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

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

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

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

EMO Statement of Social Principles

The EMO “Statement of Social Principles” identifies six key areas of social concern. These fall under the broad headings of Peace and Global Justice, Human Rights and Religious Freedom, Environmental Stewardship, Economic Justice, Family and Community Well-being, and Public Witness and the Common Good.

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

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Since 1978, Ecumenical Ministries of Oregon (EMO) has produced high-quality ballot measure guides with recommendations from a faith-based perspective for Oregon voters. The guide is an informative tool used by many, including non-religious groups.

The 2014 Voters’ Guide to Oregon Ballot Measures is available as a free PDF download on EMO’s website at www.emoregon.org.
**Measure 86** Constitutional Amendment—Requires creation of fund for Oregonians pursuing post-secondary education, authorizes state indebtedness to finance fund.

**Summary & Analysis** — Measure 86 was referred to the voters by the Oregon Legislature. With limited exceptions, the Oregon Constitution prohibits the state from incurring general obligation debt. A “yes” vote on Measure 86 would amend the state constitution by adding an article directing the Legislature to create a constitutionally-authorized Oregon Opportunity Fund, authorizing state indebtedness to finance the fund through the issuance of general obligation bonds. The bill was sponsored by the Oregon Legislative Black Caucus (measure 86) and the Ecumenical Ministries of Oregon (measure 88).

Proponents of Measure 86 argue that Oregon’s rate of graduation is lower than the national average and needs improvement. Some argue that Measure 86 would increase Oregon’s workforce for the benefit of the state economy. Measure 86 would authorize the state to issue $1 billion in bonds to create the Opportunity Fund.

**Opponents of Measure 86** say that the measure is not needed because of the Oregon Promise Program and the Oregon First Grant Program. These programs provide financial aid to eligible Oregon residents. Opponents also argue that Measure 86 is a new form of tax on residents and that the state’s economic climate is not strong enough to support increased debt.

**Financial Impact** — The measure would increase the state’s indebtedness by $1 billion. The cost of the bond issuance would be borne by taxpayers in the form of increased property taxes.

**EMO Recommendation** — Vote “NO” on Measure 86. The measure is unnecessary and would increase the state’s indebtedness without addressing the root causes of low graduation rates in Oregon.

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

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

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

**EMO Recommendation** — Vote “NO” on Measure 87. The measure is unnecessary and would create conflicts of interest for state court judges.

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

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

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

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

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

**Opponents of Measure 88** object to granting a driver card to a person who cannot provide proper documentation of legal presence in the United States and state that issuing a driver card poses national security risks, encourages more illegal immigration, and will not significantly increase road safety.

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

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

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

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

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

—MICAH 6:8
Measure 89  Constitutional Amendment—State/political subdivision shall not deny or abridge equality of rights on account of sex.

Summary & Analysis — A “yes” vote on Measure 89 would amend the Oregon State Constitution to prohibit state and political subdivisions from denying or abridging the equality of rights on account of sex. There is no provision in the Oregon Constitution that expressly prohibits discrimination based on sex. Measure 89 adds language as a new provision to the Oregon Constitution that will guarantee that “equality of rights under the law shall not be denied or abridged by the state of Oregon or by any political subdivision in this state on account of sex.” The measure authorizes the Legislature to enforce that provision by enacting or amending statutory law. A “no” vote would retain the existing language in the Oregon Constitution, which, under Article I, section 20, currently provides that “no law shall be passed granting to any citizen or class of citizens privileges, or immunities, which, upon the same terms, shall not equally belong to all citizens.” The Oregon Supreme Court has interpreted Article I, section 20 to hold that laws may not treat people differently based on sex unless justified by specific biological differences between men and women.

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

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

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

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

The Oregon state effort coincides with a national effort to pass a federal Equal Rights Amendment (ERA). Oregon voters approved the federal Equal Rights Amendment in 1973, but it was approved by Congress in 1972 and not ratified. The seven-year time limit in the ERA’s proposing clause was extended by Congress to June 30, 1982, but at the time of the deadline the amendment had been ratified by only 35 states, falling three states short of the required 38 to add the amendment to the Constitution.

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

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

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

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

Under current law, major political candidates choose their nominees in the primary elections, which are generally open to all voters registered in that party, and minor political parties choose their candidates from those voters who are registered as a part of those parties (i.e., party registration). The Secretary of State provides for single primary ballot listing candidates; top two advance.

The Secretary of State’s Office reports the following about Measure 90:

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

- Under current law, major political candidates choose their nominees in the primary elections, which are generally open to all voters registered in that party, and minor political parties choose their candidates from those voters who are registered as a part of those parties (i.e., party registration). Measure 90 provides for a single primary among all candidates, regardless of party affiliation, in which all registered voters, regardless of party affiliation or non-affiliation, could vote. It would create a top-two system of general election voting in which the primary ballot allows voters to choose one candidate from all candidates, regardless of political party.

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

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

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

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

- Opponents of Measure 90 argue that the open primary leaves the party nominations vulnerable to manipulation and dilution and would marginalize the voices of third parties, as only two candidates are allowed on the general election ballot.

- Opponents also cite statistics from Washington and California, both open primary states, in which the voter turnout in primary elections has decreased with each election, since the new system was put into place. Therefore, the choices put forward from the primary to the general election may be far less representative of the entire population. Opponents of Measure 90 include the Oregon Progressive, Pacific Green of Oregon, Democratic and Republican parties.

Financial Impact — The Secretary of State Elections Division estimates start-up costs of $562,640 to modify computer systems. The most likely funding source would be revenues from the General Fund.

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

While EMO affirms that our government should seek greater voter participation and fully supports the need for election reform, we are uncertain that this initiative will positively impact Oregon’s electoral participation. Since relatively few major elections have occurred since the implementation of the open primary in Washington and California, it is difficult to determine whether or not the new system is an improvement over Oregon’s current system, or if it actually would decrease voter participation. Given the uncertainty about the impacts of this measure, EMO makes no recommendation on Measure 90.
Measure 91  Statutory Initiative—Allows possession, manufacture, sale of marijuana by/to adults, subject to state licensing, regulation, taxation.

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

Measure 91 would task the Oregon Liquor Control Commission (OLCC) to adopt rules for licensing and regulation of the production, processing, wholesale, and retail sale of marijuana and marijuana products throughout the state by Jan. 1, 2016. The state of Oregon will not operate any of these marijuana businesses. A city or county may opt out of having marijuana businesses only by petition signed by 10 percent of registered voters and approved by a majority of voters in the general election. Measure 91 imposes a tax by weight on marijuana produced by licensees. Money collected by the state tax and licensee fees is used to fund licensing and regulation by the state. Local taxation is prohibited. Measure 91 does not affect laws relating to medical marijuana.

Proponents of marijuana legalization point to the failed “war on drugs” and the systemic form of discrimination in the arrest and incarceration of drug offenders that has been aimed disproportionately at people and communities of color. They propose that the legalization, regulation and taxation of marijuana will raise much needed revenue for social programs and save the state money by lowering the prison population.

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

Financial Impact — The revenue estimate from taxes when fully implemented may range from $717 million to $40 million annually. The OLCC estimates start-up costs at about $300,000 in the state fiscal year 2015, about $2.5 million in state fiscal year 2016, and $1 million in fiscal year 2017. OLCC annual operating expenses are estimated to be $3.2 million per year. Additional estimated costs per year include: Oregon Health Authority, $200,000; Oregon Department of Agriculture, $100,000; and Oregon State Police, $400,000 in state fiscal year 2016 and ongoing expenses of $400,000 per year beginning in 2016; new revenues are expected to offset these costs. The Oregon Judicial Department also expects additional court costs to address OLCC rulemaking and licensing authority.

The remaining revenue would be distributed to the Common School Fund, Mental Health Alcoholism and Drug Services Account, State Police Account, counties and cities for law enforcement, and the Oregon Health Authority for alcohol and drug abuse prevention, early intervention and treatment services.

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

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

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

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

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

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

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

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

EMO Recommendation — Vote YES on Measure 92, based on the EMO social principles of Environmental Stewardship and Economic Justice. We believe that market economies require both ethical and legal regulation to safeguard the environment and public health, including the right for people to choose what to eat and the right to know what is in the food we consume. The stated intent of Measure 92 is to establish a consistent and enforceable standard for labeling foods produced with genetic engineering and to provide the citizens of Oregon with knowledge of how their food is produced. For consumers who have religious dietary guidelines, such as Halal or Kosher requirements, religious freedoms may be violated if they lack information regarding the mixing of species such as meat/animal genes with vegetables. Having a labeling requirement will create the capacity to monitor genetically engineered products in food, so the consumer can make an informed choice and document any health issues that might arise in the future.

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