

FULL TEXT OF BALLOT TITLES—NOVEMBER 6, 2012

MULTNOMAH COUNTY • STATE OF OREGON

ONLY THE CAPTION AND QUESTION WILL APPEAR ON YOUR OFFICIAL BALLOT AND ONLY THE APPROPRIATE MEASURES FOR EACH PRECINCT WILL APPEAR ON THAT PRECINCT'S BALLOT.

STATE MEASURES

Referred to the People
by the Legislative Assembly

77 Amends Constitution: Governor may declare "catastrophic disaster" (defined); requires legislative session; authorizes suspending specified constitutional spending restrictions

Result of "yes" vote: "Yes" vote grants Governor constitutional authority to declare "catastrophic disaster" (defined); requires legislative session; legislature may suspend specified constitutional spending restrictions to aid response, recovery.

Result of "no" vote: "No" vote retains Governor's statutory authority to declare state of emergency; retains constitutional spending restrictions and constitutional restrictions on legislative authority without exception for emergency.

Summary: Amends Constitution. Currently, Governor has statutory, but not constitutional, authority to declare state of emergency and direct response to emergency. Measure grants Governor constitutional authority to declare and respond to natural or human-caused "catastrophic disaster" (defined). Authorizes Governor to redirect previously allocated General Fund and lottery monies to disaster response. Requires legislative session (under emergency conditions, if necessary) to enact implementing legislation; legislation may include temporarily suspending specified constitutional spending restrictions. Terminates Governor's disaster spending authority upon enactment of law specifying purposes for which funds may be used. Limits disaster authority of Governor and legislature to 30 days unless legislature acts to shorten/lengthen period; such legislation may include any provision legislature deems necessary to provide "orderly transition" (undefined) to normal conditions. Other provisions.

Estimate of financial impact: Referral 401 allows for government action in the event of a catastrophic disaster. It grants the Governor temporary authority to redirect certain state monies from legislatively-approved purposes to disaster response. It requires the Governor to convene the legislature unless the Legislative Assembly is already in session or scheduled to convene within 30 days.

The financial effect of the measure is indeterminate.

78 Amends Constitution: Changes constitutional language describing governmental system of separation of powers; makes grammatical and spelling changes

Result of "yes" vote: "Yes" vote changes constitutional language describing separation of powers to refer to three "branches" (instead of three "departments") of government; makes other grammatical, spelling changes.

Result of "no" vote: "No" vote retains existing constitutional language describing separation of powers between three "departments" of government (rather than three "branches" of government); retains misspelled, other language.

Summary: Amends constitution. Measure makes nonsubstantive changes to wording now contained in the Oregon constitution. Current state constitutional language describes the governmental separation of powers to be divided into three separate "departments": Legislative, Executive (including Administrative), and Judicial. Measure revises this constitutional phrasing by changing it to refer to three separate "branches" of government, which conforms to more contemporary, commonly-used designations for these separate divisions of government. Measure changes the description of the two houses of the Legislature to two "chambers" of the Legislature (rather than two "branches" of the Legislature), which also reflects more modern designations for them. Measure additionally modernizes spelling and makes grammatical changes to replace existing references to the Secretary of State as "he," "him," and "his" with gender-neutral wording.

Estimate of financial impact: The measure will have no financial impact on state or local government revenues or expenditures.

Proposed by Initiative Petition

79 Amends Constitution: Prohibits real estate transfer taxes, fees, other assessments, except those operative on December 31, 2009

Result of "yes" vote: "Yes" vote prohibits state/local governments from imposing taxes, fees, assessments on transfer of any interest in real property, except those operative December 31, 2009.

Result of "no" vote: "No" vote retains existing law prohibiting local governments from imposing real estate transfer taxes/fees (with exceptions), allowing state legislature to impose such taxes/fees.

Summary: Amends constitution. Current statutory law prohibits a city, county, district, or other political subdivision or municipal corporation from imposing taxes or fees on the transfer of real estate (with certain exceptions). However, the state legislature has the authority, subject to Governor approval, to impose such taxes and fees or to change current statutory law. Measure prohibits the state and any city, county, district, or other political subdivision or municipal corporation from imposing taxes, fees, or other assessments based upon the transfer of any interest in real property or measured by the consideration paid or received upon the transfer of any interest in real property. Measure exempts from the prohibition any taxes, fees, or other assessments in effect and operative on December 31, 2009. Other provisions.

Estimate of financial impact: There is no financial impact on state or local government expenditures or revenues.

80 Allows personal marijuana, hemp cultivation/use without license; commission to regulate commercial marijuana cultivation/sale

Result of "yes" vote: "Yes" vote allows commercial marijuana (cannabis) cultivation/sale to adults through state-licensed stores; allows unlicensed adult personal cultivation/use; prohibits restrictions on hemp (defined).

Result of "no" vote: "No" vote retains existing civil and criminal laws prohibiting cultivation, possession and delivery of marijuana; retains current statutes that permit regulated medical use of marijuana.

Summary: Currently, marijuana cultivation, possession and delivery are prohibited; regulated medical marijuana use permitted. Measure replaces state, local marijuana laws except medical marijuana and driving under the influence laws; distinguishes "hemp" from "marijuana"; prohibits regulation of hemp. Creates commission to license marijuana cultivation by qualified persons and to purchase entire crop. Commission sells marijuana at cost to pharmacies, medical research facilities and to qualified adults for profit through state-licensed stores. Ninety percent of net proceeds goes to state general fund, remainder to drug education, treatment, hemp promotion. Bans sales to, possession by minors. Bans public consumption except where signs permit.

Measure 80 continued

minors barred. Commission regulates use, sets prices, other duties; Attorney General to defend against federal challenges/prosecutions. Provides penalties. Effective January 1, 2013; other provisions.

Estimate of financial impact: This measure legalizes the private manufacture, possession and use of cannabis in Oregon. Investigations and prosecutions for related offenses would no longer take place after the effective date of this measure. State and local expenditures and revenues will be impacted by passage of this measure.

The measure creates the Oregon Cannabis Commission, appointed by the Governor, to carry out the provisions of the measure. The state's Chief Financial Office believes the appointment of the commission will not add noteworthy cost to state expenditures.

The cost of operating the Commission may be similar to the cost of operating the existing Oregon Liquor Control Commission, which is about \$22 million per year, excluding the variable expenses related to compensating liquor store owners and paying bank card fees. Total additional revenues to state government are indeterminate, but revenues are likely to be sufficient to offset the expenditures of the Commission.

The measure requires the Oregon Cannabis Commission to consult with the Board of Pharmacy on various issues and, if practicable, to establish certain rules. As the Commission is not granted rule-making authority, the Board of Pharmacy may be called upon to establish those rules. The Board of Pharmacy estimates the need for one half-time pharmacist, at a cost of approximately \$75,000 per year, to carry out these additional duties.

State expenditures would be reduced by the amount that the state pays for felony offenders with related convictions in prison and on probation. The savings to the state as a result of the passage of this measure is estimated to be between \$1.4 million and \$2.4 million a year.

The measure prohibits the disclosure of names and addresses of applicants, licensees, and purchasers of cannabis except upon the person's request. The Oregon Judicial Department estimates additional expenditures of between \$1.6 million and \$3.3 million per year to ensure court case files do not contain such names or addresses prior to allowing them to be viewed by parties to a case, the public, or the media.

The amount of the impact for local law enforcement, district attorneys, and the courts is indeterminate.

Operation of the Commission

Impact on Expenditures:

May increase \$22 million per year

Impact on Revenue:

Indeterminate, but likely sufficient to cover expenditures

Board of Pharmacy

Impact on Expenditures:

Increase \$75,000 per year

Impact on Revenue:

None

Felony convictions

Impact on Expenditures:

Decrease of \$1.4 - \$2.4 million per year

Impact on Revenue:

None

State Courts

Impact on Expenditures:

Increase of \$1.6 - \$3.3 million per year

Impact on Revenue:

None

Total Impact to the State:

Impact on Expenditures:

May increase \$22.3 - \$23 million per year

Impact on Revenue:

Indeterminate, but likely sufficient to cover expenditures

Impact to Local Government:

Impact on Expenditures:

Indeterminate

Impact on Revenue:

Indeterminate

81 Prohibits commercial non-tribal fishing with gillnets in Oregon "inland waters," allows use of seine nets

Result of "yes" vote: "Yes" vote changes commercial non-tribal fishing in Oregon "inland waters" (defined) by banning gillnets, adopting other regulatory changes; recreational salmon fishers ensured their recent share.

Result of "no" vote: "No" vote continues current commercial fishing practices, retains laws allowing gillnets, leaves other current regulations in place; continues annual adjustment of recreational salmon harvest share.

Summary: Current law allows commercial salmon fishing in Columbia River only with gillnets; requires recreational salmon fishers' percentage share of overall salmon catch to be readjusted annually; allows issuing of gillnet permits within limit of 200; recognizes gillnet licenses as valid in Columbia River in both Oregon and Washington waters. Measure bans commercial gillnet fishing by non-tribal fishers in Oregon "inland waters" (defined); requires Oregon Fish and Wildlife Commission to permit use of "seine nets" (defined) instead; ensures that recreational salmon fishers' percentage of overall salmon catch remains at 2007-2011 levels; prohibits purchase of salmon caught by gillnet by non-tribal fishers in Oregon inland waters; prohibits issuing of additional gillnet permits; repeals statute recognizing validity of gillnet licenses in Oregon and Washington waters. Other provisions.

Estimate of financial impact: This measure eliminates commercial non-tribal gillnet fishing, establishes the legal use of seine fishing, and may allow fixed fishing gear on the Columbia River. The measure requires the state to evaluate mortality associated with seine and fixed fishing gear as it relates to endangered salmon, steelhead, and other species. The measure will increase state government expenditures by \$150,000 per year for staff and supplies to perform ongoing required research and monitoring, and will decrease state government revenues by \$551,654 to \$749,144 per year from state income taxes, permits, licenses, and surcharges received from the current non-tribal gillnet and tangle net fisheries, boats and licensees. The amount of state government revenue that will result in the future from the transition to seine net fishing and commercial harvest and resultant state income taxes, permits, licenses and surcharges on a seine net based fishing industry on the Columbia River or other inland waters is indeterminate.

This measure does not affect local government.

82 Amends Constitution: Authorizes establishment of privately-owned casinos; mandates percentage of revenues payable to dedicated state fund

Result of "yes" vote: "Yes" vote amends state constitution to authorize privately-owned casinos; requires such casinos to give percentage of monthly revenue to State Lottery for specified purposes.

Result of "no" vote: "No" vote maintains current state of the law, which does not authorize any privately-owned casino within state; tribal casinos authorized pursuant to gaming compacts.

Summary: Amends constitution. Currently, Oregon Constitution prohibits the operation of privately-owned, non-tribal casinos within the state. Under measure, State Lottery shall permit the operation of privately-owned casinos within the state, provided that the particular operation is approved through an initiative law. Privately-owned casinos must be located within an incorporated city, and city electors must also approve casino location. The privately-owned casino shall pay 25% of adjusted gross revenues each month to a dedicated state fund for the purposes of fostering job growth, educational achievement, vibrant local communities, protecting and improving natural environment, and supporting all federally recognized Indian tribes in Oregon. Amendment prohibits the operation of privately-owned casino within 60-mile radius of existing tribal casino operating on reservation land.

Estimate of financial impact: This measure has an indeterminate financial impact. Currently the Constitution prohibits casinos in Oregon, and this measure amends the Constitution to allow casinos. However, if the measure is adopted, there may be a financial impact to certain local government entities that receive revenue derived from tribal gaming operations, because tribal gaming revenues may decline.

83 Authorizes privately-owned Wood Village casino; mandates percentage of revenues payable to dedicated state fund

Result of "yes" vote: "Yes" vote authorizes a single privately-owned casino in Wood Village; requires casino to give percentage of monthly revenue to State Lottery for specified purposes.

Result of "no" vote: "No" vote maintains current state of the law, which does not authorize any privately-owned casino within state; tribal casinos authorized pursuant to gaming compacts.

Summary: Currently, Oregon Constitution prohibits privately-owned casinos within state. Under measure, State Lottery shall issue renewable 15-year lease permitting owner of former Multnomah Kennel Club in Wood Village to operate gaming devices, table games, keno, and other games of chance at that site. Measure would become operative only if constitution is amended to permit privately-owned casinos within state. Casino operator shall pay 25% of adjusted gross revenues monthly to State Lottery. Lottery shall deposit 20% of adjusted gross revenues into Job Growth, Education and Communities Fund (separate from general fund), and 80% in State Lottery Fund. Moneys in the Job Growth fund are apportioned to the incorporated cities adjoining casino, Indian tribes, law enforcement, and gambling treatment services. Other provisions.

Estimate of financial impact: The financial impact of the measure is indeterminate. This measure authorizes a single privately owned casino in Multnomah County. The measure requires a minimum investment of \$250 million in the casino property. The measure sets limits on the number of slot machines and table games at 3,500 and 150, respectively.

If the casino is built, the following direct financial impacts on state and local government will result (millions of dollars):

25% Casino revenue transferred to State and local governments

Low estimate of impact \$83

High estimate of impact \$94

Reduction in State Video Lottery earnings

Low estimate of impact -\$51

High estimate of impact -\$40

Net Revenue to State and local governments

Low estimate of impact \$32

High estimate of impact \$54

The impacts listed above depend on initial assumptions, including a \$300 million investment in the casino property, as well as 2,200 slot machines and 100 table games. To the extent that actual investment and build differ significantly from these assumptions, the impact to state and local governments would also vary. Thus the overall impact of this measure on state and local government revenue is indeterminate.

84 Phases out existing inheritance taxes on large estates, and all taxes on intra-family property transfers

Result of "yes" vote: "Yes" vote phases out existing inheritance/estate taxes on large estates, death-related property transfers, and taxes on certain intra-family property transfers; reduces state revenue.

Result of "no" vote: "No" vote retains existing estate/inheritance taxes on estates with value of at least \$1 million; tax on all income-producing intra-family property transfers.

Summary: Current state law imposes one-time tax on estate of person dying on/after January 1, 2012, if estate's gross value—determined by federal law as of December 31, 2010—is at least \$1,000,000. Current law taxes income-producing property sales, regardless of parties' relationship. Measure incrementally phases out estate/inheritance tax, tax on property transfers between "family members" (defined), and tax on property transferred in connection with person's death; prohibits imposition of such taxes on property of person dying on/after January 1, 2016. Allows state to cooperate with other states and federal government in administering those entities' estate/inheritance taxes; permits fees on probate and other transactions that may occur following person's death. Measure reduces state revenues; provides no replacement. Other provisions.

Estimate of financial impact: This measure phases out existing estate taxes, which will reduce state revenue by approximately \$17 million in fiscal year 2013-14, approximately \$43 million in 2014-15, and approximately \$72 million in 2015-16 as Oregon's existing estate tax is phased out. Thereafter the measure will reduce state revenue by approximately \$120 million per year, depending upon growth in estate values.

This measure also prohibits all taxes on transfers of property between family members, and phases out existing taxes on those transfers. The current amount of those transfers, and the changes that might occur given elimination of taxes on those transfers are unknown, therefore the impact of this part of the measure is indeterminate.

Measure 80 continued next column

More measure information on other side

85 Amends Constitution: Allocates corporate income/excise tax "kicker" refund to additionally fund K through 12 public education

Result of "yes" vote: "Yes" vote allocates the corporate income and excise tax "kicker" refund to the General Fund to provide additional funding for K through 12 public education.

Result of "no" vote: "No" vote retains existing corporate income and excise tax "kicker" that requires refund to corporations when revenue exceeds estimated collections by two percent or more.

Summary: Amends constitution. Before each biennium, the governor must prepare an estimate of revenues expected to be received by the General Fund for the next biennium. The General Fund is the primary funding source for schools, prisons, social services other state-funded programs/services. Current law requires an automatic "kicker" refund to taxpayers of corporate income and excise tax revenue that exceeds estimated collections by two percent or more. Measure allocates the corporate income and excise tax "kicker" refund to the General Fund to provide additional funding for K through 12 public education. Measure does not change the constitutional personal income tax "kicker" provision that requires a refund to individual taxpayers when personal income tax revenue exceeds estimated revenue by two percent or more. Other provisions.

Estimate of financial impact: The financial impact of this measure is indeterminate because it is affected by unknown future events. If corporation tax receipts exceed the state forecast by two percent or more for a two-year budget period beginning July 2013 or later, this measure will increase the amount retained in the state General Fund relative to current law. In addition, state expenditures will increase by the same amount. If this measure had been in place for the past ten budget periods, the increases would have ranged from \$101 million to \$203 million in each of three of those periods.

LAKE OSWEGO PUBLIC LIBRARY**3-405 Lake Oswego Public Library Bond**

Question: Shall the City of Lake Oswego issue general obligation bonds not to exceed \$14 million for a new public library? If the bonds are approved, they will be payable from taxes on property or property ownership that are not subject to the limits of sections 11 and 11b, Article XI of the Oregon Constitution.

Summary: This measure authorizes the City to issue general obligation bonds not to exceed \$14 million to pay a portion of the cost of the design and construction of a new library of approximately 60,000 square feet in the vicinity of First and B Avenue, replacing the existing library at Fourth and D. The new library would include more space for library collections, study and computer areas, and areas for adult, teen, and children's programming. The library would also include community meeting and program space. The City plans to augment bond proceeds with other resources such as urban renewal funds and existing library capital funds to pay for the balance of the library costs and associated parking and site improvements. If the maximum bond amount is issued, the estimated property tax rate would be 17 cents per \$1,000 of Assessed Value (not Real Market Value). The bonds would mature in not more than 25 years.

CITY OF LAKE OSWEGO**3-406 Boones Ferry Road Bond Issue**

Question: Shall the City of Lake Oswego issue general obligation bonds not to exceed \$5 million for Boones Ferry Road Improvements? If the bonds are approved, they will be payable from taxes on property or property ownership that are not subject to the limits of sections 11 and 11b, Article XI of the Oregon Constitution.

Summary: This measure authorizes the City of Lake Oswego to issue general obligation bonds not exceeding \$5 million to pay for a portion of the cost of design, right of way acquisition and construction for Boones Ferry Road Improvements from Madrona to Oakridge/Reese, consistent with the 2008 Lake Grove Village Center Plan, including:

- Four vehicular travel lanes
- Landscaped medians with turn lane improvements
- New sidewalks with street trees, lighting, street furniture, and landscaping
- Additional and improved pedestrian crosswalks
- Bike lanes
- Improved storm drainage systems
- Undergrounding of utilities

The Improvements also include a signalized pedestrian crossing at Lanewood near Lake Grove Elementary School.

The total project cost is estimated at \$25.4 million. Funding includes bond proceeds, urban renewal funds and other funding sources. If the maximum bond amount is issued, it is anticipated that property taxes would increase by 6 cents per \$1,000 of Assessed Value (not Real Market Value). The bonds would be payable in not more than 25 years.

CITY OF GRESHAM**26-141 Gresham Charter Amendment: Mayor Elected at Large; Councilors by District**

Question: Shall the Gresham Charter be amended to elect the mayor at large and councilors elected and residing in six districts?

Summary: This measure was proposed by initiative petition. If approved, it would amend the Gresham Charter to provide that council shall consist of a mayor elected at large and one councilor elected and residing in each of six districts.

The voters of the City of Gresham currently elect the mayor and six councilors at large. All voters in the city can seek city elective office and all voters in the city may vote for each city elective office without regard to where in the city the voter resides.

This initiative measure would change the manner in which councilors are elected from at large to a district system. Six districts would be established within the city. The voters of each district would elect one councilor who resides within that district. Voters would not elect the councilors who reside in other districts. The mayor would continue to be elected at large.

This measure would take effect when approved by at least sixty percent (60%) of the votes cast for or against this measure.

CITY OF WOOD VILLAGE**26-142 Authorizes Development of Casino & Entertainment Center in Wood Village**

Question: Shall a Casino & Entertainment Center Consistent with State Ballot Measures be developed at the former Multnomah Kennel Club?

Summary: In November 2012, Oregonians vote on two measures that would permit the location of a privately-owned casino in Wood Village. If the state measures are approved, the operators would be required to invest at least \$250 million developing an entertainment and casino complex at the former Multnomah County Kennel Club site, and to pay 25% of adjusted gross revenues to the state for the purposes of fostering job growth, educational achievement, vibrant communities, protecting and improving natural environment, and supporting Oregon Indian tribes. Some of these funds would be paid to Wood Village, adjacent communities, and other programs, including law enforcement and problem gambling. The state measures and current state law also require the City's voters to separately approve the siting of a casino within the City. This ballot measure asks the City's voters to decide whether a casino complex consistent with the state ballot measures may be sited at the former Multnomah Kennel Club. The complex will also be required to obtain all necessary city permits, including land use approvals.

MULTNOMAH COUNTY**26-143 Form Library District with permanent rate to fund library services**

Question: Shall dedicated library district fund Multnomah county library hours, services; rate limited to \$1.24 per \$1000 assessed value beginning 2013?

Summary: If approved, the Multnomah County Library District would be formed with a permanent rate dedicated to library services, operations, books, materials, programs, activities and oversight of the district. Its boundaries would include all territory within Multnomah County. Formation of a District would do the following:

- Provide permanent and dedicated library funding up to \$1.24 per \$1000 of assessed value;
- Restore and retain library services such as summer reading, books, student and jobseeker support, and outreach to senior citizens;
- Prevent reductions in services, programs and activities, and hours.

Library services are a matter of county concern and the District will have the powers granted to library districts and public libraries under state and local law.

The formation of a District will ensure a dedicated long-term funding source for library services, allowing libraries to retain educational resources and programming. The Board of County Commissioners, sitting as the Library District Board, will serve as the governing board of the District to provide oversight and accountability. A Library Advisory Board will provide community input.

PORTLAND PUBLIC SCHOOL DISTRICT**26-144 Portland Public School District Bonds to Improve Schools**

Question: Is the Portland Public School District authorized to issue up to \$482 million of general obligation bonds to improve schools? If the bonds are approved, they will be payable from taxes on property or property ownership that are not subject to the limits of sections 11 and 11b, Article XI of the Oregon Constitution.

Summary: If approved this measure would finance capital costs, including projects that:

- Replace leaking, worn or deteriorating school roofs,
- Renovate or replace schools,
- Strengthen schools against earthquakes,
- Repay loans for capital costs, including 9 roof replacements, 47 boiler conversions, and the Rosa Parks School,
- Increase access to schools for students, teachers and visitors with disabilities, and
- Upgrade science classrooms at middle grade schools.

Citizen accountability and oversight and annual audits of bond projects and expenditures will be required.

The bonds may be issued in multiple series and each series may mature over no more than 21 years.

Most bonds will mature in eight years or less. Bond cost for eight years is estimated at about \$1.10 per \$1,000 of taxable assessed property value, then reducing to about thirty cents per \$1,000. For this measure, the cost for a house assessed at \$150,000 for property tax purposes would be about \$165 a year for eight years, then reducing to about \$45 per year.

CITY OF PORTLAND**26-145 Amends Charter: Changes Provisions of Fire Police-Disability Retirement System.**

Question: Shall limited provisions of the retirement and disability system for police and fire be changed?

Summary: This measure would amend the City Charter for the Fire Police Disability Retirement System (FPDR) by:

- Clarifying the calculation of retirement benefits to include only pay a member received in the year preceding retirement.
- Changing eligibility for disability benefits for new members after completion of six consecutive months of employment as a sworn employee.
- Changing the calculation of service credit to not include post-employment service by another employer.
- Giving the Administrator, with the approval of the Board of Trustees, authority to settle claims.
- Defining service requirements for occupational disability due to heart disease and nonservice-connected disability and death benefits.
- Changing retirement benefits for part-time employees.
- Providing disability benefits on a monthly or bi-weekly basis.
- Providing interim disability benefits during the period between the application and approval of benefits.
- Clarifying language regarding occupational disability benefits.
- Changing from 10 years to 5 years the vesting period for nonservice-connected death benefits.

This amendment is expected to decrease FPDR taxpayer liabilities by \$46 Million over a 25 year period.

CITY OF PORTLAND**26-146 Restore School Arts, Music Education; Fund Arts through Limited Tax.**

Question: Shall Portland restore arts, music for schools and fund arts through income tax of 35 dollars per year?

Summary: This measure creates a limited income tax of \$35 for each adult income-earning Portland resident. Individuals in households below federal poverty level pay no tax.

Tax can only be used for:

- Arts and Music Teachers: Funds to hire arts and music teachers for kindergarten through 5th grade students at local public schools attended by Portland students. Distribution of funds based on school enrollment.

- Arts Access: Remaining funds for grants to nonprofit arts organizations, other nonprofits and schools. Will fund grants to provide high-quality arts access for kindergarten through 12th grade students and to make arts, culture experiences available to underserved communities. Funds administered by Regional Arts and Culture Council (RACC).

Accountability measures include:

- Administrative costs are capped.
- Expenditures subject to oversight by citizen committee.
- Independent financial audits of RACC and School District expenditures.

Estimated funds raised will be \$12 million annually. The tax is effective beginning with 2012 tax year, with payment due when state taxes are due.

CITY OF FAIRVIEW**26-147 Charter Amendment Requiring Record of All Votes in Council Minutes**

Question: Shall Fairview amend the Charter to require that the vote of each Council member be entered into the meeting minutes?

Summary: The Oregon Constitution gives City voters the right to adopt and amend home rule charters. Fairview voters adopted the current charter in 1992.

The current charter requires the City Council to adopt rules of procedure to govern its meetings and proceedings. The current charter also requires the record of Council proceedings to reflect the aye and nay votes of Council members on proposed ordinances.

In addition to adopting ordinances, the Council takes action by adopting motions, resolutions and orders. This measure would amend the Charter to require the Council to include in its rules of procedure a requirement that the vote of each member on any issue or matter voted on by the Council be entered into the Council minutes.

The City's Charter Review Commission recommended this amendment, which was referred to the voters by the Council. If approved, the amendment would take effect January 1, 2013.

26-148 Charter Amendment Revising Process Council Uses to Adopt Ordinances

Question: Shall Fairview amend the Charter to revise the process the City Council uses to adopt ordinances?

Summary: The Oregon Constitution gives City voters the right to adopt and amend home rule charters. Fairview voters adopted the current charter in 1992.

The current charter provides procedures for Council adoption of ordinances, which permit but do not require the reading of proposed ordinances on two different days. The procedures also permit, with the unanimous consent of the Council, the reading of proposed ordinances twice in one meeting and thereafter enactment by a majority vote of the Council at that same meeting.

The amendment would require only one reading of proposed ordinances, but would also require that the reading and enactment of ordinances occur on two separate days. The amendment would permit an ordinance to be read and enacted on the same day only if the Council enacts the ordinance by a unanimous vote of all members voting at that meeting.

The City's Charter Review Commission recommended this amendment, which was referred to the voters by the Council. If approved, the amendment would take effect January 1, 2013.

26-149 Charter Amendment Revising Process to Fill Vacancies in Elected Offices

Question: Shall Fairview amend the Charter to revise the process used to fill vacancies that occur in City elected offices?

Summary: The Oregon Constitution gives City voters the right to adopt and amend home rule charters. Fairview voters adopted the current charter in 1992.

Under the current charter, vacancies in elected offices are temporarily filled by Council appointment. The Council's appointee serves until a person is elected for the remainder of the unexpired term at the "next election." The City has enacted an ordinance clarifying that the "next election" is the next general election. Under the current charter, an election to fill an office with an unexpired term must occur even if only two months remain in the term.

The amendment would clarify the Charter to reflect the current practice for filling vacancies by temporary Council appointment and election at the next general election, but would also establish that an election is not required if there are only two months left in the unexpired term.

The City's Charter Review Commission recommended this amendment, which was referred to the voters by the Council. If approved, the amendment would take effect January 1, 2013.