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STATE OF OREGON

Voters' Pamphlet

Constitutional Amendments

and

Nonpartisan Offices

Primary Nominating Election

May 26, 1970



Compiled and Distributed by

CLAY MYERS

Secretary of State

INFORMATION STATEMENT

(1) Requirements for a citizen to qualify as a voter:

Citizen of the United States.

Twenty-one or more years of age.

Resided in the state at least six months.

Able to read and write English.

Registered as an elector with the County Clerk or official registrar at least 30 days before election.

(2) Voting by absentee ballot.

You may apply for an absentee ballot if:

You are a registered voter. ("Service voters" are automatically registered by following the service voting procedure.)

You have reason to believe you will be absent from your county on election day.

You live more than 15 miles from your polling place.

You will be physically unable for any reason to attend the election.

"Service voter" means a citizen of the State of Oregon absent from the place of his residence and: serving in the Armed Forces or Merchant Marine of the United States, or temporarily residing outside the United States and the District of Columbia.

Application for the ballot may be filed with, or mailed to the County Clerk at any time within 60 days preceding the Primary election, March 27—May 26, 1970 (Service

voters, after January 1 of election year).

Application includes:

Your signature.

Address or precinct number.

Statement relating why applicant is physically unable to attend the election personally.

Address to which ballot will be mailed.

Ballot, when voted by elector, must be returned to County Clerk not later than 8 p.m. on election day.

(3) A voter may obtain from his County Clerk a certificate of registration if he:

Changes residence within his precinct, county or to another county within 60 days prior to the ensuing election and has not registered. (Certificate is presented to his election board.)

Is absent from his county on election day. (Certificate may be presented to the election board in any county in the state. Elector may vote only for state and district offices.)

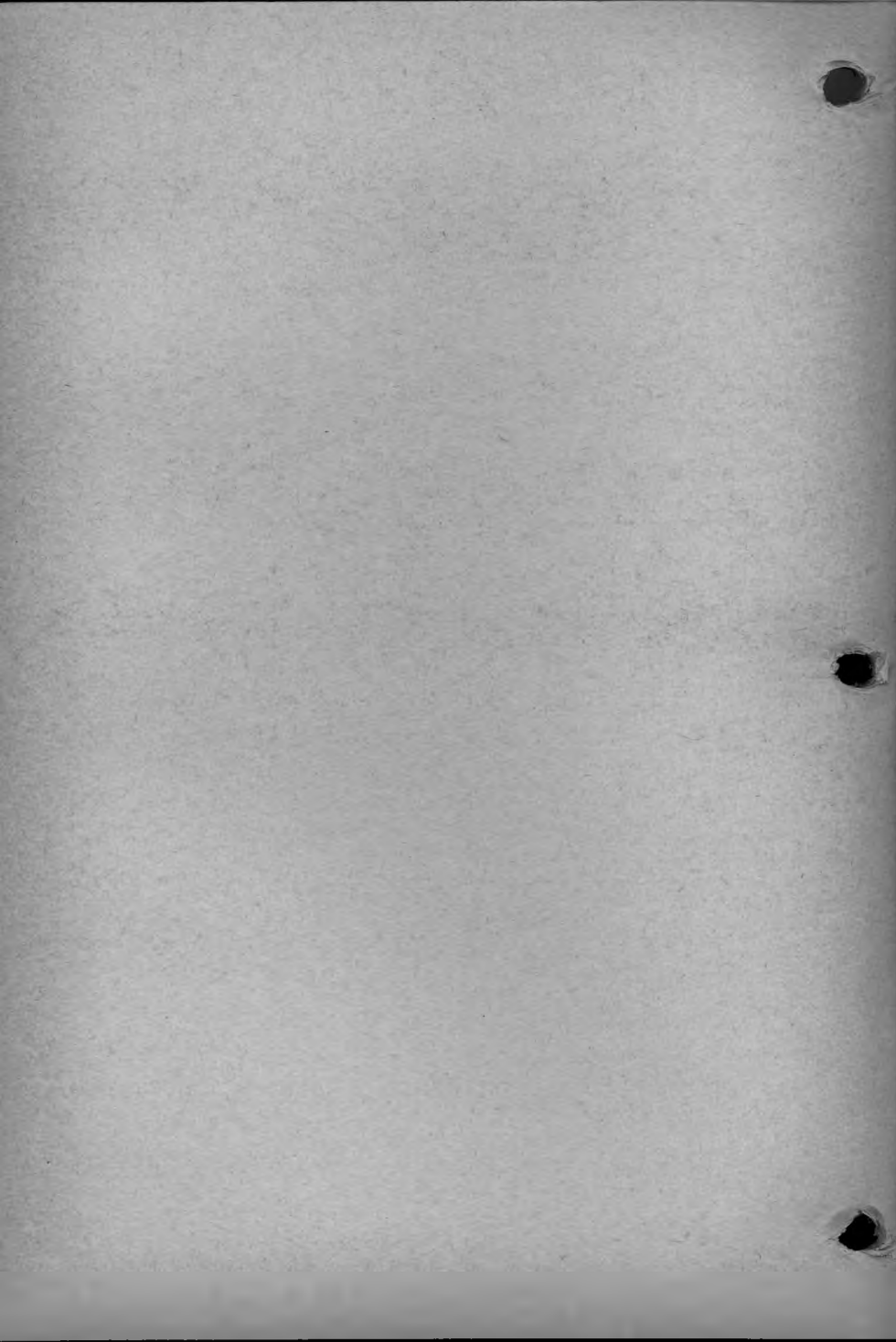
(4) A voter is required to reregister if he:

Changes address by moving within his precinct or moves to another precinct or county, or his residence address is changed for any reason.

Changes party registration.

Changes name.

(See back of book for list of candidates)



Measure No. 1

Capital Construction Bonds For State Government

Proposed by the Fifty-fifth Legislative Assembly as Senate Joint Resolution No. 22, filed in the office of the Secretary of State April 11, 1969 and referred to the people as provided by section 1, Article XVII of the Constitution.

Explanation

By Committee Designated Pursuant to ORS 254.210

Ballot Measure No. 1, if approved, by the people, would authorize the issuance of general obligation bonds up to a limit of one-fourth of one percent of true cash value of taxable property in the state, to provide funds with which to:

(1) Repay outstanding indebtedness incurred to finance the cost of buildings, structures and other projects for state government; and

(2) Construct, improve, repair, and equip and furnish buildings, structures and other projects for state government, and to purchase or improve sites therefor.

This amendment to the Oregon Constitution, which would be designated Article XI-H, specifically provides that only such projects which conservatively appear to be self-supporting and wholly self-liquidating shall be undertaken. Further, the clear intent of the legislature in submitting this measure to the people, was that rental rates will be set at an amount which would be sufficient, not only to operate the buildings, but also provide sufficient monies for the redemption of the related bonds and interest. In addition, the state may use gifts, parking fees or other building fees to pay the indebtedness.

Other provisions of the measure direct that all unpledged net revenues of existing buildings, structures and other projects for state government may be pooled with the net revenues of new buildings, structures and other projects in order to render such buildings and structures self-liquidating and self-supporting. Also, it is provided that the state would have authority to levy property taxes to redeem the maturing bonds and interest coupons, if other revenues are not sufficient.

At the present time, building projects, other than those for higher education, are financed by borrowing from one or more of the various state trust funds. The interest rate paid to these funds is equal to the rate that the trust fund could earn if their monies were invested in other authorized investments. Recent state investments are yielding well in excess of 8.0 percent and it is anticipated that an issue of general obligation bonds would cost approximately two percent less.

This variation of two percent between borrowing and the issuance of general obligation bonds would represent a substantial saving to the state. For example, if the bond issue was in the allowable amount of approximately \$40 million to be retired in 20 years, the savings would be several millions of dollars. Such savings would result in lower rental rates being charged various state agencies occupying space in the buildings, which in turn, would result in more money being available for general fund purposes, including property tax relief.

Legislative Assembly approval is required for any bonding project authorized by this measure.

ROBERT R. KNIPE, Portland
ALFRED W. LOUCKS, Salem
LEE V. OHMART, Salem

Measure No. 1

Capital Construction Bonds for State Government

Argument in Favor

**Submitted by Legislative Committee provided by Subsection (3) of
ORS 255.421**

This measure would amend the Constitution to permit the State of Oregon to issue general obligation bonds to provide funds for the construction of office and branch office buildings.

At the present time these buildings are constructed with moneys borrowed from state trust funds. The interest rate on general obligation bonds will be approximately two percent less than the rate paid on trust fund borrowing. This reduction in interest rates will result in a reduction in the cost of state government.

Both bond principal and interest will be paid from moneys received by the state from rental charges assessed to state agencies occupying space in the various buildings.

REPRESENTATIVE L. B. DAY
REPRESENTATIVE PHIL LANG
SENATOR JOHN D. BURNS

Measure No. 1

Capital Construction Bonds for State Government

CONSTITUTIONAL AMENDMENT

Be It Resolved by the Legislative Assembly of the State of Oregon:

Paragraph 1. The Oregon Constitution is amended by creating new sections to be added to and made a part thereof, to be designated Article XI-H, and to read:

ARTICLE XI-H

CAPITAL CONSTRUCTION FOR STATE GOVERNMENT

Section 1. The credit of this state may be loaned and indebtedness incurred in an amount that may not exceed at any one time one-fourth of one percent of the true cash value of all taxable property in this state, as determined by law, to provide funds with which to:

- (1) Repay outstanding indebtedness incurred to finance the cost of buildings, structures and other projects for state government; and
- (2) Construct, improve, repair, equip and furnish buildings, structures and other projects for state government, and to purchase or improve sites therefor.

Section 2. The buildings, structures and other projects constructed, improved, repaired, equipped and furnished under subsection (2) of section 1 of this Article shall be such only as conservatively appear to the construction authority to be wholly self-liquidating and self-supporting from gifts, grants, rentals and parking or other building fees. All unpledged net revenues of existing buildings, structures and other projects for state government may be pooled with the net revenues of new buildings, structures and other projects in order to render the new buildings, structures and other projects self-liquidating and self-supporting.

Section 3. Ad valorem taxes shall be levied annually on all taxable property in this state in sufficient amount, with the revenues described in section 2 of this Article, to provide for the payment of such indebtedness and the interest thereon. The Legislative Assembly may provide other revenues to supplement or replace such tax levies.

Section 4. Bonds issued under this Article shall be the direct general obligations of this state, be in such form, run for such periods of time, and bear such rates of interest, as are provided by law. The bonds may be refunded with bonds of like obligation. Unless otherwise provided by law, bonds may not be issued under this Article for the construction of buildings or other structures until all of the outstanding indebtedness has been repaid under subsection (1) of section 1 of this Article.

Section 5. The Legislative Assembly shall enact laws to carry out this Article. This Article supersedes all conflicting provisions of this Constitution.

Note: Matter in italics in an amended section is new; matter ~~(lined-out-and-bracketed)~~ is existing law to be omitted; complete new sections begin with Section.

BALLOT TITLE**CAPITAL CONSTRUCTION BONDS FOR STATE GOVERNMENT**

1 —Purpose: Constitutional Amendment authorizing issuance of general obligation bonds not to exceed at any one time one-fourth of 1% of true cash value of all taxable property. The bond revenues are to finance the cost of building and other state government projects, and to be repaid from gifts, rentals, parking and other building fees. The legislature, however, may impose a property tax if such gifts, rentals and fees are insufficient to pay indebtedness.

YES

ESTIMATE OF FINANCIAL EFFECTS: This amendment would provide an additional borrowing method to finance self-liquidating and self-supporting general state buildings and other projects. Based on the estimate of 1971 true cash value, the maximum amount of bonds which the legislature could authorize would be approximately \$50 million. This amendment would make it possible for the state to reduce interest annual rates at which it borrows money by more than 2%—a possible saving of approximately \$1 million a year.

NO

Measure No. 2**Repeals "White Foreigner" Section of Constitution**

Proposed by the Fifty-fifth Legislative Assembly as House Joint Resolution No. 16, filed in the office of the Secretary of State April 18, 1969, and referred to the people as provided by section 1, Article XVII of the Constitution.

Explanation**By Committee Designated Pursuant to ORS 254.210**

ARTICLE I, Section 31, of the Constitution of Oregon reads as follows:

"Section 31. Rights of aliens; immigration to state. White foreigners who are, or may hereafter become residents of this State shall enjoy the same rights in respect to the possession, enjoyment, and descent of property as native born citizens. And the Legislative Assembly shall have power to restrain, and regulate the immigration to this State of persons not qualified to become Citizens of the United States."

Measure No. 2, if approved, will repeal Section 31, Article I. The reason for proposing this amendment is to eliminate from the Constitution of Oregon a provision which, according to legal authorities provided by the sponsor of the resolution in the Oregon Legislature, is invalid because of a conflict with the Constitution of the United States.

DENNIS M. YAMAMOTO, O.D., Corvallis
GLEN W. KNICKERBOCKER, Salem
JAMES G. HELTZEL, Salem

Measure No. 2

Repeals "White Foreigner" Section of Constitution

CONSTITUTIONAL AMENDMENT

Be It Resolved by the Legislative Assembly of the State of Oregon:

Paragraph 1. Section 31, Article I, of the Constitution of the State of Oregon, is repealed.

Paragraph 2. The amendment proposed by this resolution shall be submitted to the people for their approval or rejection at a special election held on the same day as the next regular primary election held throughout this state.

BALLOT TITLE

REPEALS "WHITE FOREIGNER" SECTION OF CONSTITUTION

2 —Purpose: Repeals Section 31, Article I of Oregon Constitution which discriminates against non-white foreigners and purports to give the state of Oregon authority to regulate immigration. The purpose of this measure is to eliminate from the Oregon Constitution a provision which is invalid because it conflicts with the U.S. Constitution.

YES

NO

Revised Constitution For Oregon

Explanation

By Committee Designated Pursuant to ORS 254.210

Measure No. 3 is a revision of the basic government document in Oregon, the State Constitution.

There are few substantial changes in the organization of government in this Constitution. However, it is more logical in its organization and obsolete and statutory material has been removed.

A brief summary of the various Articles are:

Article I. Bill of Rights. Clarifies the double jeopardy provision; applies the right to counsel, open trial, etc., to any case involving loss of liberty and allows the courts to review the substance of legislation or ordinances to see whether it deprives a person of any right, privilege or liberty.

Article II. Suffrage and Elections. Residency requirements would be set by law. The requirement that a person read and write the *English language* would be deleted—any language would be acceptable. Recall petitions would require more signatures.

Article III. Initiative and Referendum. Unchanged.

Article IV. Legislature. Membership of the House would increase from 60 to 65 and of the Senate from 30 to 35; the apportionment provision would say merely that it should be "in a manner provided by law but designed to achieve substantial equality of representation on the basis of population"; the procedures for enforcement would remain the same. Retains biennial session, but also allows Legislature to call itself into session. Removes prohibition on dividing counties in creating senatorial districts.

Article V. Executive. All of the present elected officers would remain; the Governor would appoint non-elective department heads, with Senate approval, and could remove them. The Governor would retain executive powers when outside the State. Line of succession would be President of the Senate and then Speaker of the House; from then on, set by law. Limitations of elective terms eliminated.

Article VI. Judiciary. This Article establishes a unified system of state courts headed by the Supreme Court, which supervises all other courts. Number of Supreme Court judges would be set at 7. Legal training would be required for all judges except county judges and justices-of-the-peace; these could be set by law. Judges would be elected as now.

Article VII. (Local Government), Article VIII. (Public Officers), and Article X. (Governmental Activities) contain no new material, but regroup existing scattered provisions.

Article IX. Taxation and Finance. The 6% limitation, earmarking of gas tax revenues and the county debt limit would remain. The first levy of a new taxing unit would not be subject to the 6% limitation provisions; future levies would be. The State is given greater leeway on cooperative agreements not involving general obligation bonds.

Article XI. Amendment and Revision. The alternatives are unchanged.

Article XII. (Transitional) and Article XIII. (Statutory Provisions) would be deleted after changeover to new constitution. Any amendments adopted since drafting of Measure 3 would be automatically incorporated. Specific material removed from the old Constitution will be made statutory, e.g., liquor by the drink, detail on administration of the veterans' loan program, bonds for higher education, etc.

SHIRLEY A. FIELD, Portland
RUTH H. HAGENSTEIN, Portland
TOM SCANLON, Salem

Measure No. 3
Revised Constitution for Oregon
Argument in Favor

Submitted by Committee Designated Pursuant to SJR 23, 1969

In 1960, the Oregon Constitution was changed to permit the Legislature to propose a revision of the entire Constitution, subject to ratification by vote of the people. A commission for Constitutional Revision, created by the Legislature in 1961, drafted a revision, and recommended that it be proposed by the Legislature. The Commission's draft was debated extensively during the next four legislative sessions, and in 1969 both Houses, by more than two-thirds votes of their respective members, submitted it to the people.

The Oregon Constitution was adopted in 1859 by a vote of 7,195 to 3,215, and during the next 111 years was amended 124 times, swelling its size to 22,000 words. Many of its provisions are clearly obsolete, such as that prohibiting erection of a State House prior to 1865. Many provisions have been superseded by amendments, so that lengthy and expensive court proceedings have been necessary to resolve conflicting sections. This proposed revision would eliminate obsolete material, clarify conflicts and restate the remainder in clear, modern language. This revision shortens the Constitution by about 10,000 words.

This proposed revision, while not nearly as extensive as the Commission wanted, does make some substantial changes. The principal ones are:

1. Modifies the existing method of legislative apportionment to conform to U.S. Supreme Court rulings.
2. Increases the number of Senators from 30 to 35, and Representatives from 60 to 65, thus assuring continued adequate representation now for Oregon's more than 2,000,000 citizens, and for future growth; eliminating the possibility of tie votes, such as in 1957 when the Senate, with 15 Democrats and 15 Republicans, was long delayed in organizing during 286 votes for President. By comparison, Washington has 148 Legislators; California, 120, and Idaho, 105.
3. Retains biennial Legislative sessions, but also permits the Legislators, by majority vote, to call themselves into special session, which now can be done only by the Governor. This assures a purer separation of power, as cherished by our Founding Fathers.
4. Eliminates the possibility of secret Legislative sessions.
5. Retains the prohibition against the emergency clause being applied to revenue measures, but permits other legislative acts to become law 90 days after final passage, instead of 90 days after the end of the session.
6. The Governor remains the Governor when he is out of the State. Under the present Constitution, the next in line of succession becomes Governor, at \$50.00 per day, when the duly elected Governor is out of the State.
7. Permits the Governor, Secretary of State, and State Treasurer to serve more than two consecutive four-year terms, subject to a vote of the people.
8. Sets the number of signatures required on petitions to recall a public officer at one-third the total vote for Governor, within the governmental unit served by that officer, whether local or state-wide. The current requirement is twenty-five per cent of the vote cast for Supreme Court Justice.
9. Retains the President of the Senate, then the Speaker of the House as the first two officials in line of succession to the Governor, leaving other successors to legislative action.

10. Permits the State to assume general obligation debt when authorized by law, but only if approved by a majority of voters at a state-wide election.
11. Continues the limitations on the use of revenues from the motor vehicle fuel tax, and adds their use for purposes in aid of highway traffic. The Commission for Constitutional Revision explained that this gives the Highway Commission more flexibility because "street and highway transportation may be directly aided by more than the purchase of land, cement and asphalt, and assistance to street and highway transportation is the purpose of gasoline taxes and the earmarking of them". This added language on direct aid to highway traffic, implied in the present Constitution, was in the drafts before four legislatures without opposition.
12. Requires the State to retain title to the shores of the Pacific Ocean, and to off-shore lands, preserving them for the people.
13. Permits the Legislature to provide by law for the distribution of income from the Common School Fund for school purposes, but does NOT change the existing limitation on school property taxes.
14. Provides that a person has the right of counsel in any case in which he may lose his liberty.
15. Exempts from the six per cent tax limitation ONLY new taxing districts, and then ONLY for the first year; whereafter they are subject to the six per cent limitation applicable to all other established districts.

Although the Attorney General included this reference in the ballot title, it has only nominal constitutional significance, as these figures attest: In the 1967-69 biennial period, the total number of tax districts actually dropped from 1230 to 1225. School districts declined from 421 to 396; special districts (such as fire and water), increased from 549 to 565, and cities from 224 to 228, for an over-all loss of five districts in the two years.

Among the guarantees remaining unchanged by this proposed revision are:

1. Elective State Offices: Governor, Secretary of State, State Treasurer, and Superintendent of Public Instruction, as Constitutional offices; and Attorney General and Labor Commissioner, which were established by the Legislature.
2. The number of signatures required for initiatives for constitutional change. The base was changed to the more stable total vote for governor, from the vote for Supreme Court Justice, by a constitutional amendment passed in 1968 by the voters, 321,731 to 244,750.
3. The Judicial System, with the election by the people of all judges.
4. The inviolability of city charters from legislative action.

If approved by the people, this Revised Constitution would first become effective on Jan. 1, 1972, except that the provisions for legislative reapportionment would apply to the apportionments scheduled for 1971. Any constitutional amendment adopted by the people in 1970 would be incorporated automatically into this Revised Constitution.

This Constitution is constructed for the well-being of the People of the State of Oregon, and to meet the changes and challenges of the future.

SENATOR GLEN M. STADLER
 SENATOR DON S. WILLNER
 REPRESENTATIVE GORDON MACPHERSON
 REPRESENTATIVE ALLEN PYNN
 REPRESENTATIVE KEITH D. SKELTON
 REPRESENTATIVE DON WILSON

Ballot Measure No. 3
Revised Constitution for Oregon
Argument in Favor

Submitted by the Citizens' Committee for a New Oregon Constitution

TRADE IN OREGON'S ANTIQUATED CONSTITUTION with its

- obsolete provisions (e.g. restriction on dueling)
- illogical arrangement of provisions
- confusing duplication (two articles on the Judiciary)
- clumsy organization (with over 120 amendments)
- clutter of unnecessary statutory detail

VOTE FOR A MODERN CONSTITUTION THAT WILL PROVIDE MORE EFFECTIVE, RESPONSIVE STATE GOVERNMENT

- By allowing the division of counties for apportionment of legislative districts, it will assure every citizen's vote is equal.
- By permitting the legislature to call itself into session, the state can respond more quickly to the increasing demands of its citizens.
- By prohibiting secret legislative sessions, it will protect the Oregonian's cherished right to follow the deliberations of his elected representatives.
- By increasing the membership of the House and Senate, it assures the same representation in all areas for Oregon's growing population and eliminates the possibility of tie votes.
- By providing for the right to counsel in any case involving loss of liberty, it promises better justice to every citizen, rich and poor.

VOTE FOR A MODERN STATE CONSTITUTION THAT WILL MAINTAIN PRESENT SAFEGUARDS

- It will retain the 6% tax limitation; the one minor change would exempt the first levy ONLY of a new taxing unit from the limitation.
- It will retain the emergency clause prohibition on tax measures.
- It will retain the earmarking of motor vehicle fuel taxes for highways, aid to highway traffic and parks.
- It will retain the initiative, referendum and recall; only the signature requirement for recall petitions would be changed.
- It will retain the people's right to elect judges and all presently elected state officers.
- It will retain state ownership of public beaches.

VOTE FOR A MODERN STATE CONSTITUTION THAT WILL BE A CLEAR AND ORDERLY STATEMENT OF THE PRINCIPLES OF OUR GOVERNMENT

HELP OREGON'S CONSTITUTION MOVE INTO THE 20th CENTURY
VOTE YES ON BALLOT MEASURE No. 3

CITIZENS' COMMITTEE FOR A NEW OREGON CONSTITUTION
Senator Don Willner, Senator Glen M. Stadler, Senator Berkeley
Lent, Rep. Stafford Hansell, Senator Anthony Yturri, Clay Myers
and Mrs. George Casterline
Route 3, Box 1056, Troutdale, Oregon 97060

Measure No. 3**Proposed Oregon Constitution****Argument in Opposition****Submitted by Oregon State Grange**

Because of the many sections now contained in the Oregon Constitution which would be eliminated from that document and become a part of Oregon Revised Statutes, and thus be subject to amendment or repeal by the Legislature without a vote of the people, the Oregon State Grange recommends a NO vote.

Among those sections are the following:

1. The Oregon War Veterans Fund including regulatory provisions pertaining thereto. This would eliminate the question of legality which was raised when the 1967 Legislature proposed to raid that fund for other purposes.
2. Bonds for Higher Education and Community Colleges. This covers two separate Constitutional amendments.
3. Bonds for Forest Rehabilitation.
4. Bonds for Roads.
5. Regulations pertaining to licensing and sale of alcoholic beverages, by the drink and otherwise.
6. That part of the Peoples Utility District amendment which grants to such a district the power:
 - (1) To call and hold elections within their respective districts.
 - (2) To levy taxes upon the taxable property of such districts.
 - (3) To issue, sell and assume evidences of indebtedness.
 - (4) To enter into contracts.
 - (5) To exercise the power of eminent domain.
 - (6) To acquire and hold real and other property necessary or incident to the business of such districts.
 - (7) To acquire, develop or otherwise provide for a supply of water, water power and electric energy.

These are some of the provisions which would be removed from voter control and given to legislature control.

Along with this, several provisions are added to the present Constitution:

1. Each house of the Legislature is increased by five. It would appear that such an increase would crowd the facilities beyond endurance and doubtless there would need to be additional space provided by remodeling or possibly a new building. An odd number could be achieved by adding only one to each house (which would be workable), or it could be achieved by subtracting one from each house.

2. An amendment would provide that the Legislature might group a number of bills together and with one vote adopt whatever number agreed upon, be it a dozen or two dozen or whatever. True, this would be by unanimous consent of the members present. However, it would destroy the present recording of each member's vote on each single bill.

3. Article XI—Sec. 6 Provides that an amendment to the Constitution may be submitted having alternative provisions, to be voted on as a whole and even with a negative vote one provision would become effective.

4. Provision is made that legislative reapportionment may be carried out without regard to county lines. This, coupled with another provision, would appear to indicate a desire to allow the Legislature to disregard county lines not only in reapportionment, but in all other instances. Quoting again from the proposed Constitution, "Provision may be made by general law for methods and procedures of altering the boundaries of, merging, consolidating and dissolving counties, cities and public corporations".

5. Article IX—Sec. 10 Motor vehicles gas tax and license revenue use might be changed somewhat under the new proposal. The words, "or otherwise directly in aid of highway traffic," have been added in defining the use of these funds. This might include Mass Transportation, and various other activities.

6. The number of signatures required of voters on recall petitions is increased by several thousand names.

The Revised Constitution does not contain the two term limit for the Governor, Secretary of State and State Treasurer.

This covers only a portion of the changes to be made. It would be well worth your while to spend some time in a study of the complete text of the proposed revision, if you are lucky enough to find a copy. At this writing they are in short supply. VOTE NO MEASURE No. 3

This space paid for by the OREGON STATE GRANGE

Material furnished by Legislative Committee—

Allen P. Wheeler

Earl Moore

Robert Schmidt

Measure No. 3

Revised Constitution for Oregon

Argument in Opposition

Submitted by Mr. and Mrs. Ivan J. Manning

Your Bill of Rights is a precious heritage. Don't vote it away. Important and significant rights and provisions are omitted or changed. For example:

1. Omitted is Article 1, Section 33
 "This enumeration of rights and privileges shall not be construed to impair or deny OTHER rights retained by the people."
 This is YOUR reservoir of rights covering rights not specifically mentioned in the Constitution. Don't give it away. It supplements and amplifies your other rights. ALL 49 states have this in their state constitutions. Why was it omitted?
2. Omitted is Article 1, Section 29
 "No law shall be passed granting any title of nobility, or conferring hereditary distinctions."
 Not archaic or outmoded as claimed. Such rights, though little litigated, are better secured by having their importance attested in black and white.
3. If the present Constitution is being "modernized", why, in a computerized society, was not the right to privacy mentioned?
4. And why was not the right of association recognized by the Supreme Court of the United States in 1958 added to the rights of assembly and petition in Section 3 of the proposed Constitution?
5. Omitted is the "natural rights inherent in the people" and "social compact" theory section, Article 1, Section 1, containing the sweep and majesty of the preamble of the Federal Constitution. Insist on it.
6. Filed in Multnomah County Court House are the records of a recent discovery that the general no preference of religious sect and no tax for same (Article 1, Section 4, from Indiana's constitution) was omitted through error from the present constitution in 1859. This should be included.
7. The present Article 1, Section 5, meant in 1859 to prohibit funds from State Treasury being used for the benefit of sectarian schools or theological seminaries and has now been REWRITTEN to provide that "public money" (municipal, county or state) shall (the "shall" is mandatory) not be "appropriated or spent" for the "benefit of a religious institution". This is far beyond the Federal Constitution and could restrict a city from spending \$10.00 for Christmas decorations, for example. Don't barter away your rights regarding religion. This proposal is far more sweeping than the Federal.

Vote NO on the proposed constitution. Protect your fundamental rights. Time to Fight for YOUR Bill of Rights!

COMMITTEE FOR CONSTITUTIONAL RIGHTS
 Mr. and Mrs. Ivan J. Manning
 2935 N.E. 56th Avenue, Portland, Oregon

Measure No. 3

Revised Constitution for Oregon

Argument in Opposition

Submitted by ZAMO, Inc.

VOTE NO ON MEASURE No. 3

MEASURE 3 IS NOT CONSTITUTIONAL REVISION!

MEASURE 3 REPEALS OUR PRESENT CONSTITUTION OF OREGON!

MEASURE 3 VIOLATES THE ORIGINAL INTENT AND FRAMEWORK OF THE PRESENT CONSTITUTION OF THE STATE OF OREGON!

- The new proposed Constitution of Oregon would allow the legislature, by law, to alter boundaries, consolidate and dissolve cities and counties. No constitutional provision requires a vote of the people affected.

- The new proposed Constitution of Oregon would allow cities, counties or the state to exercise any of its functions jointly with another state or foreign power, and to share in the financing thereof without a vote of the people.

- The new proposed Constitution of Oregon would provide no limitation on the number of four year terms the Governor, Secretary of State or the Treasurer could be elected.

- The new proposed Constitution of Oregon would allow the State Attorney General and county sheriffs to be appointed rather than elected.

KEEP THE LIMITATIONS ON GOVERNMENT POWERS AND RETAIN THE PEOPLE'S INHERENT RIGHTS GUARANTEED BY THE PRESENT CONSTITUTION OF THE STATE OF OREGON!

VOTE NO ON MEASURE 3

ZAMO, Inc.

Roberta Maben, Chairman

Route 1, Box 82, Mulino, Oregon 97042

Measure No. 3**Revised Constitution for Oregon****Argument in Opposition****Submitted by The Women's Legislative Council**

This page paid for by concerned taxpayers at a cost of \$250. Legislative advocates of No. 3 were allowed five pages without charge.

VOTE NO ON MEASURE 3

1. **THE NEW CONSTITUTION RESTRICTS** the people's right to the **RECALL** and the **REFERENDUM**.
 - The number of signatures required for recall has been vastly increased—about 70%.
 - The period of time for securing signatures for a referendum on tax measures has been reduced in most cases.
2. **THE NEW CONSTITUTION GRANTS UNLIMITED TERMS** of office to the Governor, the Secretary of State and the Treasurer.
3. **THE NEW CONSTITUTION ABOLISHES CONSTITUTIONAL LIMITATIONS** on state bonded **INDEBTEDNESS** for building, construction and other projects for community colleges and higher education permanent roads, Veterans' Loan Fund and reforestation. **TAXPAYERS ARE OBLIGATED** to pay principal and interest on state bonds every year.
4. **THE NEW CONSTITUTION PERMITS** the Legislature to establish **ANNUAL SESSIONS** whenever a majority of each house so desires.
5. **THE NEW CONSTITUTION PERMITS** the Legislature to enact laws to **ALTER** boundaries, **MERGE, CONSOLIDATE AND DISSOLVE** counties, cities and public corporations.
6. **NEWLY CREATED TAXING UNITS** would be **EXEMPT** from the 6% tax limitation for the first annual levy. Example: A new mass transit district can impose an unlimited property tax the first year without vote of the people.

A copy of the new Constitution costs \$1.00 from the Salem Office of the Secretary of State. **READ THE ENTIRE DOCUMENT.** Discover other **STRIKING CHANGES** that space does not permit us to point out at \$250 a page.

VOTE NO ON MEASURE 3!**VOTE NO ON MEASURE 3!****VOTE NO ON MEASURE 3!**

THE WOMEN'S LEGISLATIVE COUNCIL
 R. Caswell, Secretary
 P.O. Box 19353, Portland, Oregon 97211

Measure No. 3

Revised Constitution for Oregon

CONSTITUTIONAL AMENDMENT

Be It Resolved by the Legislative Assembly of the State of Oregon, two-thirds of all the members of each house concurring:

Paragraph 1. The Constitution of the State of Oregon of 1859, as amended, is repealed, and the following Constitution of the State of Oregon of 1970 is adopted in lieu thereof:

PREAMBLE

The people of Oregon ordain this Constitution for their government, and by it guarantee to all persons liberty, dignity and equal rights under the laws of this state.

ARTICLE I

BILL OF RIGHTS

Section 1. The rights enumerated in this Constitution are independent of and supplementary to those guaranteed under the Constitution of the United States. The people at all times have a right to alter, reform or abolish the government in the manner they may think proper.

Section 2. The right of free expression of opinion and to speak, write or print freely on any subject shall not be restrained, but every person shall be held responsible under law for injury done by abuse of that right.

Section 3. The right of the people peacefully to assemble and to petition the government shall not be abridged.

Section 4. Every person shall be secure in the right to worship God according to the dictates of his own conscience. A law shall not restrain the free exercise and enjoyment of religious opinions or interfere with the rights of conscience.

Section 5. Public money shall not be appropriated or spent for the benefit of a religious institution or for the payment of a religious service in either house of the Legislative Assembly.

Section 6. A religious test shall not be required as a qualification for a public office or employment, nor shall a witness or juror be questioned about his opinions on matters of religion. Oaths or affirmations administered to a person shall be in the mode most consistent with and binding on his conscience.

Section 7. The right of the people to be secure in their persons, houses and other property, papers and effects, against unreasonable searches and seizures shall not be violated; and a warrant shall not issue but on probable cause, supported by oath or affirmation, and particularly describing the place to be searched and the person or thing to be seized. A person shall not be compelled to give testimony that might tend to incriminate him.

Section 8. In a prosecution for a crime or offense punishable by loss of liberty:

(1) The accused has the right to a timely and public trial in the county in which the crime or offense is committed.

(2) The accused has the right to be tried by an impartial jury, except when he elects to be tried by the judge of the court alone or when he is charged with contempt of court.

(3) The accused has the right to know the nature and cause of the accusation against him and to have a copy thereof, to be heard in his own behalf, to meet witnesses face to face and to have compulsory process for obtaining witnesses.

(4) A jury shall determine the facts under the direction of the court as to the law. Verdicts by five-sixths of a jury may be authorized by law, but a verdict of guilty of a capital crime or offense must be unanimous.

Section 9. Every person has the right to assistance of counsel in all official proceedings and dealings with public officers. If he cannot afford counsel, he has the right to have counsel appointed for him in any case in which he may lose his liberty.

Section 10. A court shall not be secret, and justice shall be administered openly and without purchase or delay. A person shall not be deprived of any right, privilege or liberty by any unlawful or unfair procedure, or be denied remedy in due course of law for injury done him in his person, property or reputation.

Section 11. Every person, before judgment of conviction, is entitled to bail by sufficient surety, but excessive bail shall not be required. Bail may be denied to a person charged with a crime or offense punishable capitally or by life imprisonment, giving due weight to the evidence and to the nature and circumstances of the event. In the discretion of the court, bail may be allowed after judgment of conviction. A person arrested or confined shall not be treated with unnecessary rigor.

Section 12. Laws for the punishment of crime shall be founded on the principles of reformation, and not of vindictive justice. Excessive fines or cruel and unusual punishments shall not be imposed. Punishment shall not be disproportionate to the nature of the offense. A conviction shall not cause corruption of blood or forfeiture of estate.

Section 13. A person shall not be subjected unnecessarily to several prosecutions for the same conduct, or be put in jeopardy twice for the same offense.

Section 14. Imprisonment for debt shall not be imposed, except in case of fraud or absconding debtors.

Section 15. The privilege of the writ of habeas corpus shall not be suspended. The operation of the laws shall not be suspended, except by authority of the Legislative Assembly.

Section 16. Treason against the state consists only in levying war against it or in adhering and giving aid or comfort to its enemies, and shall not otherwise be defined under another name. A person shall not be convicted of treason except on the testimony of two witnesses to the same overt act or on confession in open court.

Section 17. The people have the right to bear arms for the defense of themselves and the state.

Section 18. The military shall be subordinate to the civil power. In time of peace a member of the armed forces shall not be quartered in a house without the consent of the owner or occupant, or in time of war except provided by law.

Section 19. Private property shall not be taken or damaged for public use, or the particular services of a person be demanded, without just compensation; or, except as provided by law, without just compensation first assessed and tendered.

Section 20. A law shall not grant to any person or class of persons privileges or immunities that, on the same terms, do not belong equally to all persons.

Section 21. An ex post facto law or law impairing the obligations of contracts shall not be enacted.

Section 22. The taking effect of a law shall not be made to depend on any authority except as provided in this Constitution.

ARTICLE II

SUFFRAGE AND ELECTIONS

Section 1. A person is qualified to vote in any election by the people if he:

- (1) Is a citizen of the United States;
- (2) Is 21 years of age or older;
- (3) Has the residence qualification required by law;
- (4) Is registered before the election as provided by law; and
- (5) Is able, except for physical disability, to read and write.

Section 2. A person who is mentally incompetent or who has been convicted of a felony may be prohibited by law from voting in any election. For that purpose, mental incompetency and conviction of a felony may be defined by law.

Section 3. A person shall not be required to pay any tax or to be an owner of property in order to be qualified to vote in any election, except that provision may be made by law requiring that a person be an owner of real property in order to be qualified to vote in any election in or to form a public corporation, other than a school district, whereby only real property is benefited or burdened or wherein only real property owners have any interest.

Section 4. Provision shall be made by law for insuring secrecy in voting, absent voting, administering elections, nominating candidates and requiring a residence qualification for voters and defining the residence required.

Section 5. In all elections to fill an office, the candidate or candidates therefor receiving the highest number of votes shall be declared elected, except as provided by law.

Section 6. The regular general election by the people in the state shall be held on the first Tuesday after the first Monday in November in each even-numbered year.

ARTICLE III

INITIATIVE AND REFERENDUM

Section 1. (1) The people reserve to themselves the initiative power, which is to propose laws and amendments to this Constitution and enact or reject them at an election independently of the Legislative Assembly.

(2) An initiative law may be proposed only by a petition signed by a number of qualified voters equal to six percent of the total number of votes cast for all candidates for Governor at the election at which a Governor was elected for a term of four years next preceding the filing of the petition.

(3) An initiative amendment to this Constitution may be proposed only by a petition signed by a number of qualified voters equal to eight percent of the total number of votes cast for all candidates for Governor at the election at which a Governor was elected for a term of four years next preceding the filing of the petition.

(4) An initiative petition shall include the full text of the proposed law or amendment to this Constitution. A proposed law or amendment to this Constitution shall embrace one subject only and matters properly connected therewith.

(5) An initiative petition shall be filed not less than four months before the election at which the proposed law or amendment to this Constitution is to be voted on.

Section 2. (1) The people reserve to themselves the referendum power, which is to approve or reject at an election any Act, or part thereof, of the Legislative Assembly that does not become effective earlier than the 90th day after the final passage thereof.

(2) A referendum on an Act or part thereof may be ordered by a petition signed by a number of qualified voters equal to four percent of the total number of votes cast for all candidates for Governor at the election at which a Governor was elected for a term of four years next preceding the filing of the petition. A referendum petition shall be filed before the 90th day after the final passage of the Act.

(3) A referendum on an Act may be ordered by the Legislative Assembly by law. Notwithstanding section 25, Article IV of this Constitution, bills ordering a referendum and bills on which a referendum is ordered are not subject to veto by the Governor.

Section 3. (1) Petitions or orders for the initiative or referendum shall be filed with the Secretary of State. Signatures of qualified voters on an initiative or referendum petition filed with the Secretary of State that have not been verified before the filing of the petition may be verified thereafter, but signatures not verified within the 15-day period after the last day on which the petition may be filed as provided in subsection (5) of section 1 or subsection (2) of section 2 of this Article shall not be counted.

(2) Initiative and referendum measures shall be submitted to the people as provided in this section and by law not inconsistent therewith.

(3) All elections on initiative and referendum measures shall be held at the regular general elections, unless otherwise ordered by the Legislative Assembly.

(4) An initiative or referendum measure becomes effective on the 30th day after the day on which it is enacted or approved by a majority of the votes cast thereon. A referendum ordered by petition on a part of an Act does not delay the remainder of the Act from becoming effective.

Section 4. The initiative and referendum powers reserved to the people by sections 1 and 2 of this Article are further reserved to the qualified voters of each municipality and district as to all local, special and municipal legislation of every character in or for their municipality or district. The manner of exercising those powers shall be provided by general laws, but cities may provide the manner of exercising those powers as to their municipal legislation. In a city, not more than 15 percent of the qualified

voters may be required to propose legislation by the initiative, and not more than 10 percent of the qualified voters may be required to order a referendum on legislation.

ARTICLE IV

LEGISLATURE

Section 1. The legislative power of the state, except for the initiative and referendum powers reserved to the people, is vested in a Legislative Assembly.

Section 2. The Legislative Assembly consists of a Senate and a House of Representatives. The membership of the Senate shall be 35 Senators. The membership of the House of Representatives shall be 65 Representatives.

Section 3. (1) The Senators and Representatives shall be apportioned by law as provided in sections 3, 4, 5 and 6 of this Article, and not otherwise.

(2) An apportionment shall apportion the Senators and Representatives among senatorial and representative districts in a manner provided by law but designed to achieve substantial equality of representation on the basis of population.

(3) An apportionment may not terminate the term of any Senator or Representative before his term otherwise would expire. An apportionment shall include provisions necessary to comply with this subsection.

(4) An apportionment applies first for the purpose of nominating and electing Senators and Representatives to serve at the regular session next following that nomination and election. For all other purposes, the next preceding apportionment applies until the beginning of that regular session.

(5) An apportionment is not subject to veto by the Governor.

Section 4. (1) The Legislative Assembly shall enact an apportionment after the date on which the final population figures for this state and counties thereof resulting from a federal decennial census become available and before July 1 next following that date, and may not enact an apportionment at another time.

(2) If the Legislative Assembly fails to enact an apportionment as provided in subsection (1) of this section, the Secretary of State shall prepare an apportionment in compliance with section 3 of this Article. The Secretary of State shall file the apportionment with the Governor before August 1 next following July 1 referred to in subsection (1) of this section. The apportionment becomes law on the date of the filing.

Section 5. (1) The Supreme Court has original jurisdiction to review an apportionment enacted by the Legislative Assembly under subsection (1) of section 4 of this Article, on the petition of any qualified voter of the state filed with the court before August 1 next following July 1 referred to in subsection (1) of section 4 of this Article.

(2) If the court determines on review that the apportionment complies with section 3 of this Article, it shall dismiss the petition by written opinion before October 1 of the same year.

(3) If the court determines on review that the apportionment does not comply with section 3 of this Article, it shall so declare by written opinion before October 1 of the same year. The apportionment is void on the date of the opinion. The opinion shall specify with particularity wherein the apportionment fails to comply with section 3 of this Article. The opinion shall direct the Secretary of State to prepare a new appor-

tionment in compliance with section 3 of this Article, using the apportionment enacted by the Legislative Assembly as a guide and departing therefrom only as necessary to comply with the particulars specified in the opinion.

(4) The Secretary of State shall prepare and send the new apportionment to the court before November 1 of the same year.

(5) If the court determines on review that the new apportionment complies with section 3 of this Article, it shall file the new apportionment with the Governor before December 1 of the same year. The new apportionment becomes law on the date of the filing.

(6) If the court determines on review that the new apportionment does not comply with section 3 of this Article, it shall return it to the Secretary of State before December 1 of the same year, together with a written opinion specifying with particularity wherein the new apportionment fails to comply with section 3 of this Article. The opinion shall direct the Secretary of State to prepare a second new apportionment correcting the first new apportionment in the particulars specified and in no others, and to file the second new apportionment with the Governor before December 15 of the same year.

(7) The Secretary of State shall prepare and file the second new apportionment in accordance with the opinion. The second new apportionment becomes law upon the date of the filing.

Section 6. (1) The Supreme Court has original jurisdiction to review an apportionment filed by the Secretary of State under subsection (2) of section 4 of this Article, on the petition of any qualified voter of the state filed with the court before September 1 next following July 1 referred to in subsection (1) of section 4 of this Article.

(2) If the court determines on review that the apportionment complies with section 3 of this Article, it shall dismiss the petition by written opinion before November 1 of the same year.

(3) If the court determines on review that the apportionment does not comply with section 3 of this Article, it shall so declare by written opinion before November 1 of the same year. The apportionment is void on the date of the opinion. The opinion shall specify with particularity wherein the apportionment fails to comply with section 3 of this Article. The opinion shall direct the Secretary of State to prepare a new apportionment correcting the apportionment filed under subsection (2) of section 4 of this Article in the particulars specified and in no others, and to file the new apportionment with the Governor before December 1 of the same year.

(4) The Secretary of State shall prepare and file the new apportionment in accordance with the opinion. The new apportionment becomes law on the date of the filing.

Section 7. A senatorial or representative district consisting of one entire county only and entitled to two or more Senators or Representatives, respectively, under an existing apportionment may be divided into subdistricts from time to time by law. A bill that divides a senatorial or representative district into subdistricts is not subject to veto by the Governor. Subdistricts shall consist of contiguous territory within the district. The population per Senator in all senatorial subdistricts and the population per Representative in all representative subdistricts, respectively, within the district shall be as nearly equal as practicable.

Section 8. Members of the Legislative Assembly shall be elected at regular general elections by the voters of the respective senatorial or representative districts or subdistricts into which the state may be divided by law. A vacancy in the Legislative Assembly shall be filled as may be provided by law.

Section 9. Senators shall be elected for terms of four years each. Representatives shall be elected for terms of two years each. The term of each Senator and Representative begins on the second Monday in January next following his election, unless otherwise provided by law. One-half of the Senators, as nearly as possible, shall continue to be elected every two years.

Section 10. Each member of the Legislative Assembly, at the time of his selection, must be:

- (1) A citizen of the United States;
- (2) A resident of the district from which he is selected for at least one year next preceding his selection; and
- (3) Twenty-one years of age or older.

Section 11. (1) Except for treason, felony or breach of the peace, members of the Legislative Assembly are privileged from arrest during, and in going to and returning from, a session of the Legislative Assembly.

(2) Members are not subject to any civil process during a session or during the 15 days next preceding commencement of a session.

(3) Members shall not be questioned in any other place for words uttered on the floor of either house or at a meeting of a legislative or interim committee.

Section 12. (1) A member of the Legislative Assembly shall not hold another office, position or employment for which compensation is paid directly by the state government.

(2) During the term for which he is selected, a member shall not hold:

- (a) A nonlegislative office that may be filled by selection by the Legislative Assembly; or
- (b) A lucrative civil office created during the term, except an office that may be filled by election by the people.

(3) Notwithstanding other provisions of this Constitution, a person employed in public education by the state or a local government, or a member of a school board, is eligible to a seat in the Legislative Assembly and his membership in the Legislative Assembly does not prevent him from being so employed or being a member of a school board.

Section 13. Members of the Legislative Assembly shall receive salaries in amounts fixed in the same manner as the salaries of other elected state officers.

Section 14. The Legislative Assembly is a continuous body during the term for which Representatives are elected. Regular sessions of the Legislative Assembly shall be held biennially, beginning on a day fixed by law. The Legislative Assembly also shall be convened by the presiding officers of both houses at the written request of a majority of the members of each house, at a time specified by the request. It may recess, by joint resolution, to a day certain before the next regular session commences. The Governor by proclamation may convene the Legislative Assembly in special session, and shall state to both houses when assembled the purpose for which he convened them. All sessions shall be held at the seat of government for this state.

Section 15. Each house of the Legislative Assembly, when assembled, shall:

- (1) Select its own officers by open and recorded vote;
- (2) Judge of the selection and qualifications of its own members by open and recorded vote;

(3) Determine its own rules of procedure by open and recorded vote.

(4) Determine its own adjournment; but neither house, without concurrence of the other house, may adjourn for more than three days nor to any other place than that in which it is sitting; and

(5) Have all the powers necessary for the performance of its functions.

Section 16. Two-thirds of the membership of each house of the Legislative Assembly is a quorum of the house to do business, but a smaller number may meet and adjourn from day to day and may compel attendance of absent members.

Section 17. All sessions of each house of the Legislative Assembly shall be open.

Section 18. Each house of the Legislative Assembly shall keep a journal of its proceedings.

Section 19. Any member of the Legislative Assembly has the right to protest and to have his protest, with his reasons therefor, entered in the journal of the house of which he is a member.

Section 20. Each house of the Legislative Assembly may punish its own members for disorderly behavior and, with the concurrence of two-thirds of its membership, may suspend a member.

Section 21. Revenue bills shall originate in the House of Representatives. Other bills may originate in either house of the Legislative Assembly.

Section 22. Each bill shall be read by title only on three separate days in each house of the Legislative Assembly, but that requirement may be dispensed with in a house by two-thirds of its membership, determined by open and recorded vote.

Section 23. Each bill shall embrace one subject only and matters properly connected therewith.

Section 24. An affirmative vote of a majority of the membership of each house of the Legislative Assembly is necessary for passage of a bill or joint resolution. The vote on the final passage of each bill and joint resolution shall be open and recorded. By unanimous consent of the members in attendance, a quorum being present, the vote on the final passage of more than one bill or joint resolution, or both, may be determined at the same time. Each bill and joint resolution so passed shall be signed by the presiding officer of each house not later than the 10th day after he receives it.

Section 25. (1) Except bills ordering a referendum, bills on which a referendum is ordered, legislative apportionment bills and bills that divide a senatorial or representative district into subdistricts, each bill passed by the Legislative Assembly shall be delivered to the Governor before it becomes law. If the Governor approves the bill he shall sign it, and the bill becomes law. The Governor may veto the bill, and if he does he shall return it with his objections to the house in which it originated. If, on reconsideration, two-thirds of the members in attendance, a quorum being present, of that house agree to pass the bill, it shall be delivered with the Governor's objections to the other house. If, on reconsideration, two-thirds of the members in attendance, a quorum being present, of the other house agree to pass the bill, the bill becomes law.

(2) If the Governor does not sign or veto and return a bill not later than the seventh day, Sundays excluded, after it is delivered to him, the bill becomes law without his signature. If the general adjournment of the session prevents return of a vetoed bill by the Governor within the seven-day period, the Governor, not later than the 30th day after the adjournment, Sundays excluded, shall file the bill with his objections with the state officer with whom Acts are filed. That officer shall deliver the bill with the Governor's objections to the Legislative Assembly at its next session or reconvened session for reconsideration and action as a bill vetoed and returned by the Governor. If, within the 30-day period, the Governor does not sign or veto and file the bill, the bill becomes law without his signature.

(3) The Governor may veto any single item in an appropriation bill delivered to him or any provision, in a bill delivered to him, that would make that bill or any other bill delivered to him become effective earlier than the 90th day after the final passage thereof without thereby affecting any other provision of the bill.

Section 26. An Act passed by the Legislative Assembly becomes effective on the 90th day after the final passage thereof; but may take effect earlier as provided therein in case of emergency, which emergency shall be declared in the preamble or body of the Act, and may take effect later as provided therein. An Act regulating taxation or exemption may not become effective earlier than the 90th day after the final passage thereof.

Section 27. (1) The Legislative Assembly may establish by law a joint committee, consisting of those members of both houses as the Legislative Assembly may provide by law, which may exercise, during the interim between sessions, any of the following powers that the Legislative Assembly confers upon it by law:

(a) When an emergency exists, to allocate to a state agency, out of an emergency fund that may be appropriated to the committee for that purpose, additional funds beyond the amount appropriated to the agency by the Legislative Assembly, or funds to carry on an activity required by law for which an appropriation was not made.

(b) When an emergency exists, to authorize a state agency to expend, from funds dedicated or continuously appropriated for the uses and purposes of the agency, sums in excess of the amount of the budget of the agency as approved in accordance with law.

(c) In the case of a new activity coming into existence at a time that precludes the possibility of submitting a budget to the Legislative Assembly for approval, to approve, or revise and approve, a budget of money appropriated for the new activity.

(d) When an emergency exists, to revise or amend the budget of a state agency to the extent of authorizing transfers between expenditure classifications within the budget of the agency.

(2) The Legislative Assembly may prescribe by law what constitutes an "emergency" for the purposes of this section.

(3) As used in this section, "state agency" means any elected or appointed officer, board, commission, department, institution, branch or other agency of the state government.

(4) The term of a member of the committee commences at the time of adjournment of a regular session and expires at the time of organization of the next following regular session. A member of the committee does not cease to be a member of the committee solely by reason of the expiration of his term of office as a member of the Legislative Assembly.

ARTICLE V

EXECUTIVE

Section 1. The chief executive power of the state is vested in a Governor.

Section 2. The Governor must be 30 years of age or older, a citizen of the United States and a resident of this state for at least three years next preceding his election.

Section 3. The Governor shall not hold any other office, position or employment for which compensation is paid directly by the state or any other government.

Section 4. Except as provided in section 6 of this Article, the Governor shall be elected by the voters of the state at a regular general election. The candidate receiving the highest number of votes for Governor is elected. If two or more candidates receive an equal and the highest number of votes, the two houses of the Legislative Assembly at the next following regular session shall immediately by a joint vote elect one of those candidates Governor. The manner of transmitting and publishing returns of election for Governor and the manner of determining contested elections for Governor shall be provided by law.

Section 5. Except as provided in section 6 of this Article, the Governor shall be elected for a term of four years, beginning at 12 noon on January 2 next following his election.

Section 6. (1) (a) If a Governor-elect, by reason of temporary inability, fails to qualify, the officer next in line of succession is Governor until the Governor-elect qualifies.

(b) If a Governor-elect, by reason of death or other permanent inability, fails to qualify, the retiring Governor continues to be Governor until a new Governor is elected by the voters of the state at a special election and qualifies. The special election shall be held not later than the 60th day after the date on which the death or other permanent inability of the Governor-elect occurs. Provision shall be made by law for the special election and for the nomination of candidates to be voted upon for new Governor at that election. The new Governor elected at that election shall serve for the remainder of the term for which the Governor-elect was elected.

(2) (a) If a Governor becomes temporarily disabled, the officer next in line of succession is Governor until the disability is removed.

(b) If a Governor dies, resigns, becomes permanently disabled or is removed from office, the officer next in line of succession is Governor until commencement of the term of a newly elected Governor. If the death, resignation, permanent disability or removal from office of a Governor occurs earlier than the 30th day before the regular general election next following commencement of his term, a newly elected Governor shall be elected at that election to serve for the remainder of the term, if any, for which the Governor last elected was elected.

(3) The line of succession to be Governor is: First, the President of the Senate; second, the Speaker of the House of Representatives; and thereafter, other officers in order as may be provided by law.

Section 7. The manner of determining disability of a Governor and declaring a vacancy in the office of Governor by reason thereof may be provided by law.

Section 8. The Governor is responsible for the faithful execution of the laws.

Section 9. The Governor shall, at the beginning of each session, and may, at other times, give to the Legislative Assembly information concerning the condition of the state and recommend measures he considers expedient.

Section 10. Subject to procedures that may be provided by law, the Governor may grant pardons, commutations and reprieves, and may suspend or remit fines and forfeitures.

Section 11. A state militia, its organization, maintenance and discipline may be provided for by law. The Governor is Commander-in-Chief of the state militia, and any other military forces of this state. Except when they are called into the service of the United States, the Governor may call them out to execute the laws, suppress insurrection, repel invasion or protect the public health.

Section 12. There shall be a Secretary of State, who shall be elected by the voters of the state at a regular general election for a term of four years. The Secretary of State shall be the state officer with whom Acts of the Legislative Assembly are filed, the auditor of public accounts and shall perform other functions as provided by law.

Section 13. There shall be a State Treasurer, who shall be elected by the voters of the state at a regular general election for a term of four years. The State Treasurer shall perform functions as provided by law.

Section 14. The Legislative Assembly shall provide by law for the non-partisan election of a Superintendent of Public Instruction, who shall perform functions as provided by law.

Section 15. A vacancy in the office of an elective state executive officer or United States Senator shall be filled by appointment by the Governor until a successor to the office is next elected and qualifies. If the vacancy occurs earlier than the 30th day before the regular general election next following occurrence of the vacancy, a successor shall be elected at that regular general election. If the vacancy occurs on or after the 30th day before the regular general election next following occurrence of the vacancy, a successor shall be elected at the regular general election next following that regular general election.

Section 16. (1) If an elective state executive officer is allocated within an executive department, he shall be the head of that department. Except as otherwise provided in this subsection, the Governor shall appoint the heads of principal executive departments, subject to confirmation by a majority of the Senate.

(2) The manner of appointment and the qualifications of other executive officers shall be provided by law; but their terms of office may not be more than four years.

(3) The authority that appoints an executive officer, other than an appointee to fill a vacancy in the office of an elective state executive officer, may remove him.

(4) If a vacancy occurs in an executive office, appointment to which is subject to confirmation by the Senate, at any time other than during a session of the Legislative Assembly, the Governor may fill the vacancy by appointment. The term of that appointment shall be provided by law.

(5) A classified personnel merit system and other career service systems may be provided by law.

ARTICLE VI

JUDICIARY

Section 1. The judicial power of the state is vested in a Supreme Court and other state courts as may be established by law, which constitute a unified judicial system. The Supreme Court has supervisory authority over all other courts in the judicial system.

Section 2. The Supreme Court consists of seven judges, who shall select one of their members to serve as chief justice for a term fixed by the court.

Section 3. (1) The Supreme Court has appellate jurisdiction in all cases arising under this Constitution and the Constitution of the United States, and in other cases as provided by law.

(2) The Supreme Court in its discretion may take original jurisdiction in mandamus, quo warranto and habeas corpus proceedings, and issue other original writs as provided by law.

(3) All other courts in the judicial system have original and appellate jurisdiction as provided by law.

Section 4. The Supreme Court may sit en banc or in departments consisting of not less than four judges. Other courts in the judicial system may be divided into geographical districts by law, and may be divided into functional departments and judicial functions distributed among those functional departments by law or rule not inconsistent with law.

Section 5. The judiciary shall be nonpartisan. A judge of any court in the judicial system, who, with his consent, becomes a candidate for any elective nonjudicial federal or state office thereby forfeits his judicial office.

Section 6. Judges of all courts in the judicial system shall be persons who are licensed to practice law in this state. This requirement does not apply to judges of county courts having judicial functions or justices of the peace unless provision is so made by general law.

Section 7. (1) Judges of courts in the judicial system shall be elected at regular general elections by the voters of the state or appropriate geographical district. Those judges shall be elected for terms of six years each, commencing on the first judicial day in January next following their election.

(2) A vacancy in the office of judge of any court in the judicial system shall be filled by appointment by the Governor until a judge is next elected and qualified. If the vacancy occurs earlier than the 30th day before the regular general election next following occurrence of the vacancy, a judge shall be elected at that regular general election. If the vacancy occurs on or after the 30th day before the regular general election next following occurrence of the vacancy, a judge shall be elected at the regular general election next following that regular general election.

Section 8. (1) A judge shall not continue in office after the end of the calendar year in which he becomes 75 years of age. A lesser age for mandatory retirement may be fixed by law, but not earlier than the end of the calendar year in which a judge becomes 70 years of age.

(2) A judge may retire voluntarily. He may be retired, as provided by law, for physical or mental disability or any other cause that renders him incapable of performing his judicial functions.

(3) Provision may be made by law for assignment of retired judges by the Supreme Court to temporary active service on any court in the judicial system. A retired judge so assigned shall receive, during the period of his service, compensation in addition to his retirement pay so that his

combined retirement pay and compensation is equal to the compensation received by a judge regularly serving on the court.

Section 9. (1) In the manner provided by law, a judge may be removed from his office by the Supreme Court for:

(a) Conviction in a court of this or any other state, or of the United States, of a crime punishable as a felony or a crime involving moral turpitude;

(b) Wilful misconduct involving moral turpitude in a judicial office;

(c) Wilful or persistent failure to perform judicial powers or duties; or

(d) Habitual drunkenness or illegal use of drugs.

(2) Notwithstanding section 1, Article VIII of this Constitution, the methods provided in this section and in section 4, Article VIII of this Constitution, are the exclusive methods for removal of a judge from his office.

Section 10. (1) Provision may be made by law for:

(a) Assignment of judges by the Supreme Court to temporary service on any court, or department thereof, in the judicial system; but assignment to a court inferior to that on which a judge regularly serves may be only with his consent.

(b) Appointment of lawyers by the Supreme Court to serve temporarily as judges of any court, or department thereof, in the judicial system inferior to the Supreme Court.

(2) While serving under temporary assignment or appointment, a judge has all the judicial powers and duties of a judge regularly serving on the court, or department thereof, to which he is assigned or appointed.

(3) The temporary assignment of judges to the Supreme Court does not authorize more than seven judges of that court to participate in the decision of any case.

Section 11. The compensation of a judge shall be provided by law, but shall not be diminished without his consent during his term of office except by general law applicable to all salaried state officers.

Section 12. The right of trial by jury shall be preserved in civil actions at law where the value in controversy exceeds \$100. Three-fourths of a jury may render a verdict in civil actions at law. No fact tried by a jury shall be otherwise reexamined in any court unless the court affirmatively finds that there is no evidence to support the verdict.

Section 13. Grand juries shall be constituted and shall have powers and duties as provided by law. A person shall not be charged in any court of record with any crime except on indictment by a grand jury. However, if a person appears before any judge of a court of record and waives indictment, the person may be charged in that court with any crime on information filed as provided by law. Indictment and information shall be in a form provided by law, and shall be substantially in the same form. If an indictment is held to be defective in form by a ruling of the court, an amended indictment may be filed as provided by law. The procedure after information is filed shall be as provided by law on indictment.

ARTICLE VII

LOCAL GOVERNMENT

Section 1. The Legislative Assembly shall provide by law a method whereby a majority of the voters of any county voting at an election may adopt, amend, revise or repeal a county charter. A county charter may

provide for exercise by the county of authority over matters of county concern. Local improvements shall be financed only by taxes, assessments or charges imposed on benefited property, unless otherwise provided by law or charter. A county charter shall prescribe the organization of the county government and shall provide directly, or by its authority, for the number, selection, qualifications, tenure, compensation, powers and duties of those officers the county considers necessary. Those officers shall exercise all the powers and duties, as distributed by the county charter or by its authority, that are granted to or imposed upon any county officer by the Constitution or laws of this state. The initiative and referendum powers reserved to the people by the Constitution are further reserved to the qualified voters of each county as to the adoption, amendment, revision or repeal of a county charter and as to county legislation of each county that has adopted a charter.

Section 2. The voters of every city are granted power to enact and amend their city charter, subject to the Constitution and criminal laws of this state; and the Legislative Assembly shall not enact, amend or repeal any charter or act of incorporation for any city.

Section 3. Provision may be made by general law for a system of municipal courts for cities, including the manner of selection, qualifications, tenure, powers and duties of officers of municipal courts who exercise judicial functions.

Section 4. People's utility districts shall be created of territory, contiguous or otherwise, within one or more counties, and shall consist of one or more incorporated municipalities with or without unincorporated territory, for the purpose of supplying water for domestic and municipal purposes; for the development of water power or electric energy or both and for the sale, distribution or other disposition of water, water power and electric energy within or without the territory of the district. The Legislative Assembly shall, and the people by the initiative may, enact laws necessary to carry out the provisions of this section.

Section 5. Provision may be made by general law for methods and procedures of altering the boundaries of, merging, consolidating and dissolving counties, cities and public corporations.

Section 6. A county, city or public corporation shall not raise money for or loan its credit to any joint stock company, corporation or association, except as provided by general law.

Section 7. Officers of counties, cities and public corporations shall be selected in a manner provided by law; but the manner of selection of county or city officers may be provided otherwise in county or city charters.

ARTICLE VIII

PUBLIC OFFICERS

Section 1. Except for members of the Legislative Assembly, the Governor and judges of courts in the judicial system:

(1) The term of a public officer elected at a regular general election shall commence on the first Monday in January next following his election.

(2) A public officer shall hold his office until his successor is selected and qualifies.

Section 2. Each person selected to any office under this Constitution

Before assuming the office, shall take an oath or affirmation to support the Constitution and laws of the United States and of this state.

Section 3. A public officer shall not be impeached. A public officer may be tried for corruption, malfeasance or delinquency in office in the same manner as criminal offenses and is punishable, upon conviction, by removal from office and additional punishment as may be provided by law.

Section 4. A public officer who is subject to election by vote of the people also is subject to recall by the voters of the state or part thereof wherein he is subject to election. A recall election may be demanded only by a petition signed by a number of qualified voters of the state or part thereof equal to one-third of the total number of votes cast in the state or part thereof for all candidates for Governor at the election at which a Governor was elected for a term of four years next preceding the filing of the petition. If a majority of the votes cast in the recall election are in favor of recall, the officer is recalled and his office is vacant. Except as otherwise provided in this section, procedures for recall shall be provided by law.

ARTICLE IX

TAXATION AND FINANCE

Section 1. A tax shall not be levied except in pursuance of law.

Section 2. The Legislative Assembly shall, and the people by the initiative may, provide by law uniform rules of assessment and taxation. All taxes shall be levied and collected under general laws operating uniformly throughout the state. A tax shall be uniform on the same class of subjects within the area in which the tax is levied.

Section 3. Provision may be made by law that the ad valorem taxes levied by any taxing unit, in which is located all or part of an area included in a redevelopment or urban renewal project, may be divided so that the taxes levied against any increase in the true cash value, as defined by law, of property in the area after the effective date of approval of the redevelopment or urban renewal plan for the area, are used to pay any indebtedness incurred for the redevelopment or urban renewal project. Laws necessary to carry out the purposes of this section may be enacted.

Section 4. The Legislative Assembly shall provide for raising revenue sufficient to pay the expenses of the state for each fiscal year, including principal and interest due on the state debt. When the expenses of the state exceed the income, the Legislative Assembly shall provide for levying a tax, for the next following fiscal year, sufficient, with other sources of income, to pay the deficiency, as well as the estimated expenses for the next following fiscal year.

Section 5. Money shall not be withdrawn from the State Treasury except in pursuance of appropriations made by law.

Section 6. (1) A general obligation debt of the state shall not be incurred unless authorized or required by law enacted or approved by a majority of the voters of the state voting at a state-wide election, except that:

(a) An obligation of the state, other than bonded indebtedness, may be incurred by specific law, but without the necessity of enactment or approval of the voters, to the United States or any agency thereof with respect to

a project in which the state or any agency thereof and the United States or any agency thereof are cooperating parties.

(b) An agreement may be entered into pursuant to law, but without the necessity of enactment or approval by the voters, by the state or any agency thereof for the lease of real property to the state or agency for any period not exceeding 20 years and for a public purpose.

(2) The authorization under the former Oregon Constitution for the incurring of state indebtedness is continued in effect under this Constitution. Laws now in existence or hereafter enacted that implement that authorization are effective without the necessity of enactment or approval by the voters.

Section 7. The state shall not assume a debt of any county, city or public corporation.

Section 8. A county shall not incur any debt or liability that singly or in the aggregate with previous debts or liabilities exceeds \$5,000. However, a county may incur bonded indebtedness in excess of \$5,000 to carry out purposes authorized or required by law, but not in excess of limits fixed by law.

Section 9. (1) Except as provided in subsection (3) of this section, a taxing unit, whether it is the state, any county, municipality, district or other body having the power to levy a tax, shall not exercise that power in any year to raise an amount of revenue greater than its tax base as defined in subsection (2) of this section. The portion of any tax levied in excess of any limitation imposed by this section is void.

(2) The tax base of each taxing unit in a given year is either:

(a) An amount obtained by adding six percent to the total amount of tax lawfully levied by the taxing unit, except portions thereof described in subsection (3) of this section, in any one of the last three years in which a tax was so levied; or

(b) An amount approved as a new tax base by a majority of the voters of the taxing unit voting on the question submitted to them in a form specifying in dollars and cents the amount of the tax base in effect and the amount of the new tax base submitted for approval. If approved, the new tax base applies first to the levy for the fiscal year next following its approval.

(3) The limitation imposed by subsection (1) of this section does not apply to the portion of any tax levied which is:

(a) For the payment of bonded indebtedness or interest thereon.

(b) Specifically voted outside the limitation imposed by subsection (1) of this section by a majority of the voters of the taxing unit voting on the question.

(c) The first levy of a newly created taxing unit.

(4) Notwithstanding subsections (1), (2) and (3) of this section, the following special limitations apply during the periods indicated:

(a) During the fiscal year next following the creation of a new taxing unit which includes property previously included in a similar taxing unit, the new taxing unit and the old taxing unit shall not levy a tax on the property received or retained to raise an amount of revenue greater than an amount obtained by adding six percent to the total amount of tax lawfully levied by the old taxing unit on the property received and retained, except portions of that total amount described in subsection (3) of this section, in any one of the last three years in which a tax was so levied.

(b) During the fiscal year next following the annexation of territory to an existing taxing unit, the tax base of the annexing unit established under subsection (2) of this section is increased by an amount obtained by adding six percent to the amount obtained by multiplying the equalized assess-

valuation of the taxable property in the annexed territory for the fiscal year of annexation by the rate of levy within the tax base of the annexing unit for the fiscal year of annexation.

(5) The Legislative Assembly may provide by law for the time and manner of calling and holding elections referred to in this section. However, the question of establishing a new tax base by a taxing unit other than the state shall be submitted at either the regular periodic election of the taxing unit or at a state-wide regular general election or a general primary election.

Section 10. The proceeds from any tax levied on, with respect to or measured by the storage, withdrawal, use, sale, distribution, importation or receipt of motor vehicle fuel or any other product used for the propulsion of motor vehicles, and the proceeds from any tax or excise levied on the ownership, operation or use of motor vehicles, after providing for the cost of administration and any refunds or credits authorized by law, shall be used exclusively for:

(1) The construction, reconstruction, improvement, repair, maintenance, operation, use and policing of public highways, roads and streets within the state or otherwise directly in aid of highway traffic, including the retirement of bonds for the payment of which those proceeds are pledged;

(2) The acquisition, development, maintenance, care and use of parks and recreational, scenic and historic places; and

(3) The publicizing of any of the uses and things described in subsections (1) and (2) of this section.

ARTICLE X

GOVERNMENTAL ACTIVITIES

Section 1. Except as expressly provided in this Constitution, the powers of the government are divided into three separate branches, which are the legislative, the executive and the judicial, and a person charged with official duties under one of those branches shall not exercise any of the functions of another of those branches.

Section 2. (1) In order to insure continuity of state and local governmental operations in periods of disaster resulting from enemy attack, provision may be made by law for prompt and temporary succession to the functions, powers and duties of public officers who may become unavailable to perform those functions, powers and duties. The provision made by law need not comply with any of the following provisions of this Constitution: Sections 8, 9, 10, 12 and 15, Article IV; sections 2, 3, 4, 5, 6, 7, 12, 13, 14, 15 and 16, Article V; section 7, Article VI; sections 1 and 7, Article VII; section 1, Article VIII; and section 1 of this Article.

(2) In order to insure continuity of state and local governmental operations in periods of disaster resulting from enemy attack, or imminence thereof, provision may be made by law for temporary locations for the seat of government and functions of state and local governments and for other necessary matters. The provision made by law need not comply with any of the following provisions of this Constitution: Section 14, Article IV; and section 3 of this Article.

Section 3. The capital of the state is Salem in Marion County.

Section 4. (1) The Legislative Assembly shall provide by law for the establishment of a uniform and general system of common schools.

(2) Provision shall be made by law for the administration of state school lands and a Common School Fund and for the distribution of income from that fund for school purposes.

Section 5. The rights, title and interest in and to the shore of the Pacific Ocean and offshore lands, now or hereafter owned by the state, shall be held by the state in perpetuity; but the state, by law, may grant leases, easements and licenses with respect thereto for purposes not inconsistent with the public use and enjoyment thereof.

Section 6. The rights, title and interest in and to all water for the development of water power and in and to water-power sites, now or hereafter owned by the state, shall be held by the state in perpetuity; but the state, by law, may grant leases, easements and licenses with respect thereto for purposes not inconsistent with the public interest.

Section 7. The state may:

(1) Control and develop the water power within the state.

(2) Lease water and water-power sites for the development of water power.

(3) Control, use, transmit, distribute, sell and dispose of electric energy.

(4) Separately or jointly or in cooperation with any political subdivision in this state or with the United States, develop any water power within the state, and acquire, construct, maintain and operate hydroelectric facilities for the production of electric energy and related transmission and distribution lines.

(5) Separately or jointly or in cooperation with any political subdivision in this state, with any other state or political subdivision therein or with the United States, develop any water power in any interstate stream, and acquire, construct, maintain and operate hydroelectric facilities for the production of electric energy by that water power and related transmission and distribution lines.

(6) Contract with any political subdivision in this state, with any other state or political subdivision therein or with the United States for the purchase or acquisition of water, water power or electric energy produced for use, transmission, distribution, sale or disposition thereof.

(7) Fix rates and charges for the use of water in the development of water power and for the sale or disposition of water power and electric energy.

(8) Incur indebtedness to an amount not exceeding one and one-half percent of the true cash value of all the property in the state taxed on an ad valorem basis for the purpose of providing funds to carry out the provisions of this section, notwithstanding any other limitation on state indebtedness in this Constitution.

(9) Do any and all things necessary or convenient to carry out the provisions of this section.

Section 8. Provision for bringing suit or action against the state may be made only by general law. Provision for making compensation to persons claiming damages against the state shall not be made by special law.

Section 9. Corporations shall be formed under general laws, but may not be created by the Legislative Assembly by special laws.

Section 10. Provision may be made by law for the state, any agency thereof or any political subdivision therein to exercise any of its functions and participate in the financing thereof jointly or in cooperation with:

(1) Any other agency of the state or political subdivision in the state

- (2) Any other state, agency thereof or political subdivision therein;
- (3) The United States or any agency, territory, possession or governmental unit thereof; or
- (4) In so far as consistent with the Constitution of the United States, any foreign power or agency or governmental unit thereof.

Section 11. Notwithstanding section 20, Article I and sections 1, 2 and 7, Article VII of this Constitution, a county, city, public corporation or public agency that assumes responsibility for the operation of a public transportation system shall make fair and equitable arrangements to protect the interests of employes and retired employes affected. The protective arrangements may include, without being limited to, provisions as may be necessary for the preservation of rights, privileges and benefits, including continuation of pension rights and payment of benefits, under existing collective bargaining agreements or otherwise.

Section 12. Lotteries and the sale of lottery tickets, for any purpose whatever, are prohibited, and the Legislative Assembly shall prevent them by criminal laws.

ARTICLE XI

AMENDMENT AND REVISION

Section 1. Amendments to or revision of the Constitution may be proposed and submitted to the people only as provided in this Article or Article III of this Constitution.

Section 2. The Legislative Assembly, by two-thirds of the membership of each house, determined by open and recorded vote, may propose revision of all or part of the Constitution; and by a majority of the membership of each house, determined by open and recorded vote, may propose amendments to the Constitution. An amendment or revision so proposed shall be submitted to the people for their approval or rejection at the next following general primary election, unless otherwise ordered by the Legislative Assembly.

Section 3. (1) No convention shall be called to amend or propose amendments to this Constitution, or to propose a new Constitution, unless the law providing for such convention shall first be approved by the people in a referendum vote at a regular general election.

(2) This Article does not impair the right of the people to amend this Constitution by vote on an initiative petition therefor.

Section 4. An amendment to the Constitution proposed by the Legislative Assembly shall embrace one subject only and matters properly connected therewith. A proposed revision may embrace more than one subject, but shall be voted on as a whole.

Section 5. An amendment to or revision of the Constitution proposed by the Legislative Assembly and submitted to the people becomes effective on the 30th day after the day on which it is approved by a majority of the votes cast thereon.

Section 6. An amendment to the Constitution proposed by an initiative petition or the Legislative Assembly may be submitted to the people in the form of alternative provisions so that one provision will become effective if a revision of the Constitution proposed by the Legislative Assembly is approved by the people and the other provision will become

effective if the proposed revision is rejected by the people. A proposed amendment submitted in the form of alternative provisions shall be voted on as a whole.

Section 7. If two or more conflicting amendments to or revisions of the Constitution are enacted or approved by the people at the same election, the amendment or revision receiving the highest number of affirmative votes shall prevail to the extent of the conflict.

ARTICLE XII

TRANSITIONAL

Section 1. The purpose of this Article is to insure an orderly transition from the former Oregon Constitution to this Constitution. When that purpose is accomplished and all provisions of this Article cease to have any continuing effect, the Legislative Assembly, by law, shall so declare, and thereafter this Article shall not be a part of this Constitution.

Section 2. Except as otherwise provided in this Article this Constitution first becomes applicable on January 1, 1972, and the former Oregon Constitution continues to apply until that date. However:

(1) Under sections 3, 4, 5 and 6, Article IV of this Constitution, the Legislative Assembly shall enact an apportionment at the regular session held in 1971 and before July 1, 1971.

(2) Amendments to or revisions of this Constitution may be proposed pursuant to this Constitution before that date, and laws to carry out the provisions of this Constitution or to insure an orderly transition from the former Oregon Constitution to this Constitution may be enacted before that date to take effect before, on or after that date.

Section 3. Except as otherwise provided in this Constitution, a person holding any elective or appointive public office shall continue to hold that office and exercise the functions of that office until that office is abolished or altered or his successor is selected and qualifies in accordance with this Constitution or laws enacted pursuant thereto.

Section 4. If the Constitution of the State of Oregon of 1859 is amended by vote of the people at an election held after the adjournment of the legislative session at which this revised Constitution was referred to the people by the Legislative Assembly and before this revised Constitution becomes applicable under section 2 of this Article, such amendment shall become a part of this revised Constitution and shall supersede any inconsistent part of this revised Constitution only to the extent of the inconsistency.

ARTICLE XIII

STATUTORY PROVISIONS

Section 1. Sections 2 to 26, inclusive, of this Article have the same effect as statutes enacted by the Legislative Assembly or by the people as of the date this Constitution first becomes applicable, and thereafter are statutes. Those sections, without change in sense, meaning, effect or substance, shall be compiled in Oregon Revised Statutes. When those sections are so compiled, this Article shall not be a part of this Constitution.

Section 2. All laws not inconsistent with the Constitution of the State of Oregon of 1970 shall continue in force until they expire by their own limitation or are changed, amended or repealed.

Section 3. All existing writs, actions, suits, proceedings, civil or criminal liabilities, prosecutions, judgments, sentences, orders, decrees, appeals, causes of action, contracts, claims, demands, titles and rights shall continue unaffected except as modified in accordance with the Constitution of the State of Oregon of 1970.

Section 4. In all criminal prosecutions in the circuit court 10 members of the jury may render a verdict of guilty or not guilty, save and except a verdict of guilty of first degree murder, which shall be found only by a unanimous verdict, and not otherwise.

Section 5. For the purpose of taking private property for public use, the use of all roads, ways and waterways necessary to promote the transportation of the raw products of mine or farm or forest or water for beneficial use or drainage is necessary to the development and welfare of the state and is declared a public use.

Section 6. The state shall have power to license private clubs, fraternal organizations, veterans' organizations, railroad corporations operating interstate trains and commercial establishments where food is cooked and served, for the purpose of selling alcoholic liquor by the individual glass at retail, for consumption on the premises, including mixed drinks and cocktails, compounded or mixed on the premises only. The Legislative Assembly shall provide in such detail as it shall deem advisable for carrying out and administering the provisions of this section and shall provide adequate safeguards to carry out the original intent and purpose of the Oregon Liquor Control Act, including the promotion of temperance in the use and consumption of alcoholic beverages, and shall encourage the use and consumption of lighter beverages and aid in the establishment of Oregon industry. This power is subject to the following:

(1) The right of a local option election exists in the counties and in any incorporated city or town containing a population of at least 500. The Legislative Assembly shall prescribe a means and a procedure by which the voters of any county or incorporated city or town as limited above in any county, may through a local option election determine whether to prohibit or permit such power, and such procedure shall specifically include that whenever 15 percent of the registered voters of any county in the state or of any incorporated city or town as limited above, in any county in the state, shall file a petition requesting an election in this matter, the question shall be voted upon at the next regular November biennial election, provided said petition is filed not less than 60 days before the day of election.

(2) Legislation relating to this matter shall operate uniformly throughout the state and all individuals shall be treated equally; and all provisions shall be liberally construed for the accomplishment of these purposes.

Section 7. No mentally incompetent person shall be entitled to the privileges of an elector; and the privilege of an elector, upon conviction of any crime which is punishable by imprisonment in the penitentiary, shall be forfeited, unless otherwise provided by law.

Section 8. For the purpose of voting, no person shall be deemed to have gained or lost a residence by reason of his presence or absence while employed in the service of the United States or of this state; nor while engaged in the navigation of the waters of this state, or of the United States, or of the high seas; nor while a student of any seminary of learning; nor while kept at any public institution at public expense; nor while confined in any public prison.

Section 9. No member of the Armed Forces of the United States or of allies shall be deemed to have acquired a residence in the state in con-

sequence of having been stationed within the same; nor shall any such member of the Armed Forces have the right to vote.

Section 10. Every person shall be disqualified from holding office, during the term for which he may have been elected, who shall have given or offered a bribe, threat or reward to procure his election.

Section 11. In all cases, except treason, felony and breach of the peace, electors shall be free from arrest in going to elections, during their attendance there and in returning from the same; and no elector shall be obliged to do duty in the militia on any day of election, except in time of war or public danger.

Section 12. Incorporated cities and towns shall hold their nominating and regular elections for their several elective officers at the same time that the primary and general biennial elections for state and county officers are held, and the election precincts and officers shall be the same for all elections held at the same time.

Section 13. (1) A public officer who is subject to election by vote of the people also is subject to recall by the voters of the state or part thereof wherein he is subject to election.

(2) A recall election may be demanded only by a petition signed by a number of qualified voters of the state or part thereof as required by section 4, Article VIII, Oregon Constitution. The petition shall set forth the reasons for the demand. The petition shall be filed with the officer with whom a petition for nomination for the office held by the officer whose recall is demanded is filed.

(3) A recall petition shall not be circulated against any officer until he has actually held his office six months, except that it may be filed against a member of the Legislative Assembly at any time after five days from the beginning of the first session after his election. After one recall petition and election, no further petition may be filed against the same officer during the term for which he is elected unless the further petitioners first pay into the public treasury from which the first recall election expenses were paid, the whole amount of those expenses.

(4) If the officer whose recall is demanded offers his resignation, it shall be accepted and take effect on the day it is offered, and the vacancy shall be filled immediately as provided by law for filling a vacancy in that office arising from any other cause. If that officer does not resign within five days after the recall petition is filed, the officer with whom the petition is filed shall order a special election to be held within 20 days in the state or part thereof to determine whether the voters will recall the officer whose recall is demanded.

(5) On the sample ballot for the recall election there shall be printed, in not more than 200 words, the reasons for demanding the recall of the officer as set forth in the recall petition, and, in not more than 200 words, that officer's justification of his course in his office.

(6) The officer whose recall is demanded shall continue to perform the duties of his office until the result of the recall election is officially declared. If a majority of the votes cast in the election are in favor of recall, the officer is recalled, and the vacancy shall be filled immediately as provided by law for filling a vacancy in that office arising from any other cause.

Section 14. No Act shall ever be revised or amended by mere reference to its title, but the Act revised or section amended shall be set forth and published at full length.

Section 15. All commissions shall issue in the name of the state; shall be signed by the Governor, sealed with the seal of the state and attested by the Secretary of State.

Section 16. The Supreme Court, circuit courts and county courts shall be courts of record.

Section 17. All judicial power, authority and jurisdiction not vested by the Oregon Constitution, or by laws consistent therewith, exclusively in some other court shall belong to the circuit courts.

Section 18. The county clerk shall keep all the public records, books and papers of the county, record conveyances and perform the duties of clerk of the circuit and county courts.

Section 19. The stockholders of all corporations and joint stock companies shall be liable for the indebtedness of said corporation to the amount of their stock subscribed and unpaid and no more, excepting that the stockholders of corporations or joint stock companies conducting the business of banking shall be individually liable equally and ratably and not one for another, for the benefit of the depositors of said bank, to the amount of their stock, at the par value thereof, in addition to the par value of such shares, unless such banking corporation shall have provided security through membership in the Federal Deposit Insurance Corporation or other instrumentality of the United States or otherwise for the benefit of the depositors of said bank equivalent in amount to such double liability of said stockholders.

Section 20. The Legislative Assembly may lend the credit of the state and in any manner create any debts or liabilities to build and maintain permanent roads, but which shall not singly or in the aggregate with previous debts or liabilities incurred for that purpose exceed one percent of the true cash value of all the property of the state taxed on an ad valorem basis.

Section 21. People's utility districts shall be managed by boards of directors, consisting of five members, who shall be residents of such districts. Such districts shall have power:

- (1) To call and hold elections within their respective districts.
- (2) To levy taxes upon the taxable property of such districts.
- (3) To issue, sell and assume evidences of indebtedness.
- (4) To enter into contracts.
- (5) To exercise the power of eminent domain.
- (6) To acquire and hold real and other property necessary or incident to the business of such districts.
- (7) To acquire, develop or otherwise provide for a supply of water, water power and electric energy.

Section 22. (1) The credit of the State of Oregon may be loaned and indebtedness incurred in an amount not to exceed three percent of the true cash value of all the property in the state, for the purpose of creating a fund, to be known as the Oregon War Veterans' Fund, to be advanced for the acquisition of farms and homes for the benefit of male and female residents of the State of Oregon who served in the Armed Forces of the United States. Secured repayment thereof shall be and is a prerequisite to the advancement of money from such fund.

(2) Bonds of the State of Oregon containing a direct promise on behalf of the state to pay the face value thereof, with the interest therein provided

for, may be issued to an amount authorized by subsection (1) of this section for the purpose of creating said "Oregon War Veterans' Fund." The bonds shall be a direct obligation of the state and shall be in such form and shall run for such periods of time and bear such rates of interest as provided by statute.

(3) No person shall be eligible to receive money from said fund except the following:

(a) Any person who resides in the State of Oregon at the time of applying for a loan from the fund, who served honorably in active duty in the Armed Forces of the United States for a period of not less than 90 days any part of which between September 15, 1940, and July 25, 1947, who was either at the time of his enlistment, induction, warrant or commission a resident of the State of Oregon or who has been a bona fide resident of the State of Oregon for at least two years between the date of his separation from aforementioned service and December 31, 1950, and who has been honorably separated or discharged from the service, or who has been furloughed to a reserve. No loans shall be made to persons justified under this paragraph after January 31, 1980.

(b) Any person who resides in the State of Oregon at the time of applying for a loan from the fund, who served honorably in active duty in the Armed Forces of the United States for a period of not less than 90 days any part of which occurred between June 25, 1950, and January 31, 1955, who was either at the time of his enlistment, induction, warrant or commission a resident of the State of Oregon or who has been a bona fide resident of the State of Oregon for at least two years between the date of his separation from aforementioned service and December 31, 1960, and who has been honorably separated or discharged from the service, or who has been furloughed to a reserve. No loans shall be made to persons qualified under this paragraph after January 31, 1988.

(c) Any person who resides in the State of Oregon at the time of applying for a loan from the fund, who served honorably in active duty in the Armed Forces of the United States for a period of not less than 210 days, any part of which occurred subsequent to January 31, 1955, or who was, prior to completion of such period of service, discharged or released from active duty on account of service-connected injury or illness; who was at the time of his enlistment, induction, warrant or commission a resident of the State of Oregon; and who has been honorably separated or discharged from the service, or who has been furloughed to a reserve. No loan shall be made to a person qualified under this paragraph unless application for the loan is made within 20 years after the date the person separates or is discharged from the service or is furloughed to a reserve.

(4) There shall be levied each year, at the same time and in the same manner that other taxes are levied, a tax upon all property in the State of Oregon not exempt from taxation, not to exceed two mills on each dollar valuation, to provide for the payment of principal and interest of the bonds authorized to be issued by this section. Said tax levy hereby authorized shall be in addition to all other taxes which may be levied according to law.

(5) Refunding bonds may be issued and sold to refund any bonds issued under authority of subsections (1) and (2) of this section. There may be issued and outstanding at any time bonds aggregating the amount authorized by subsection (1) of this section, but at no time shall the total of all bonds outstanding, including refunding bonds, exceed the amount so authorized.

Section 23. The credit of the state may be loaned and indebtedness incurred in an amount which shall not exceed at any one time three

sixteenths of one percent of the true cash value of all the property in the state taxed on an ad valorem basis, to provide funds for forest rehabilitation and reforestation and for the acquisition, management and development of lands for such purposes. So long as any such indebtedness shall remain outstanding, the funds derived from the sale, exchange or use of said lands, and from the disposal of products therefrom, shall be applied only in the liquidation of such indebtedness. Bonds or other obligations issued pursuant to this section may be renewed or refunded. An ad valorem tax shall be levied annually upon all the property in the State of Oregon taxed on an ad valorem basis, in sufficient amount to provide for the payment of such indebtedness and the interest thereon. The Legislative Assembly may provide other revenues to supplement or replace the said tax levies.

Section 24. (1) The credit of the state may be loaned and indebtedness incurred in an amount which shall not exceed at any one time three-fourths of one percent of the true cash value of all the taxable property in the state, as determined by law to provide funds with which to redeem and refund outstanding revenue bonds issued to finance the cost of buildings and other projects for higher education, and to construct, improve, repair, equip and furnish buildings and other structures for such purpose, and to purchase or improve sites therefor.

(2) The buildings and structures hereafter constructed for higher education pursuant to this section shall be such only as conservatively shall appear to the constructing authority to be wholly self-liquidating and self-supporting from revenues, gifts, grants or building fees. All unpledged net revenues of buildings and other projects may be pooled with the net revenues of new buildings or projects in order to render the new buildings or projects self-liquidating and self-supporting.

(3) Ad valorem taxes shall be levied annually upon all the taxable property in the State of Oregon in sufficient amount, with the aforesaid revenues, gifts, grants or building fees, to provide for the payment of such indebtedness and the interest thereon. The Legislative Assembly may provide other revenues to supplement or replace such tax levies.

(4) Bonds issued pursuant to this section shall be the direct general obligations of the state, and be in such form, run for such periods of time and bear such rates of interest as shall be provided by statute. Such bonds may be refunded with bonds of like obligation. Unless provided by statute, no bonds shall be issued pursuant to this section for the construction of buildings or other structures for higher education until after all of the aforesaid outstanding revenue bonds shall have been redeemed or refunded.

Section 25. (1) The credit of the state may be loaned and indebtedness incurred in an amount not to exceed at any one time three-fourths of one percent of the true cash value of all taxable property in the state, as determined by law.

(2) Proceeds from any loan authorized or indebtedness incurred under this section shall be used to provide funds with which to construct, improve, repair, equip and furnish those buildings, structures and projects, or parts thereof, and to purchase or improve sites therefor, designated by the Legislative Assembly for higher education institutions and activities or for community colleges authorized by law to receive state aid.

(3) The amount of any loan authorized or indebtedness incurred under this section by means of bonds to be issued in any biennium shall not exceed the dollar amount appropriated from the General Fund for the same or similar purposes. Any dollar amounts appropriated to meet the requirements of this subsection shall be specifically designated therefor by the Legislative Assembly.

(4) Nothing in this section prevents the financing of buildings, structures and projects, or parts thereof, by a combination of the moneys available under this section and from other lawful sources. However, moneys available under this section shall not be expended on or for any buildings, structures or projects, or parts thereof, that are wholly self-liquidating and self-supporting.

(5) Bonds issued pursuant to this section shall be the direct general obligations of the state and shall be in such form, run for such periods of time and bear such rates of interest as the Legislative Assembly provides. Such bonds may be refunded with bonds of like obligation.

(6) Ad valorem taxes shall be levied annually upon the taxable property within the State of Oregon in sufficient amount to provide for the prompt payment of bonds issued pursuant to this section and the interest thereon. The Legislative Assembly may provide other revenues to supplement or replace, in whole or in part, such tax levies.

Section 26. The property and pecuniary rights of every married woman, at the time of marriage or afterwards, acquired by gift, devise or inheritance shall not be subject to the debts or contracts of the husband.

Section 27. Section 28 of this Article shall be effective only if the amendment of the Constitution of the State of Oregon of 1859, proposed by Senate Joint Resolution 22 (1969 regular session), is approved by the people at the regular state-wide primary election in 1970.

Section 28. (1) The credit of this state may be loaned and indebtedness incurred in an amount that may not exceed at any one time one-fourth of one percent of the true cash value of all taxable property in this state, as determined by law, to provide funds with which to:

(a) Repay outstanding indebtedness incurred to finance the cost of buildings, structures and other projects for state government; and

(b) Construct, improve, repair, equip and furnish buildings, structures and other projects for state government, and to purchase or improve sites therefor.

(2) The buildings, structures and other projects constructed, improved, repaired, equipped and furnished under paragraph (b) of subsection (1) of this section shall be such only as conservatively appear to the constructing authority to be wholly self-liquidating and self-supporting from gifts, grants, rentals and parking or other building fees. All unpledged net revenues of existing buildings, structures and other projects for state government may be pooled with the net revenues of new buildings, structures and other projects in order to render the new buildings, structures and other projects self-liquidating and self-supporting.

(3) Ad valorem taxes shall be levied annually on all taxable property in this state in sufficient amount, with the revenues described in subsection (2) of this section, to provide for the payment of such indebtedness and the interest thereon. The Legislative Assembly may provide other revenues to supplement or replace such tax levies.

(4) Bonds issued under this section shall be the direct general obligations of this state, be in such form, run for such periods of time, and bear such rates of interest, as are provided by law. The bonds may be refunded with bonds of like obligation. Unless otherwise provided by law, bonds may not be issued under this section for the construction of buildings or other structures until all of the outstanding indebtedness has been repaid under paragraph (a) of subsection (1) of this section.

Note: Matter in italics in an amended section is new; matter ~~(lined out and bracketed)~~ is existing law to be omitted; complete new sections begin with **Section**.

BALLOT TITLE

REVISED CONSTITUTION FOR OREGON—Purpose: Provides for a new and revised Oregon Constitution. Deletes obsolete provisions and makes changes including but not limited to: increases membership of both houses of Legislature by 5; expands right to counsel for indigents; exempts from 6% limitation first annual levy of a newly created taxing unit; prohibits state from selling or giving away state owned ocean shore.

YES **NO**

Measure No. 4**Pollution Control Bonds**

Proposed by the Fifty-fifth Legislative Assembly by House Joint Resolution No. 14, filed in the office of the Secretary of State June 13, 1969, and referred to the people as provided by Section 1, Article XVII of the Constitution.

Explanation**By Committee Designated Pursuant to ORS 254.210**

Measure No. 4 is a Constitutional amendment. If approved, it will authorize issuance of State bonds to finance construction of pollution control facilities.

The money raised from sale of the bonds will be advanced to local governments for the construction of pollution control facilities. The Legislature has limited the use of these funds to begin with to construction of sewage treatment plants and interceptor sewers. It could later allow construction of other types of facilities to control air pollution or dispose of solid waste as well as other water pollution control systems.

Before the money is turned over to a local government, the State must review the project plans and find that it safely looks like the sewage plant or other facility will get at least 70 percent of its operating costs and at least 70 percent of the money to pay off the bonds from federal grants or specified local sources. These include user charges, assessments, fees, such as sewer connection fees, gifts and revenues.

The remaining money necessary to pay off the bonds—not more than 30 percent—will be paid by the State. The Legislature can appropriate the State share from general State revenues and has done so for the budget period ending June 30, 1971.

If it fails to do so in the future, there could be a State property tax to raise the necessary money. This possibility is included to give the bond buyers security so that the bonds will have a low interest rate. No property taxes have resulted from similar provisions in other State bond issues.

The law which implements this amendment limits the amount of bonds which can be sold to \$50 million. This can be increased by future Legislatures up to the maximum of one percent of the true cash value of all taxable property in the State set out in this amendment. One percent of taxable property is presently about \$180 million and will probably increase in future years.

This amendment will provide money for pollution control at the lowest cost to Oregon communities. It will enable the State to take advantage of federal grant funds and can also provide State assistance to relieve the burden on local governments of protecting the environment.

HOWARD FUGII, Salem
JOHN D. MOSSER, Portland
THOMAS C. DONACA, Portland

Measure No. 4

Pollution Control Bonds

Argument in Favor

**Submitted by Legislative Committee provided by Subsection (3) of
ORS 255.421**

This constitutional amendment will significantly improve local government efforts to control pollution now.

It permits the State to sell general obligation bonds at lower interest rates than local governments can obtain. The amount of such bonds is limited to 1 percent of the true cash value of all taxable property in the State, approximately \$180 million. For the current biennium the Legislature has limited this amount to \$50 million.

The money obtained from sale of these State bonds may be advanced to qualified local governments or combinations of local governments to pay for immediate construction of pollution control facilities. Local governments must repay to the State not less than 70 percent of this money over a period up to 30 years. The Legislature must appropriate the remainder over a similar period. No new taxes should be necessary.

The need for these facilities is clear. Construction can begin now and need not await possible federal legislation. This amendment, however, permits full use of federal aid.

The only facilities which can be built are only those which conservatively appear to be not less than 70 percent self-supporting and self-liquidating from revenues, gifts, federal grants, user charges, assessments, and other fees. Local governments may provide that their share of the cash shall be paid only by those persons who use the facilities. The Legislature has limited the type of facilities that can be built this biennium to sewage treatment works. Future legislatures can provide treatment facilities for all forms of waste.

Local governments are given power to make agreements with the State to obtain these funds upon passage of this amendment. Local governments will now be able to make comprehensive plans for the future because financing at reasonable cost is available.

SENATOR ATIYEH
REPRESENTATIVE MEEKER
REPRESENTATIVE WINGARD

Measure No. 4

POLLUTION CONTROL BONDS**CONSTITUTIONAL AMENDMENT**

Be It Resolved by the Legislative Assembly of the State of Oregon:

Paragraph 1. The Constitution of the State of Oregon is amended by creating a new article to be known as Article XI-H and to read:

ARTICLE XI-H

Section 1. In the manner provided by law and notwithstanding the limitations contained in sections 7 and 8, Article XI of this Constitution, the credit of the State of Oregon may be loaned and indebtedness incurred in an amount not to exceed, at any one time, one percent of the true cash value of all taxable property in the state:

(1) To provide funds to be advanced, by contract, grant, loan or otherwise, to any municipal corporation, city, county or agency of the State of Oregon, or combinations thereof, for the purpose of planning, acquisition, construction, alteration or improvement of facilities for the collection, treatment, dilution and disposal of all forms of waste in or upon the air, water and lands of this state; and

(2) To provide funds for the acquisition, by purchase, loan or otherwise, of bonds, notes or other obligations of any municipal corporation, city, county or agency of the State of Oregon, or combinations thereof, issued or made for the purposes of subsection (1) of this section.

Section 2. The facilities for which funds are advanced and for which bonds, notes or other obligations are issued or made and acquired pursuant to this Article shall be only such facilities as conservatively appear to the agency designated by law to make the determination to be not less than 70 percent self-supporting and self-liquidating from revenues, gifts, grants from the Federal Government, user charges, assessments and other fees.

Section 3. Notwithstanding the limitations contained in section 10, Article XI of this Constitution, municipal corporations, cities, counties, and agencies of the State of Oregon, or combinations thereof, may receive funds referred to in section 1 of this Article, by contract, grant, loan or otherwise and may also receive such funds through disposition to the state, by sale, loan or otherwise, of bonds, notes or other obligations issued or made for the purposes set forth in section 1 of this Article.

Section 4. Ad valorem taxes shall be levied annually upon all taxable property within the State of Oregon in sufficient amount to provide, together with the revenues, gifts, grants from the Federal Government, user charges, assessments and other fees referred to in section 2 of this Article for the payment of indebtedness incurred by the state and the interest thereon. The Legislative Assembly may provide other revenues to supplement or replace such tax levies.

Section 5. Bonds issued pursuant to section 1 of this Article shall be the direct obligations of the state and shall be in such form, run for such periods of time, and bear such rates of interest, as shall be provided by law. Such bonds may be refunded with bonds of like obligation.

Section 6. The Legislative Assembly shall enact legislation to carry out the provisions of this Article. This Article shall supersede all conflicting constitutional provisions and shall supersede any conflicting provision of a county or city charter or act of incorporation.

Note: Matter in italics in an amended section is new; matter ~~(lined out and bracketed)~~ is existing law to be omitted; complete new sections begin with Section.

BALLOT TITLE

POLLUTION CONTROL BONDS—Purpose: Authorizes bonds up ~~4~~ **1** to one percent of true cash value of taxable property in state ~~4~~ to provide funds to municipal corporations, cities, counties and agencies of state, or combinations thereof, to construct facilities for control of pollution on land, in air and water of state, such facilities to be at least 70 percent self-supporting and self-liquidating from revenues, gifts, federal grants, user charges, assessments and fees. Supersedes conflicting charter requirements.

ESTIMATE OF FINANCIAL EFFECTS: This amendment would allow the state to sell bonds to establish a fund from which loans, advances or grants could be made to local governments to finance pollution abatement and control facilities. Based on the 1971 estimate of Oregon's taxable property, a maximum of \$200 million of bonds could be authorized by the Legislature. The 1969 Legislative Session has authorized up to \$50 million of the total limit established by this measure. Average principal and interest payments to amortize a \$50 million bond issue over 30 years would be approximately \$4 million a year. It is intended that (a maximum of) only 30 percent (\$1.2 million a year) of this total cost would be a charge against the state and (at least) 70 percent (\$2.8 million a year) of the cost of paying off the bonds would be a charge against local governments which constructed the facilities. The local portion of bond repayments would be financed from federal grants and user fees and assessments—not from property taxes. This amendment would also make it possible for the state to lend its superior credit rating to local governments so that local governments would gain the advantage of lower interest rates.

YES

NO

Measure No. 5**Lowers Oregon Voting Age to 19**

Proposed by the Fifty-fifth Legislative Assembly by House Joint Resolution No. 19, filed in the office of the Secretary of State June 13, 1969 and referred to the people as provided by Section 1, Article XVII of the Constitution.

Explanation**By Committee Designated Pursuant to ORS 254.210**

The 55th legislative assembly has submitted to the people a constitutional amendment that would lower Oregon's voting age to 19.

Such a measure would affect approximately 65,000 young Oregonians aged 19 and 20. Best estimates are that this would increase voter registration by four per cent.

If adopted, this proposal would affect not only state and local elections but national elections. Since the state determines federal qualifications for voting, 19 and 20-year-olds would also be qualified to vote in elections for the United States Senate, House of Representatives, and for President and Vice-President of the United States.

The proposed constitutional amendment would not lower legal age limits for any purpose other than voting in elections.

EARL BLUMENAUER, Portland
JEANNE HUGHES, Portland
EDWIN PETERSON, Portland

Measure No. 5

Lowers Oregon Voting Age to 19

Argument in Favor

Submitted by Legislative Committee provided by Subsection 3 of ORS 255.421

The proposal to lower the voting age to 19 for Oregon residents is based upon the ideal of our democratic society expressed by Abraham Lincoln "those who share in the burdens of government should share in the decision making process"

The residents of Oregon between the ages of 19 and 21 are sharing the burdens of government and making contribution to society in the following ways:

1. They pay taxes of some \$30 million each year;
2. Thirty-seven percent of all Oregon servicemen are under 21 years old and one-third of all the American soldiers who have died in Viet Nam were under 21;
3. About one-third of the Oregon citizens between the ages of 19 and 21 are married and have accepted the obligations of family life;
4. About sixty percent work full time, many while also maintaining the roles of family man and student;
5. Many of these citizens have made, and are making, personal contributions through work in Peace Corps, VISTA, and many other government sponsored humanitarian programs.

Four states have already lowered the voting age and eleven more will vote on the issue this year.

The proposal for lowering the voting age is endorsed by all the following national and state leaders and many others:

- | | |
|------------------------------------------|---------------------------------------------------|
| President Richard M. Nixon | Secretary of State Clay Myers |
| Former President Lyndon B. Johnson | State Treasurer Robert Straub |
| Former Vice-President Hubert H. Humphrey | Labor Commissioner Norman Nilsen |
| Senator Barry Goldwater | Superintendent of Public Instruction Dale Parnell |
| Senator George McGovern | Attorney General Lee Johnson |
| Senator Ted Kennedy | Senator Mark Hatfield |
| Senator Mike Mansfield | Senator Robert Packwood |
| Senator Birch Bayh | Congressman Wendell Wyatt |
| Senator Charles H. Percy | Congressman Al Ullman |
| Mayor John Lindsay | Congressman John Dellenback |
| Governor Tom McCall | Former Senator Wayne Morse |

Oregon has traditionally been the leader and pacesetter in humanitarian and election reforms. The extension of the suffrage to 19 years again gives Oregonians the opportunity to demonstrate leadership to the nation.

It is submitted that this constitutional amendment is in the public interest and should be approved by the voters.

VOTE YES on Measure Number 5.

**SENATOR BETTY ROBERTS
REPRESENTATIVE WALLACE P. CARSON, JR.
REPRESENTATIVE DONALD L. STATHOS**

Measure No. 5
Lowers Oregon Voting Age to 19
Argument in Favor
Submitted by Oregonians for GO-19

Seldom has an issue of national significance found such resounding endorsement from so many respected leaders. Seldom do business and labor put aside differences so openly and with such commitment to promote a nonpartisan campaign.

When women were seeking the vote in the early 1900's, their movement progressed from a trickle to a torrent. Likewise, young Americans have been seeking participation in government for years; but today the emphasis on liberalized voting laws is dramatic: this year, ELEVEN states will vote on lowered voting ages. Oregon, a pace-setter in national trends, is the first.

This trend speaks eloquently for the political awareness, social involvement and individuality of today's young American. The Twentieth Century has been an age of acceleration. Transportation is faster, news travels faster, the world leads a faster-paced life. And this generation, nourished by instant communication and taught with all the advantages of an electronic era, is sooner prepared to assume crucial responsibilities in the community.

Some young people today want too much too quickly, using methods which our democratic process cannot condone. A small disruptive percentage seizes the spotlight. But the frustration of many young radicals is real, if their outlet invalid. Their complaint is that nothing can be accomplished through the system, that young people and people with minority views are cast in a political limbo, even though equal demands are made on them. There is a note of truth to this. For example, young Oregonians ages 19 and 20—

- are remanded to adult courts
- are taxpayers to the tune of some \$30 million each year
- are subject to induction into the armed forces (one-third American soldiers who have died in Vietnam were under 21)
- may marry (about one-third are married)
- earn their own living (60 per cent work FULL TIME, while many work and maintain the roles of familyman and student)

There could be no better censure of the radical few than to lower the voting age, giving young adults a chance to unleash their energy and idealism towards helping find new solutions to old problems. Headstart, Peace Corps and VISTA volunteers don't often make news—it is not their intention. Young unpaid political campaign workers, hospital aides, ghetto tutors and recreational counselors by the thousands are doing thankless jobs quietly and efficiently.

Would young people tend to vote as a bloc—as a special interest group? Not likely. Innumerable polls as well as studies of the young voter show at least as wide a diversity of opinions as in any other age group. No interest or no one party would gain a substantial advantage, although experience shows that with admission of the young to the polling place, both parties are often rejuvenated.

We know of no better way to narrow the rift between the generations than to invite young citizens of Oregon into the system to share in our decision-making rights and responsibilities. Oregonians could be proud to launch a most significant national trend.

Vote YES for BALLOT MEASURE No. 5

OREGONIANS FOR GO-19

EARL BLUMENAUER, Chairman
MAURINE NEUBERGER, Co-Chairman

CLAY MYERS, Co-Chairman
LLOYD KNUDSEN, Co-Chairman
DON FRISBEE, Co-Chairman

Measure No. 5

Lowers Oregon Voting Age to 19

Argument in Favor

Submitted By Oregonians for GO-19

The following support the lowering of the voting age to allow our young citizens to engage in our democratic processes.

Howard K. Baker, Jr., Tom McCall, Sen. Jennings Randolph, George F. Cole, Roy Wilkins, Hubert H. Humphrey, Lyndon B. Johnson, Wayne Turner, Hiram L. Fong, Robert Taft, Jr., John Dellenback, Mark Hatfield, Tom Hartung, Robert Packwood, Charles Percy, Hugh Wendell Wyatt, Keith D. Skelton, Birch Bayh, Eugene J. McCarthy, Hugh Scott, Robert A. Elliott, Daniel K. Inouye, R. Spencer Oliver, Mike Mansfield, Margaret Mead, Bill Bradley, Harvey Akeson, David Eccles, Terry Baker, Chuck Dodge, Gordon Swope, Howard Willits, Bill H. Stevenson, Dr. Robert Clark, Gregory Wolfe, Father Waldschmidt, John Howard, Dale Parnell, Shirley Field, Larry Aylsworth, Don Schollander, Mel Gordon, Frank Roberts, Douglas W. Graham, Allen B. Pynn, Henry Drummonds, George McGovern, Warren Magnuson, Ray Smith, H. G. Horn, Wayne Morse, Harry Glickman, M. James "Mike" Gleason, Alfred A. Hampson, Howard Morgan, Leo M. Thornton, Dick Groener.

Wallace P. Carson, Jr., Morris K. Crothers, John W. Anunsen, Robert Duncan, George Van Hoomissen, L. B. Day, George F. Wingard, Richard L. Kennedy, Richard O. Eymann, Joe B. Richards, Don Wilson, Craig Berkman, (Mrs.) Kay Corbett, Phil Hitchcock, Laird Kirkpatrick, Robert Ridgley, Carlos Riveria, Betty Roberts, Hal Swafford, Nani Warren, Jason Boe, Jack Ripper, Donald L. Stathos, Stafford Hansell, Irvin Mann, Jr., Gary White, Jane Wilhelmi, Don Willner, Ed Stanley, Robert L. Elfstrom, Edward N. Fadeley, Albert G. Flegel, Neil Boldschmidt, Tom Walsh, Keith Burns, Don Clark, Victor Atiyeh, Don S. Willner, Nelson Rockefeller, John Lindsay, Dwight Eisenhower, Berkeley Lent, Vernon Cook, Joan Hoffman, Ted Hallock, Neil Steinhauer, Paul Hebb, Ed A. Stamm, Philip N. Bladine, Frank Gilchrist, Edmund Muskie.

Jess Lewis, Kenneth A. Jernstedt, Cuyler Hampson, R. Poly Schedeen, Gerry Frank, Tom Pargeter, Ed Whelan, Monroe Sweetland, Rudie Wilhelm, Jr., Jim Elias, Harl Haas, Don Balmer, George Brown, Joe Edgar, Alvin R. Batiste, Rabbi Rose, Chalmer Jones, Chancellor Lieuallen, Gerald B. Arrington, Blaine Whipple, Terry Shrunk, Philip R. Bogue, Frank Consalvo, R. W. deWeese, Bob Fitzgerald, Leonard Forsgren, John Harrigan, Harry Kane, Gene Knudson, Irvin H. Luiten, Ted Gamble, R. Burke Morden, Michael Park, Warne Nunn, Bruce Etlinger, John Phillips, Bob Thompson, William Wessinger, Aubrey Watzek, Louis B. Perry, Wylie Smith, Al Ullman, Cliff Carlson, Howard Cherry, Alan (Punch) Green, George Rives, Fred Rosenbaum, John Gray, Broughton Bishop, Monford A. Orloff, Hon. Robert Holmes, Ken Lewis, Richard M. Nixon.

This material furnished by Oregonians for GO-19, Earl Blumenauer, Chrmn.

Measure No. 5**Lowers Oregon Voting Age to 19****Argument in Opposition****Submitted by Committee for Realistic Voting Age Limits**

Because every Democracy is fragile it must weigh carefully every proposal to change its voting base. Few democracies have survived. Many are falling today. Our own country faces staggering crises at home and abroad which could threaten our very existence.

Therefore proponents of change have the burden to prove any benefits outweigh the risk.

We believe common sense indicates the risks to our system outweigh any benefits. Please consider these points:

(1) While our young people may be better educated than their predecessors, there is so much more for them to know than there ever has been. The world is far more complicated—technically, economically, sociologically and politically.

(2) Formal education alone is really not sufficient preparation for voting; it should be tempered, tested and supplemented by actual living and working experience. Today a much smaller percentage of this 19-20 age group has acquired such away-from-school experience than ever before.

(3) Behavioral scientists generally agree considerable emotional maturation takes place in those years just prior to 21.

(4) Under Oregon law those in this group generally are not bound by their contracts. This protects them against impulsive, unwise decisions. It seems illogical for the State to consider them not fully competent to govern their own affairs while deciding they are competent to govern the affairs of others.

(5) Requiring men in this age group to serve in the armed forces is no justification. Fighting and voting call for different skills. In any event, the vote would be granted to all in this age group, not just those who serve.

(6) Granting the vote is not necessary to provide young people an opportunity to participate in our political system. Freedoms of speech, press and assembly afford a wide range of opportunities.

(7) Many question the wisdom of burdening these young people with voting responsibilities. They should concentrate their talents and energies toward getting their own lives in order before expecting them to help govern the affairs of others. This is a time for learning, not leading.

(8) There is no necessity to extend the vote to this group as there was for women and minority groups. Here the vote is deferred, not blocked—meanwhile our youth are well looked after.

(9) Elected officials already have too many diverse voting groups to satisfy; needlessly adding this group will further complicate their political problems. As indicated by Joseph A. Schumpeter long ago, a politician is much like "a horseman who is so fully engrossed in trying to stay in the saddle that he cannot plan his ride."

COMMITTEE FOR REALISTIC VOTING AGE LIMITS
c/o 7680 S.W. Memory Lane, Portland, Ore. 97225

WILLIAM J. MOSHOFKY, Chairman
S. JEANNE HUGHES, Secretary

Measure No. 5

Lowers Oregon Voting Age to 19

CONSTITUTIONAL AMENDMENT

Be It Resolved by the Legislative Assembly of the State of Oregon:

Paragraph 1. Section 2, Article II, and section 6, Article VIII, Oregon Constitution, are amended to read:

Sec. 2. (1) Every citizen of the United States is entitled to vote in all elections not otherwise provided for by this Constitution if such citizen:

(a) Is ~~[21]~~ 19 years of age or older;

(b) Has resided in this state during the six months immediately preceding the election, except that provision may be made by law to permit a person who has resided in this state less than six months immediately preceding the election, but who is otherwise qualified under this subsection, to vote in the election for candidates for nomination or election for President or Vice President of the United States or elector of President and Vice President of the United States;

(c) Is registered prior to the election in the manner provided by law; and

(d) Is able, except for physical disability, to read and write the English language. The means of testing such ability to read and write the English language may be provided by law.

(2) Except as otherwise provided in section 6, Article VIII of this Constitution with respect to the qualifications of voters in all school district elections, provision may be made by law to require that persons who vote upon questions of levying special taxes or issuing public bonds shall be taxpayers.

Sec. 6. In all school district elections every citizen of the United States of the age of ~~[twenty-one]~~ 19 years and upward who shall have resided in the school district during the six months immediately preceding such election, and who shall be duly registered prior to such election in the manner provided by law, shall be entitled to vote, provided such citizen is able to read and write the English language.

Note: Matter in *italics* in an amended section is new; matter (~~lined out and bracketed~~) is existing law to be omitted; complete new sections begin with Section.

BALLOT TITLE

LOWERS OREGON VOTING AGE TO 19—Purpose: Amends Oregon Constitution to lower the legal voting age from 21 to 19 years of age.

YES

NO

Measure No. 6**Local School Property Tax Equalization Measure**

Proposed by the Fifty-fifth Legislative Assembly by House Joint Resolution No. 25, filed in the office of the Secretary of State June 13, 1969, and referred to the people as provided by Section 1, Article XVII of the Constitution.

Explanation**By Committee Designated Pursuant to ORS 254.210**

Ballot Measure No. 6 proposes a constitutional amendment that allows the legislature to transfer tax bases from an intermediate education district to another unit of government, such as a county, if the proceeds from the tax are used to reduce (offset) local school tax levies. Under the implementing legislation, which takes effect if Ballot Measure No. 6 is approved, there will be no increase or decrease in the amount of taxes now levied for equalization purposes.

The primary reason for the proposed amendment is to allow the better organization of services rendered by intermediate education districts. In the 30 counties that have IEDs, some part of local school taxes are levied on a countywide basis and serve to equalize property taxes within the county. There was no intent to upset this tax structure but it is apparent that some IEDs could better perform their service function over a broader area than a county.

The legislature concluded that the equalization function of the IEDs should be transferred to the counties and that IEDs should be primarily educational service districts to provide services to local districts that they cannot efficiently, economically and effectively provide for themselves. Consequently, the legislature passed a law that would separate the service function from the tax equalization function if this amendment is adopted.

Ballot Measure No. 6 is necessary because now only the IED has the necessary tax base for the equalization levy. It is not possible for the legislature to move the existing tax bases for IEDs over to the counties without this ballot measure. This measure will permit the transfer of the tax base to counties *only* if the tax base is used to reduce local school levies already approved by the voters in each local school district.

JOYCE BENJAMIN, Cheshire
MERLIN MOREY, Salem
BERT TOUSEY, Tigard

Ballot Measure No. 6
Local School Property Tax Equalization Measure

Argument in Favor

**Submitted by Legislative Committee provided by Subsection (3) of
ORS 255.421**

This amendment is designed to bring greater efficiency and economy into school operations. While it appears to be a tax measure, IT WILL NOT raise taxes. It allows transfer of responsibility for equalizing school taxes to county government from intermediate education districts (IED) in the 30 counties where such districts exist. It will not increase or decrease the amount of the tax now specified in law, but allows the county to make this levy.

IEDs, operating under elected school boards, have two major functions: (1) to provide educational services which local school districts request, and (2) to equalize school district taxes by making a single levy over the entire territory of the IED and then using the proceeds of this tax to reduce local district taxes. Thus, in most counties where the IED operates, a significant part of local school taxes are levied on a countywide basis.

Some intermediate education districts are too small to provide joint educational services that modern education requires such as special education, instructional materials, data process and joint purchasing. For example, some IEDs serve school districts with a combined enrollment of fewer than 500 children, while others serve over 50,000 children. The 1967 legislature created a reorganization commission to develop a plan for combining IEDs into more efficient units. This commission, working with advisory committees in local areas, developed a statewide plan for reorganizing IEDs which was revised and adopted by the State Board of Education. Districts within proposed enlarged IEDs were given the authority to withdraw from the plan and 15 counties, including all existing county units or single districts encompassing an entire county, have withdrawn. The remaining areas of the state will become enlarged IEDs if the amendment is approved.

The commission recommended that reorganization occur only if the equalization levy was transferred to the counties, thus retaining existing tax patterns. It, therefore, recommended that the equalization function remain within county boundaries and that county government be made responsible for levying this equalization tax.

A constitutional amendment is necessary because counties would not be able to levy this equalization tax within its existing tax base under the 6 percent limitation. The amendment allows levying of this tax—if ordered by the legislature—if the proceeds are to be used to reduce local district taxes. The local district tax, which has already been approved by local voters or is within the local tax base, is then reduced by the amount the district receives from the equalization tax. The equalization levy is not a new tax or an additional tax but a way of equalizing the tax burden.

The Oregon legislature believes tax equalization should be the responsibility of general purpose units of government, like counties, instead of school districts. It also believes that reorganization of educational units is desirable—providing local areas concur. We hope the voters will agree with both of these beliefs by voting "Yes" on Ballot Measure No. 6.

SENATOR DONALD R. HUSBAND
REPRESENTATIVE RICHARD L. KENNEDY
REPRESENTATIVE DON WILSON

Measure No. 6**Local School Property Tax Equalization Measure****Argument in Opposition****Submitted by The Women's Legislative Council**

VOTE NO ON MEASURE 6

RETAIN WHAT LOCAL CONTROL YOU HAVE LEFT!

VOTE NO ON MEASURE 6

DON'T LET THE LEGISLATURE BE ANY MORE FLEXIBLE WITH YOUR TAXES!

VOTE NO ON MEASURE 6

DON'T LET THE LEGISLATURE DETERMINE THE TAX BASE IN YOUR TAXING DISTRICT FOR SCHOOLS!

VOTE NO ON MEASURE 6

DON'T LET THE LEGISLATURE TAX YOU OUT OF YOUR SCHOOL DISTRICT!

VOTE NO ON MEASURE 6

**THE WOMEN'S LEGISLATIVE COUNCIL,
R. Caswell, Secretary
P.O. Box 19353, Portland, Oregon**

Measure No. 6

Local School Property Tax Equalization Measure

CONSTITUTIONAL AMENDMENT

Be It Resolved by the Legislative Assembly of the State of Oregon:

Paragraph 1. The Constitution of the State of Oregon is amended by creating a new section to be added to and made a part of Article XI and to read:

Section 11a. Notwithstanding section 11, Article XI of this Constitution, the Legislative Assembly by law may prescribe tax bases for taxing units that are higher in amount than those otherwise determined under section 11, Article XI of this Constitution, when the proceeds of taxes levied under the prescribed increase are to be used as offsets against levies made by common school districts and union high school districts.

Note: Matter in *italics* in an amended section is new; matter ~~(lined out and bracketed)~~ is existing law to be omitted; complete new sections begin with Section.

BALLOT TITLE

LOCAL SCHOOL PROPERTY TAX EQUALIZATION MEASURE—

6 Purpose: Amends Oregon Constitution by providing for an exception to 6% limitation on property taxes. Authorizes legislature to increase tax bases for taxing units (such as a county), but requires that the proceeds from the higher tax must be used to reduce tax levies made by school districts. The purpose of this measure is to provide the legislature more flexibility in equalizing school property tax burdens within a county or other taxing units.

YES NO

Nonpartisan

DEAN BRYSON**For Judge of the Supreme Court, Position No. 3**

JUDGE DEAN BRYSON is the only candidate for this office with judicial trial experience—nine years of trial experience makes a difference. Judge Bryson was originally appointed to the Bench on recommendation of members of the Bar and has twice been elected by the people.

EXPERIENCE: Past President of the Oregon State Bar and member of the Board of Governors; member of the Oregon Judicial Council and Presiding Judge of Multnomah County Circuit Courts; Past President of Oregon Circuit Court Judges; former Assistant Attorney General under George Neuner; former State Senator and Representative in Oregon Legislature; former member State Marine Board; Past Pres. Kiwanis.

BACKGROUND: Judge Bryson has proven, through his decisions, a strong feeling for law and order, in contrast to rule by violence or riot. People must feel secure in their homes and on the streets and be protected from law violators. Article I, OREGON CONSTITUTION: "All power is inherent in the people." Judge Bryson is a native Oregonian, married and the father of three children.

BRYSON FOR SUPREME COURT COMMITTEE

Ray Vester - Eugene E. Marsh - Robert (Bob) Hazen: Co-Chairmen

(This information furnished by Bryson for Supreme Court Committee)

Nonpartisan

GORDON SLOAN

For Judge of the Supreme Court, Position No. 3



RE-ELECT SUPREME COURT JUDGE GORDON SLOAN

He is one of the most experienced and valuable members of our Supreme Court.

(Concluded on following page)

This information furnished by Re-elect Supreme Court Judge Gordon Sloan Committee)

RE-ELECT SUPREME COURT JUDGE GORDON SLOAN

He is a fair and impartial judge, whose diligence and skill have produced an outstanding record of work for the Supreme Court.

RE-ELECT SUPREME COURT JUDGE GORDON SLOAN

Justice Sloan, whose father was a judge on the Supreme Court of Kansas, served as an assistant U. S. Attorney in Topeka before resigning to come to Oregon in 1940. At the time of his appointment to the Supreme Court bench, he was a practicing lawyer and civic leader in Astoria. Justice Sloan and his wife, Geneve, now live in Salem. They have a daughter, Sally, and a son, Bill, who is serving in the U. S. Air Force.

RE-ELECT SUPREME COURT JUDGE GORDON SLOAN

Appointed to Supreme Court by the Governor in 1958; elected in 1958 and 1964.

Member of Board of Governors, Oregon State Bar, 1949 to 1952; served on Board of Bar Examiners, 1953.

Served by appointment of Presidents Truman and Eisenhower as United States representative on an International Fisheries Commission, dedicated to conservation of sea resources, 1950 to 1958.

Present member of Oceanography Committee, American Bar Association; Member of Oregon Governor's Committee on Oceanography, working to preserve Oregon's vital offshore resources.

RE-ELECT SUPREME COURT JUDGE GORDON SLOAN

Justice Sloan believes that . . . "The survival of our nation depends on the law. The opposite of law is anarchy and disorder. The law must be administered with justice and compassion, but it must be enforced promptly and surely."

RE-ELECT SUPREME COURT JUDGE GORDON SLOAN**— COMMITTEE —**

Berkeley Lent	John Ryan	Charles Merten
Robert Chandler	Owen Panner	James Castles
Robert Duncan	Roy Kilpatrick	Don S. Willner
Orlando Hollis	Moe Tonkon	Charles Davis
Lamar Tooze	Orval Thompson	Roy N. Vernstrom
Don Richardson	Harold J. Warner	Mrs. Dan A. Thiel
Guy Rea	R. W. Nahstoll	Mrs. Edith Bossatti
Joseph McKeown	Harrison Weatherford	Gene B. Conklin
Hall Lusk	Carl Brophy	Bill Van Dusen

Walter Evans and George Brown, Co-Chairmen

(This information furnished by Re-elect Supreme Court Judge Gordon Sloan Committee)

Nonpartisan

VIRGIL LANGTRY**For Judge of the Court of Appeals, Position No. 1**

For 20 continuous years, starting when I was 39, I have been a Judge—less than one year in Municipal Court in Portland; 10 years in Domestic Relations and Juvenile Court; and 8 in a general trial department, Circuit Court, Multnomah County. For 10 months I served temporarily as a Justice of the Oregon Supreme Court, and July 1, 1969, Governor McCall appointed me to Position No. 1 on the new Court of Appeals.

Twelve years ago, when I last had an opponent for the position of Circuit Judge, I said in the Voters' Pamphlet that I am opposed to campaigning by a Judge, if possible. My reasons are that campaign funds come principally from contributions and I believe that a Judge, or someone for him, should not, if avoidable, ask for contributions because he should be indebted to no one. I realize that strong opposition leaves a

Judge no choice other than to engage in an expensive campaign or lose his job. The voters apparently agreed with me 12 years ago, for I won by a wide margin. In this statewide election I again expect to avoid a costly campaign.

For 20 years I have judged a flood of litigation. I have never delayed decisions, and records will show that I have consistently carried one of the heavier parts of the Court's workload. For many years I did responsible civic and governmental, charitable and advisory jobs too numerous to detail here. The Kelley Loe Memorial Award, first accorded George Brown in 1957 in Recognition of Outstanding Community Service, was awarded the next year to me by the AFL-CIO Community Services Committee.

I believe in firm administration of criminal justice—prison as penalty for crimes of violence and certainly for repeating offenders of all kinds. Society must be protected from those who would destroy it, but I also believe that early training and rehabilitation hold the greatest hope for a reduction in crime.

I am 58, 12 or 13 years younger than my opponent; in fact, if my opponent were to win he would be required by law to retire before the end of the elective term. I am in good health, a life-long resident of Oregon, veteran, homeowner, husband. Two children have finished and one is in college. I eagerly seek as a Judge to accomplish justice.

(This information furnished by Virgil Langtry)

Nonpartisan**REUBEN LENSKE****For Judge of the Court of Appeals, Position No. 1**

Reuben Lenske has given unselfishly of his time and legal talent without compensation to our Federation and many of its members during the past 18 years and we know him to be devoted to the improvement not only of our courts but our whole social structure.

Rev. Mark Chamberlin,
Executive Secretary, and

Dr. Corrine Chamberlin, Board Member,
Methodist Federation for Social Action,
Gresham, Oregon

TRUTH IS THE FOUNDATION

All decisions should be founded on truth. When a litigant challenges the truth of a court's statement in an opinion, the court should meet the challenge. Merely saying that the petition is denied or that the assignment is without merit begs the question instead of answering it. Instead of promoting truth this may avoid the truth or conceal it. Three months is not one month (236 Or. 638).

(Concluded on following page)

(This information furnished by Reuben Lenske)

HONESTY IN JUDGES

Judges are rarely guilty of accepting financial favors from litigants but honesty is more than that. Honesty also means refusal to exonerate or favor the rich, the powerful, the socially elite when others under like circumstances would receive adverse decisions.

PUBLIC DISCLOSURE

Candidates for judgeship should make public disclosure of their social philosophy. Mine is that we should immediately cease warring in Vietnam and adopt a program of Government employment at a decent living wage for all persons who want to work and cannot obtain adequate private employment.

This would solve a good deal of our race problem and almost all of our poverty and welfare problem. In addition to guaranteed employment we should have free education at all levels—for adults as well as children.

THE SOCIAL APPROACH

Severer sentences or denial of civil rights to individuals will not solve our crime problem. Most of the persons jailed for wrongful conduct should, together with their families, be placed under humane and competent supervision to improve their way of life. This will avoid their embitterment through prison experience. Judges themselves should not be bitter or lack humaneness or be disbelievers in the decency of mankind. Judges should not participate in cases when their social outlook or attitude towards persons before them are already formulated for or against.

JUDGES

Should take active leadership in promoting the constructive and radical changes in our social order which will improve our way of life.

JUDGES

SHOULD NOT SIT IN THEIR IVORY TOWERS IN SILENCE WHILE THEIR COUNTRY IS ENGAGED IN AN ILLEGAL AND IMMORAL WAR.

CANDIDATE OR PROGRAM

It is more important that court reforms be adopted than that a particular candidate be elected.

Reuben Lenske
7243 SE 34th Ave.
Portland, Oregon 97202

Nonpartisan

EDWARD BRANCHFIELD**For Judge of the Court of Appeals, Position No. 5****RETAIN AN OUTSTANDING JUDGE**

JUDGE BRANCHFIELD, since his appointment to the Court of Appeals by Governor Tom McCall, has proven himself to be an outstanding jurist. He blends the highest traditions of scholarship and judicial ethics with an earnest, friendly manner and desire to serve the people of Oregon. JUDGE

(Concluded on following page)

(This information furnished by Committee to Retain Judge Branchfield)

BRANCHFIELD measures up to the challenges of this stimulating and demanding position. JUDGE BRANCHFIELD is one of the few men in public service with experience in the executive, legislative and judicial branches of government. Oregon needs JUDGE BRANCHFIELD on the Court of Appeals.

JUDGE BRANCHFIELD: EXPERIENCE IN ALL THREE BRANCHES OF GOVERNMENT.

JUDGE BRANCHFIELD: A MAN OF INDEPENDENCE, IMAGINATION, ENERGY.

JUDGE BRANCHFIELD is a graduate of the University of Michigan and the University of Michigan Law School. He served in the United States Army from 1942-1946. He was wounded in action in France.

JUDGE BRANCHFIELD engaged in the private practice of law in Medford from 1946-1967.

JUDGE BRANCHFIELD served as a member of the Oregon House of Representatives from 1963-1967.

JUDGE BRANCHFIELD was Administrative Assistant and Legal Counsel to Governor Tom McCall from 1967-1969.

JUDGE BRANCHFIELD is currently a member of the Oregon State Bar, the Marion County Bar Association, the American Bar Association, the Federal Bar Association, the American Judicature Society, the Salem City Club, the Board of Directors of the Willamette Chapter of the American Red Cross, the Advisory Council of the Oregon Technical Institute, the Advisory Committee on Corrections, Oregon College of Education (Vice Chairman), and Chairman of the Administrative Board, West Salem United Methodist Church.

JUDGE BRANCHFIELD formerly served as State Commander of the Disabled American Veterans, as a member of the Advisory Committee to the Director of the Department of Veterans' Affairs, as a Commissioner of the Education Commission of the States, as a member of the Educational Coordinating Council, as a member (two years as Chairman) of the Medford School Board, as Vice Chairman of the Oregon Traffic Safety Commission, as Chairman of the Jackson County Chapter, American Red Cross and as President of the United Medford Crusade.

JUDGE BRANCHFIELD served on the Education Committee of the Oregon House of Representatives and as Chairman of the Sub-Committee which revised the school law of Oregon. He also served as Chairman of the Taxation Committee and Vice Chairman of the Interim Committee on Education. He was also a member of the Commerce and Utilities Committee, the Judiciary Committee, the Elections and Reapportionment Committee, and the Fiscal Committee.

JUDGE BRANCHFIELD served as Governor McCall's liaison with the Legislature. He also worked extensively with the Corrections Division, the Mental Health Division, the Department of Education and the Board of Higher Education, and the Division of State Lands.

KEEP JUDGE BRANCHFIELD WORKING FOR OREGON

COMMITTEE TO RETAIN JUDGE BRANCHFIELD

The Honorable HALL S. LUSK,

Mr. SAM B. HARBISON, Co-Chairmen

This information furnished by Committee to Retain Judge Branchfield)

Nonpartisan

ROBERT Y. THORNTON**For Judge of the Court of Appeals, Position No. 5**

**EXPERIENCED IN PROTECTING
YOUR LEGAL RIGHTS**

LEGAL TRAINING AND EXPERIENCE

- Earned his own way through Stanford; U. of O. and Geo. Wash. law schools
- Former Oregon Attorney General and chief, State Dept. of Justice. Programs established include consumer protection, crime prevention, anti-trust enforcement, and saving Oregon's beaches from encroachment by oil companies and selfish land developers
- Former Assistant Solicitor, U. S. Dept. of Interior
- Co-authored a standard reference book on U. S. Constitution
- Private law practice in Medford, Tillamook and Salem beginning in 1938
- Former city attorney and state legislator
- Member of Oregon, Marion County, Dist. of Columbia and American Bar Assns.

WHY WE URGED BOB THORNTON TO RUN FOR JUDGE

The 1969 legislature created a new five-man Court of Appeals to relieve congestion in the Supreme Court. Last summer the Governor appointed all five members.

With all due respect to the Governor, we believe the voters should be given the chance to choose some members by open elections, so that some of the judges would be without obligation to the Governor and his administration.

Only in this way can the citizenry be assured that the judicial branch will be properly independent of the executive branch and **RESPONSIBLE TO THE PEOPLE**, and that the traditional American system of "checks and balances" will thus be preserved in our state government.

We support Bob Thornton for this new court because:

Thornton is qualified by long experience

Thornton has always been a hard worker

Thornton has always fought for the public interest

But most important, Thornton has a long and consistent record of
FAIR BUT FIRM ENFORCEMENT OF OUR LAWS.

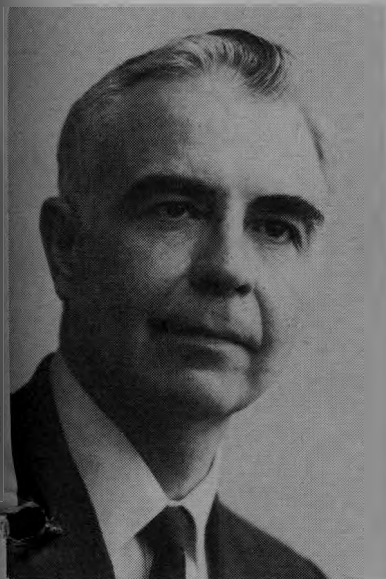
ROBERT Y. THORNTON was born and reared in Portland and educated in Portland public schools. He served five years here and overseas in the U. S. Army in World War II. He is married to the former Dorothy Haberlach of Tillamook. They have one son, Tom, a student at Oregon State University.

(This information furnished by Nonpartisan Elect Thornton Judge Comm.)

partisan

TOM BOCKELMAN

For Superintendent of Public Instruction



CONTROL OF OUR EDUCATIONAL SYSTEM MUST BE RETURNED TO THE PEOPLE

I am a 52-year old photographer, father of nine children, ages 15 to 29, a home owner, a veteran of World War II. I have been happily and faithfully married to a good looking, quick witted girl named Madelyn McQuirk for nearly 31 years. My business is good; it is infinitely interesting.

Why, then, do I seek the office of Superintendent of Public Instruction?

CONTROL OF OUR EDUCATIONAL SYSTEM MUST BE RETURNED TO THE PEOPLE

Today, Americanism, apple pie and motherhood are lumped together as a derisive sneer. The family is under terrific pressure and attack. A generation gap has been created by subtle, clever methods. Authority has become a dirty word. The use of mind-altering drugs has been introduced to millions of our youth under the clever persuasion of

noted professors from Harvard. The suicide rate of our young people is constantly rising. **WE NEED CHANGES!**

CONTROL OF OUR EDUCATIONAL SYSTEM MUST BE RETURNED TO THE PEOPLE

While the cost of education has risen at a much faster rate than the value of our real estate, even under today's inflated values, the standards of achievement demanded have been constantly lowered. Our dollars have not bought a "quality education". Instead, cunning "concepts" have replaced facts and truths. "Attitudes" are considered more important than actions. **WE NEED CHANGES!**

CONTROL OF OUR EDUCATIONAL SYSTEM MUST BE RETURNED TO THE PEOPLE

I am a poor man's candidate, a non-expert. I seek:

1. A child-centered education.
2. Local control of all schools, in all phases.
3. Reducing the role of the State Board of Education to that of an advisory position to local boards.
4. Increase the control of people over local boards by having them elected for simultaneous short terms.
5. Abolition of the State Textbook Commission.

VOTE FOR "MR. B."

(This information furnished by Tom Bockelman)

Nonpartisan

DALE PARNELL**For Superintendent of Public Instruction****RETAIN PARNELL**Dedicated to sound, well-managed
education**HE'S QUALIFIED**

OREGONIANS HAVE SPOKEN—The people of Oregon gave DALE PARNELL their vote of confidence when they retained him Superintendent of Public Instruction in November of 1968.

DALE PARNELL LISTENS TO THE PEOPLE—Scores of laymen and women serve on advisory committees to the Oregon Board of Education. In addition, to find out for themselves what Oregonians really want in their public schools and community colleges, Dr. Parnell and State Board members have gone around the state to meet face-to-face with citizens and hear their ideas.

DALE PARNELL CARES ABOUT YOUNG PEOPLE—Students are what education is all about. Oregon's educational system exists to serve young people and adults, to provide the training individuals need.



DALE PARNELL IS QUALIFIED—When Dr. Parnell was nominated at an open, public convention, he was called "the right man in the right job at the right time." He stands on his record:

- Native of Monmouth, Oregon, educated in Salem schools. Son of an electrician.
- Worked his way through Willamette University as an apprentice electrician.
- Earned masters and doctorate degrees at the University of Oregon.
- Taught at secondary school levels in private and public schools.
- Principal of Springfield Senior High School; was Springfield "Citizen of the Year."
- Superintendent of Lane County Schools; served on many community councils.
- President of Lane Community College in Eugene, Oregon.
- Father of five; 41-year-old Dale and his wife Beverly are proud parents of a married daughter living in Bandon, Oregon; a son in the U.S. Air Force Academy; daughter at Oregon College of Education; two secondary school sons.

(Concluded on following page)

(This information furnished by Parents for Parnell Committee)

RETAIN PARNELL

Dedicated to sound, well-managed education

EDUCATION IS EVERYBODY'S BUSINESS—Sound, quality education provided by schools and community colleges managed along business-like lines—that's what Oregonians want to produce the kind of citizens America needs.

ACTION IN THE 70's—That's what DALE PARNELL proposes to improve and maintain an educational system that is responsive to the needs of two million Oregonians.

Here is his platform of priorities:

- Primary education development—every child must be able to read, write and compute to his proficiency level before leaving primary grades.
- Career education development—enable secondary school students to learn the skills they will need to compete successfully in the world of work.
- Adding the Fourth "R"—Responsibility—develop students with the ethical principles and moral values that will help them become responsible citizens.
- Improved education for the disadvantaged—assure equal opportunity to learn regardless of a child's handicaps, background or location.
- Extending educational opportunities for all—make it possible to eliminate the word "drop-out" from our vocabulary during the 1970's.
- Improve finance structure—bring financial stability to school districts so better planning and business management will be possible.
- Close the communication gap—help local school districts and community colleges build public understanding and increased public involvement.
- Improve teacher education and certification—place greater stress on the "performance" factor in teacher education and simplify certification.
- Educational program audits—help schools do their job better through accountability for student performance and instructional programs.
- Improve management of schools and community colleges—continue efforts to implement recommendations of the business task force on management of education.
- Develop a community college master plan—bring post-high school career education opportunities within financial and geographic reach of all Oregonians.

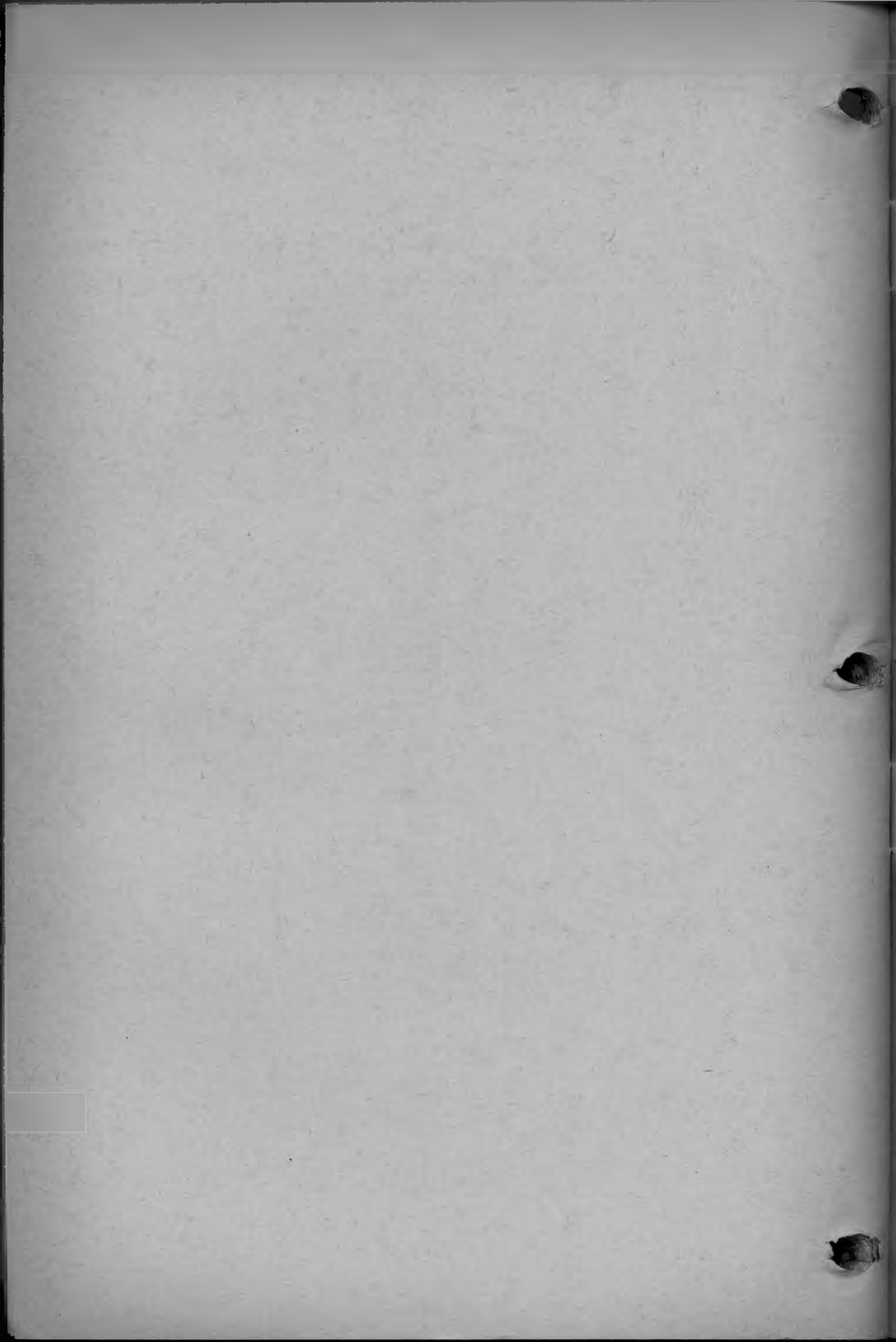
THE RIGHT MAN IN THE RIGHT JOB AT THE RIGHT TIME—That's what Oregon needs to lead the elementary, secondary and community college system toward fulfillment of these priority objectives.

THE QUALITY OF LIFE IN OREGON INVOLVES THE QUALITY OF
EDUCATION IN OREGON

RETAIN PARNELL — HE'S QUALIFIED

PARENTS FOR PARNELL COMMITTEE
DAVID A. RHOTEN, Chairman

(This information furnished by Parents for Parnell Committee)



Nonpartisan

JOE THALHOFER**For Judge of the Circuit Court, Eleventh Judicial District, Position No. 2****FULL-TIME JUDGE FOR 13 YEARS!**

Judge Joe Thalhofer has served diligently and honestly for 13 years as the first district court judge for Deschutes County. He was Redmond's first part-time municipal judge for 2½ years and then was elected district judge in 1956. He has been re-elected twice since. For many years Judge Thalhofer has also worked as circuit judge pro tem as requested or needed to assist or fill in for the circuit judge. He has sat as district judge in Klamath, Lane, Washington and Umatilla counties. He is a past president of the District Judges' Association and is active in Oregon State Bar work. He worked for three years on a State Bar Committee which helped draft the new probate code, serving as chairman his third year. Judge Thalhofer is probate judge for Deschutes County and for ten years his probate court has had the best record in the state—topping all circuit, district and county courts. This probate jurisdiction is being transferred to the circuit court in Deschutes, Crook and Jefferson Counties effective July 1, 1970. By electing him Circuit Judge you can put Judge Thalhofer's experience to good use in this transition!

FAMILY MAN!

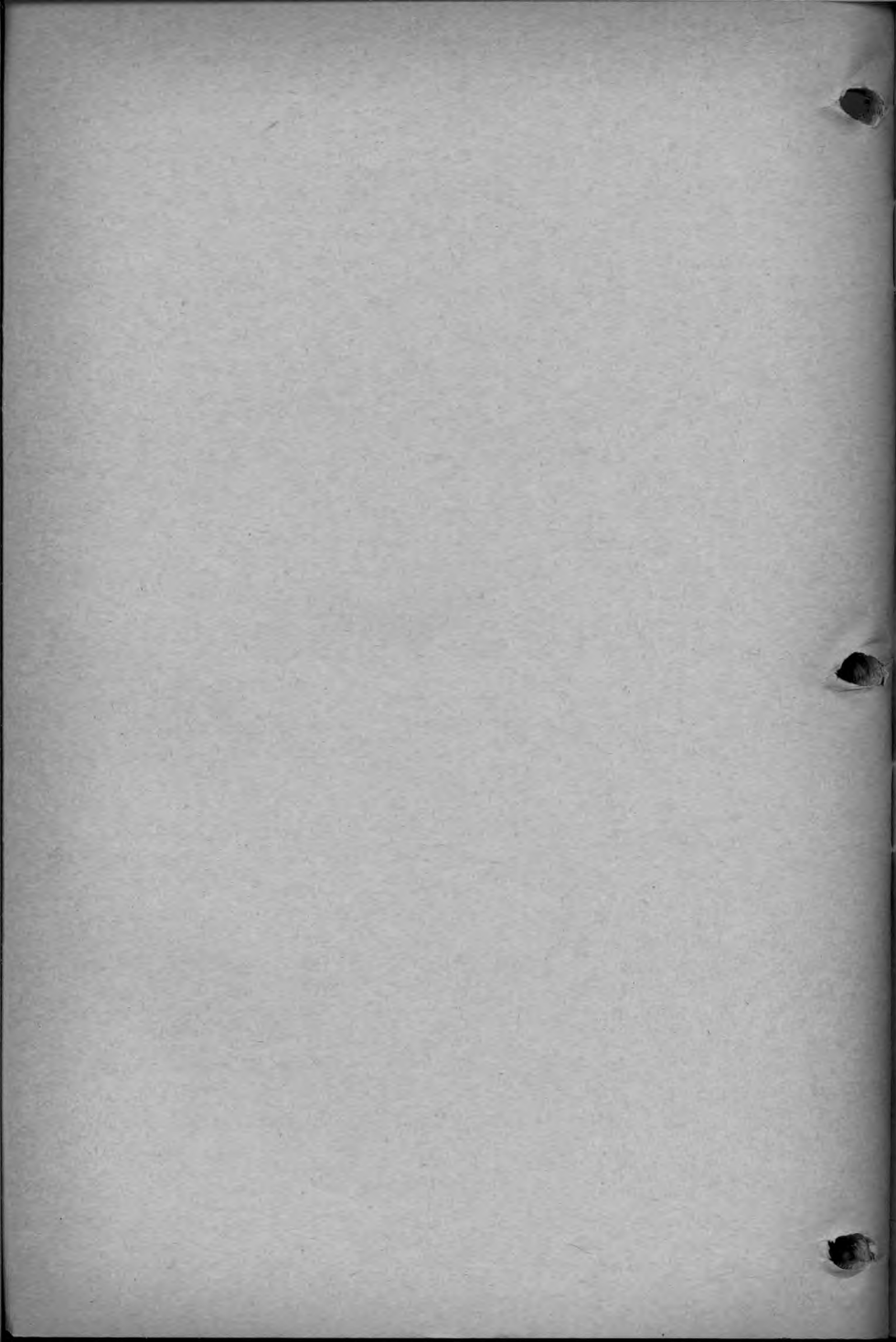
Judge Joe Thalhofer is 46, was raised in Prineville and married his Crook County High School classmate ('42), the former Ruth Rickman. They have six children: J. K. (Kerry) a sophomore at Central Oregon Community College; Lorrie, a senior at Bend High; Mike, Mary Ann and Kathie in St. Francis School, Bend; and Pete, age five. Judge Thalhofer is a graduate of Harvard Law School ('52) who returned to Central Oregon to live and practice law.

CIVIC LEADER!

Judge Joe Thalhofer is active in community affairs and work with young people. He was Drive Chairman (1958) and President (1959) of Deschutes United Fund in Bend. In Redmond he worked for the United Fund, helped organize the Redmond Youth Recreation Council, and was a member of the Rotary Club. In Bend he is active in Boy Scout work on unit, district and council levels for 12 years. He received Scouting's Silver Beaver award in 1966. He has coached Little League Baseball for 11 years. Other activities and organizations include: Red Cross County Chairman, five-gallon blood donor, vice-president of Oregon United Appeal, Bend Chamber of Commerce, American Legion, Knights of Columbus, Bend Lions Club (vice-president) and former member Bend Rotary Club. Judge Thalhofer works for his community!

ELECT JUDGE JOE THALHOFER CIRCUIT JUDGE!

(This information furnished by Joe Thalhofer for Circuit Judge Committee)



Measure No. 7**Establishing a New Tax Base for Marion County****Explanation**

The basic limitation on the tax levying power of a county is imposed by the Constitution as a "tax base." This limitation allows an annual increase of 6% and the Marion County government has, for many years, operated within this limitation.

In 1969, however, the Oregon Legislature assumed certain expenses formerly paid by counties and, by statute, reduced the counties' tax levying power in a corresponding amount. This statute also, inadvertently we believe, prohibits the usual 6% increase. These statutory limits, however, do not apply if the voters approve a new tax base as proposed in Measure No. 7. A substantial portion of the \$600,000 increase requested is merely restoring the 6% allowed by the Constitution in usual circumstances. The remainder is for other vitally necessary county service functions.

Effective performance of county government functions are essential to all levels of local government. Disruption of functions would adversely affect cities, school districts, fire districts and the courts.

Rapid population growth and resulting necessary actions in air pollution, waste disposal, clean environment and public health; Supreme Court decisions which result in sky-rocketing court costs; a changing and more mobile society that makes apprehension of offenders difficult and overtaxes law enforcement officials in the protection of life and property; inflation which inhibits the replacement of necessary equipment; all of these have severely strained available county revenues.

County officials have strenuously attempted to increase efficiency through improved procedures and methods, careful allocation of funds and conservative expenditures. In spite of these efforts, current levels of service and programs cannot be maintained unless revenue sources are increased.

The comparatively small increase proposed of 58¢ per \$1,000 valuation is a very reasonable request to insure uninterrupted basic functions of all local governments, the total tax rate necessary for the new tax base requested is less than the total rate three years ago. Therefore, we wholeheartedly support the \$600,000 levy increase. This measure deserves your "yes" vote.

MARION COUNTY BUDGET COMMITTEE

CLEO HICKS, Chairman	CARL ARMSTRONG
ROSS COLEMAN	HARRY CARSON JR.
PAT McCARTHY	HENRY C. MATTSON

Measure No. 7**Establishing a New Tax Base for Marion County****Submitted to the people by Order of the
Marion County Board of Commissioners**

To meet the continuing needs of Marion County, to provide for cost of living adjustments and inflationary increase of expenses, to replace anticipated funds not receivable by reason of legislative action, to provide for necessary capital outlay, to maintain, expand, or adopt new services and for all of the other services provided by the County, shall Marion County change its present tax base of \$2,942,747.00 to a new tax base of \$2,938,730.00 to be effective July 1, 1970.

The reason for the establishment of the new tax base is to remove a tax levy restriction imposed by the 1969 Legislature. The effect of this reduction in tax base is to permit the levy of an additional \$600,000.00 in taxes.

The maximum rate of levy deemed necessary to raise the \$600,000.00 is \$.58 per \$1,000.00 of true cash value of taxable property in the County.

YES I vote for the tax base change.

NO I vote against the tax base change.





LIST OF MEASURES AND CANDIDATES

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NONPARTISAN CANDIDATES

SUPERINTENDENT OF PUBLIC INSTRUCTION—(Vote for One)—
Thomas C. Bockelman, Dale Parnell, John Smets.

JUDGE OF THE SUPREME COURT, POSITION No. 3—(Vote for One)—
Dean Bryson, Gordon Sloan.

JUDGE OF THE COURT OF APPEALS, POSITION No. 1—(Vote for One)
—Virgil Langtry, Reuben Lenske.

JUDGE OF THE COURT OF APPEALS, POSITION No. 5—(Vote for One)
—Edward Branchfield, Robert Y. Thornton.

JUDGE OF THE CIRCUIT COURT, DISTRICT 11, Gilliam, Grant, Crook, Deschutes, Jefferson, Wheeler Counties, POSITION No. 2—(Vote for One)—
John M. Copenhagen, Joe Thalhofer.

JUDGE OF THE DISTRICT COURT, Lincoln County—(Vote for One)—
John H. Hall, A. R. (Al) McMullen.

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GILLIAM, JACKSON, KLAMATH, LINCOLN, LINN, MARION,
POLK, SHERMAN, UMATILLA, UNION, WHEELER

60

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