locked fund, dedicated to the exclusive benefit of Oregon students who are pursuing post-secondary education including technical, professional and career training. The Higher Education Coordinating Commission would

recommend how to allot the funds. Only the earnings from the fund, not the principal, would be used for financial assistance. The measure does not authorize a specific issuance of bonds. Any issuance would be through additional legislation and is subject to the total debt limitation of the state.

Proponents of the fund state that income from the investment returns will increase much needed student aid grants, helping to address the growing problem of student debt. The fund will also allow Oregon to build and maintain a highly trained workforce, which will help Oregon employers. Revenue will be dedicated to student assistance and will enhance science, technology, engineering, math and vocational/workforce training. In addition, post-secondary education generally results in a higher earning potential. A highly-trained workforce benefits both the individual and society by creating a more equitable economy where a greater number of citizens reap the benefits, as well as contribute to public services.

Opponents say the fund would cause the state's general obligation indebtedness to surge, and the interest cost to the state could be relatively expensive. They are also concerned that the fund may underperform the estimated seven percent rate of return.

Financial Impact — There is no financial effect on either state or local government expenditures or revenues.

EMO Recommendation — *Vote “YES” on Measure 86*, based on EMO social principle of *Economic Justice* that establishes social and economic systems that encourage, enable, and empower all people to develop and use their capabilities to meet their needs and to contribute to the social welfare.

And what does the Lord require of you ... but to do justice, to love kindness, and to walk humbly with your God. —Micah 6:8

The cost of college education in Oregon is rising rapidly. State tuition has increased two and a half times faster than per capita income in the state over a six-year period. Oregon's student assistance lags the national average by 20 percent, and Oregon students pay 18 percent more in tuition and fees than the U.S. average. As a result, student indebtedness is soaring. The average student borrower graduating from a four-year college in 2010 had almost \$21,000 in debt, 21 percent more than five years ago.

A primary goal of Measure 86 is to create greater access to educational and vocational training, especially for those who might not otherwise be able to afford tuition. This educational/vocational training is specifically targeted in areas where jobs are needed. Another worthy goal is to lower student debt by making more grants available and incentivizing timely graduation. For these reasons, EMO supports the passage of Measure 86.

Measure 87: Constitutional Amendment —Permits employment of state judges by National Guard (military service) and state public universities (teaching).

Summary & Analysis — Measure 87 was referred to the voters by the Oregon Legislature. A “yes” vote would amend the Oregon State Constitution to permit state court judges to receive compensation by the Oregon National Guard for purpose of military service or by the State Board of Higher Education for purpose of teaching. Currently, Section 1, Article III (separation of powers) of the Oregon Constitution prohibits persons from serving in more than one branch of government at the same time. As a result, state court judges may not be employed as teachers at public institutions of higher education.

Section X, Article II of the Oregon Constitution further prohibits state court judges from receiving compensation for performing military service. Ballot Measure 87 also removes references to the State Board of Higher Education to reflect the current structure of higher education. It rescinds Senate Joint Resolution 34, which referred to the old structure of higher education.

Financial Impact — There is no financial effect on either state or local government expenditures or revenues.

EMO Recommendation — *EMO is taking No Position on Measure 87*, since it does not directly relate to the primary social and moral concerns of our faith traditions.

Measure 88: Statutory Initiative—Provides Oregon resident “driver card” without requiring proof of legal presence in the United States.

Summary & Analysis — A “yes” vote on Measure 88 approves Senate Bill 833, which was passed by the Oregon Legislature and signed by Governor Kitzhaber. Measure 88 directs the Department of Transportation to issue a limited purpose and limited duration driver card to Oregon residents who meet the following requirements:

- Pass the state’s written driver knowledge test;
- Pass the state’s behind the wheel test;
- Provide proof of residence in Oregon for more than one year; and
- Provide proof of identity and date of birth.

The driver card may not be used as identification for air travel, to enter a federal building, to register to vote, or to obtain any government benefit requiring proof of citizenship or lawful presence in the United States.

Proponents of Measure 88 state that Oregon roads will be safer for everyone by requiring all drivers to demonstrate safe driving and learn the rules of the road. They add that thousands of Oregonians—including seniors, veterans, persons escaping domestic violence, and immigrant families and workers—can all utilize this option to safely and legally get to work, church and school.

Opponents object to granting a driver card to a person who cannot provide proper documentation of legal presence in the United States and state that issuing a driver card poses national security risks, encourages more illegal immigration, and will not significantly increase road safety.

Financial Impact — Measure 88 will generate more revenue than it will cost for the state of Oregon to provide driver cards. Fees will be charged for the Oregon Driver Card and used for administrative purposes and distributed to the State Highway Fund in the same manner as fees charged for the Oregon Driver License. It is anticipated that this measure will generate \$3,510,437 of revenue in 2013-15 and \$4,333,562 in 2015-17. The cost to provide these cards is estimated at \$2,794,802 in the 2013-15 biennium and \$2,677,144 in the 2015-17 biennium. The revenue in excess of the costs would be deposited with the State Highway Fund.

EMO Recommendation — *Vote YES on Measure 88*, based on the EMO social principle of *Family and Community Well-being* that promotes the health, wellness and sense of security for all people in a community and our shared mutual responsibility for one another. Measure 88 supports this principle by requiring that all drivers take tests to ensure their ability to drive safely, understand the rules of the road, and carry insurance in case of accidents.

Measure 88 will decrease the number of unlicensed and uninsured drivers, thereby decreasing the damage and fiscal costs associated with accidents caused by uninsured motorists. Measure 88 ensures that all Oregonians have a responsible and legal way to drive to work, church and school.

Ecumenical Ministries of Oregon advocated for SB 833 (Measure 88) during the 2013 Legislative Session, where it was passed by the Oregon Legislature with bipartisan support and signed by Governor Kitzhaber.

Measure 89: Constitutional Amendment—*State/political subdivision shall not deny or abridge equality of rights on account of sex.*

Summary & Analysis — A “yes” vote on Measure 89 would amend the Oregon State Constitution to prohibit state and political subdivisions from denying or abridging the equality of rights on account of sex. There is no provision in the Oregon Constitution that expressly prohibits discrimination based on sex. Measure 89 adds language as a new provision to the Oregon Constitution that will guarantee that “equality of rights under the law shall not be denied or abridged by the state of Oregon or by any political subdivision in this state on account of sex.” The measure authorizes the Legislature to enforce that provision by appropriate legislation. Ballot Measure 89 provides that nothing in the new section “shall diminish a right otherwise available to persons under section 20 of this Article or any other provision of this Constitution.”

A “no” vote would retain the existing language in the Oregon Constitution, which, under Article I, section 20, currently provides that “no law shall be passed granting to any citizen or class of citizens privileges, or immunities, which, upon the same terms, shall not equally belong to all citizens.” The Oregon Supreme Court has interpreted Article I, section 20 to hold that laws may not treat people differently based on sex unless justified by specific biological differences between men and women.

Proponents of Measure 89 say it is important for women’s rights to be enshrined in the Oregon Constitution. This amendment ensures secure and lasting protections for women’s rights. They state that judicial interpretation of our current Constitution regarding discrimination would be further safeguarded by the passage of this measure.

Opponents of Measure 89 say that having a separate constitutional protection for sex discrimination may suggest that classifications based on gender are different than those based on other characteristics. That, in turn, may actually put vulnerable communities of color and other victims of discrimination at greater risk. They add that the Oregon Supreme Court would ultimately have to determine the meaning of the amendment, and that the act of judicial interpretation may be less predictable than the current strong protections provided by state law in this area.

Financial Impact — There is no financial effect on either state or local government expenditures or revenues.

EMO Recommendation — *Vote YES on Measure 89*, based on the EMO social principle of *Human Rights and Religious Freedom* that affirms the dignity and human rights of all people, including equal opportunity and an equitable system of justice. While EMO believes that Oregon law and the current state constitution strongly protects equal rights for women, EMO supports an amendment to embed those rights in the Oregon State Constitution.

*Let justice roll down like waters
and righteousness like an
everflowing stream.—Amos 5:24*

The Oregon state effort coincides with a national effort to pass a federal Equal Rights Amendment (ERA). Oregon voters approved the federal Equal Rights Amendment in 1973, after it was approved by Congress in 1972 and sent to the states for ratification. The seven-year time limit in the ERA’s proposing clause was extended by Congress to June 30, 1982, but at the time of the deadline the amendment had been ratified by only 35 states, falling three states short of the required 38 to add the amendment to the Constitution.

Ecumenical Ministries of Oregon believes that governments at both the state and national levels have a responsibility to ensure equal rights for all.

Measure 90: Statutory Initiative—*Changes general election nomination processes: provides for single primary ballot listing candidates; top two advance.*

Summary & Analysis — A “yes” vote on Measure 90 would replace Oregon’s election system for major party primaries and the nomination processes for minor parties and nonaffiliated voters for U.S. Senate, Congress, partisan state offices and partisan local offices (except those subject to city and county home rule); change the general election process for those offices; and change how replacements are chosen for vacancies in those offices and elections.

Under current law, major political candidates choose their nominees in the primary elections, which

are generally only open to voters registered in that party, and minor political parties choose their candidates according to party rules approved by the secretary of state. Candidates not affiliated with any party qualify for the general election ballot by gathering sufficient signatures or holding a party convention.

Measure 90 provides for a single primary among all candidates, regardless of party affiliation, in which all registered voters, regardless of party affiliation or non-affiliation, could vote. It would create a top-two system of general election voting in which the primary ballot allows voters to choose one candidate from all candidates, regardless of political party.

The top two vote getting candidates in the primary would advance to the general election, regardless of political party. The top two candidates might be from the same political party, different parties, or no party at all. Under current law, all nominees of major and minor political parties, and nonaffiliated candidates nominated independent of the parties, appear on the general election ballot.

Measure 90 would further require that the ballot identify the political party that candidates have selected on their voter registration. For a non-registered candidate, the ballot would state “not a member of a party” or be left blank, whichever the candidate chooses. The ballot would also state that party affiliation does not imply party endorsement. Measure 90 would require that the primary and general election ballots list any endorsements by a major or minor political party that may have been accepted by the candidate. Candidates can be endorsed by more than one party, and parties can endorse more than one candidate.

If a primary election qualifier drops out of the general election, Measure 90 would substitute the candidate with the next highest amount of votes and provide for filling vacancies in office, regardless of party affiliation or independent status.

Proponents of Measure 90 state that the current system disenfranchises nearly one-third of Oregon voters who are not registered as a Democrat or a Republican and therefore cannot vote in either party’s primary election. An open primary system would encourage more voter participation by giving all registered voters the opportunity to vote in the primary. They state that since Measure 90 permits party endorsements to appear on the ballot, it maintains the integrity of the role of political parties in the process. The measure is supported by the Working Families Party.

Opponents of Measure 90 argue that the open primary leaves the party nominations vulnerable to manipulation and dilution and would marginalize the voices of third parties, as only two candidates are allowed on the general election ballot. Opponents also cite statistics from Washington and California, both open primary states, in which the voter turnout in primary elections has decreased with each election, since the new system was put into place. Therefore, the choices put forward from the primary to the general election may be far less representative of the entire population.

Opponents of Measure 90 include the Oregon Progressive, Pacific Green of Oregon, Democratic and Republican parties.

Financial Impact — The Secretary of State Elections Division estimates start-up costs of \$362,640 to modify computer systems. The most likely funding source would be revenues from the General Fund.

EMO Recommendation — *EMO is taking no position on Measure 90.* The primary goal of Measure 90 is to increase voter turnout in the primary by making all voters “equal.” EMO’s social principle of Public Witness and the Common Good calls for a government that is founded on principles of human dignity and political equality, is responsive to human needs and aspirations, sustains robust civic participation and religious freedom, and furthers social justice and the common good. EMO seeks to empower people of faith and all Oregonians to fulfill their role in the democratic process.

While EMO affirms that our government should seek greater voter participation and fully supports the need for election reform, we are uncertain that this initiative will positively impact Oregon’s electoral participation. Since relatively few major elections have occurred since the implementation of the open primary in Washington and California, it is difficult to determine whether or not the new system is an improvement over Oregon’s current system, or if it actually would decrease voter participation. Given the uncertainty about the impacts of this measure, EMO makes no recommendation on Measure 90.

Measure 91: Statutory Initiative—Allows possession, manufacture, sale of marijuana by/to adults, subject to state licensing, regulation, taxation.

Summary & Analysis — A “yes” vote on Measure 91 would legalize personal possession of marijuana within specified limits and provide for a commercial regulatory system of marijuana production, distribution and sale. Measure 91 allows a person age 21 or older to possess at any given time up to one ounce of marijuana away from home, so long as it is out of public view. At home, per household, persons 21 years or older may possess up to eight ounces of marijuana, 16 ounces of marijuana products, 72 ounces of marijuana in liquid form, and one ounce of marijuana extracts. Measure 91 also allows a household to have up to four marijuana plants, which cannot be grown in public view. Measure 91 prohibits using marijuana in a public place or while driving on a public road. It also prohibits homemade marijuana extracts or providing marijuana to a person who is visibly intoxicated.

Measure 91 would task the Oregon Liquor Control Commission (OLCC) to adopt rules for licensing and regulation of the production, processing, wholesale, and retail sale of marijuana and marijuana products throughout the state by Jan. 1, 2016. The state of Oregon will not operate any of these marijuana businesses.

A city or county may opt out of having marijuana businesses only by petition signed by 10 percent of registered voters and approved by a majority of voters in the general election. Measure 91 imposes a tax by weight on marijuana produced by licensees. Money collected by the state tax and licensee fees is used to fund licensing and regulation by the state. Local taxation is prohibited. Measure 91 does not affect laws relating to medical marijuana.

Proponents of marijuana legalization point to the failed “war on drugs” and the systemic form of

discrimination in the arrest and incarceration of drug offenders that has been aimed disproportionately at people and communities of color. They propose that the legalization, regulation and taxation of marijuana will raise much needed revenue for social programs and save the state money by lowering the prison population.

Opponents say that there is the potential for legalization to lead to more abuse and addiction, as the drug becomes more widely available. There is also the possibility for minors under the age of 21 to have easier access to the drug if it is legalized.

Financial Impact — The revenue estimate from taxes when fully implemented may range from \$17 million to \$40 million annually. The OLCC estimates start-up costs at about \$300,000 in the state fiscal year 2015, about \$2.5 million in state fiscal year 2016, and \$1 million in fiscal year 2017. OLCC annual operating expenses are estimated to be \$3.2 million per year. Additional estimated costs per year include: Oregon Health Authority, \$200,000; Oregon Department of Agriculture, \$100,000; and Oregon State Police, \$400,000 in state fiscal year 2016 and ongoing expenses of \$400,000 per year beginning in 2016; new revenues are expected to offset these costs. The Oregon Judicial Department also expects additional court costs to address OLCC rulemaking and licensing authority. The remaining revenue would be distributed to the Common School Fund, Mental Health Alcoholism and Drug Services Account, State Police Account, counties and cities for law enforcement, and the Oregon Health Authority for alcohol and drug abuse prevention, early intervention and treatment services.

Passage of the initiative may result in the reduction of the number of persons entering the public safety system for marijuana related violations, thereby reducing state expenditures on community corrections. Passage of the initiative may result in the reduction of the dollar value of fines collected by state and local governments for convictions of marijuana-related violations. The impact for state and local governments, district attorneys and the courts is indeterminate. New jobs created will generate an indeterminate amount of income tax revenue.

EMO Recommendation — *EMO is taking no position on Measure 91.* While Measure 91 limits the possession and cultivation of marijuana and places authority for regulation with the Oregon Liquor Control Commission, whose members are appointed by the governor, it is still illegal to possess or grow marijuana according to federal law. As such, the legalization of marijuana in Oregon potentially sets up a confrontation with the federal government.

While the EMO Board is concerned about how drug offenses have disproportionately impacted people of color and those living in poverty—noting that the high incarceration rates for drug offenses have violated human rights and damaged the health and well-being of families—we are very concerned about the possible negative health effects of today’s marijuana on the people who use it. The legalization of marijuana may result in more abuse and addiction as the drug becomes increasingly available, creating negative effects on families. Without greater clarity regarding these concerns, EMO makes no recommendation on Measure 91.

Measure 92: Statutory Initiative—*Requires food manufacturers, retailers to label “genetically engineered” foods as such; state, citizens may enforce.*

Summary & Analysis — A “yes” vote on Measure 92 would create a labeling law, effective Jan. 1, 2016, for raw and packaged foods for human use, wholly or partly made through genetic engineering, as defined. Food is subject to labeling if it is made from or produced with organisms in which genetic material has been changed through certain defined techniques or methods. Manufacturers of packaged raw food must include “Genetically Engineered” clearly and conspicuously on the packaging. For unpackaged raw food, the retailer must label the shelf or bin where the food is displayed. Suppliers must label containers used for raw food delivered directly to retailers. For packed food containing products of genetic engineering, the manufacturer must label the package “Produced with Genetic Engineering” or “Partially Produced with Genetic Engineering.”

Proponents of Measure 92 argue that consumers have a right to know how food is produced. They also argue that labeling may help create a more favorable climate for small farms and marketing of organic and sustainable food products on both the local and global levels. Endorsers include: New Seasons, Dave’s Killer Bread, Center for Food Safety, Sierra Club, Oregon Rural Action, Food & Water Watch, and the National and Oregon Chapter of Physicians for Social Responsibility.

Opponents of labeling genetically engineered food products claim there is no nutritional basis for such a law. Such labeling, they say, implies to the public that there’s something wrong with genetically engineered products. They also claim that the law will increase the cost of food by requiring special labeling for Oregon-only compliance regulations and the initial and on-going costs to farmers, food-processors and manufacturers, retailers and consumers.

Financial Impact — The measure is expected to result in direct expenditures by state agencies for initial one time start-up costs estimated at between \$550,000 and \$600,000. Costs associated with ongoing enforcement have variable assumptions about the level of administrative oversight. Therefore, the financial impact is indeterminate.

EMO Recommendation — *Vote YES on Measure 92*, based on the EMO social principles of *Environmental Stewardship* and *Economic Justice*. We believe that market economies require both ethical and legal regulation to safeguard the environment and public health, including the right for people to choose what to eat and the right to know what is in the food we consume. The stated intent

of Measure 92 is to establish a consistent and enforceable standard for labeling foods produced with genetic engineering and to provide the citizens of Oregon with knowledge of how their food is produced. For consumers who have religious dietary guidelines, such as Halal or Kosher requirements, religious freedoms may be violated if they lack information regarding the mixing of

*Learn to do good; seek justice,
rescue the oppressed, defend the
orphan, plead for the widow.
—Isaiah 1:17*

species such as meat/animal genes with vegetables. Having a labeling requirement will create the capacity to monitor genetically engineered products in food, so the consumer can make an informed choice and document any health issues that might arise in the future.

Other Christian organizations supporting genetically engineered labeling include: World Council of Churches, United Methodist Church, Presbyterian Church USA, and a study committee of the Evangelical Lutheran Church. The Archbishop of Canterbury has delivered a position statement along similar lines, as well for the Anglican and Episcopal Churches worldwide. In addition, the National Physicians for Social Responsibility and the Oregon Chapter of Physicians for Social Responsibility have endorsed labeling.



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