

# CLACKAMAS COUNTY

## ELECTIONS DIVISION

# VOTERS' PAMPHLET

# SPECIAL ELECTION SEPTEMBER 18, 2012

Your voted ballot must be  
received in our office,  
or in an official ballot  
drop box, by 8:00 p.m.  
on Election Day,  
September 18, 2012.

### COUNTY VOTERS:

All information contained in this Voters' Pamphlet has been assembled and printed by your County Elections Official.

Measure Text, Explanatory Statements and Arguments are printed as filed -- no spelling or grammatical corrections are made.

Visit us on the internet:  
[www.clackamas.us/elections](http://www.clackamas.us/elections)

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Clackamas County  
Elections Division  
1710 Red Soils Ct., Ste. 100  
Oregon City, OR 97045  
503.655.8510

**SHERRY HALL,**  
County Clerk

Please recycle  
this pamphlet.





# CLACKAMAS COUNTY

Office of the County Clerk

SHERRY HALL  
CLERK

2051 KAEN ROAD, 2ND FLOOR  
OREGON CITY, OR 97045  
503.650.5686  
FAX 503.650.5687

August, 2012

Dear Clackamas County Voter:

This Voters' Pamphlet contains information designed to assist you in voting: the ballot title, explanatory statement and arguments pertaining to the local district measure that appears on the September 18, 2012 Special Election ballot in Clackamas County. Please remember, in order to vote on this measure, you must be an active registered voter of the jurisdiction placing the measure on the ballot.

The numbers in the margin of your ballot are not related to you personally – rather, they relate to the ballot itself and are not, at any point in time, associated with you or your registration record.

Your voted ballot **must** be received at an official ballot drop site or at the Elections Office, 1710 Red Soils Ct., Ste. 100, in Oregon City by 8:00 p.m. on election night in order to be tallied. Remember, the postmark on a mailed ballot does NOT count.

Official ballot drop sites are listed on Page 15 of this pamphlet. Indoor drop boxes will be available during regular business hours (and outdoor drop boxes are available 24 hours a day) beginning August 31 and until 8:00 p.m. on Tuesday, September 18, 2012.

If a ballot was delivered to your residence for someone who should no longer be receiving ballots at your address, please write "RETURN" on the envelope and place it back in your mailbox. If a ballot was sent to someone who is deceased, please write "DECEASED" on the envelope and place it back in your mailbox.

If you need assistance voting or have any questions about this particular election or the election process, please call the Elections Division at **503.655.8510**.

Sincerely,

A handwritten signature in cursive script that reads "Sherry Hall".

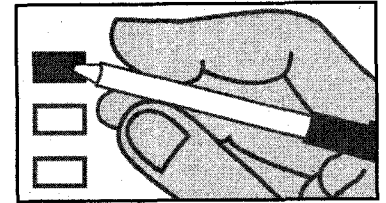
Sherry Hall  
Clackamas County Clerk

# Voting is as Easy as 1 - 2 - 3

①

## Vote your Official Ballot

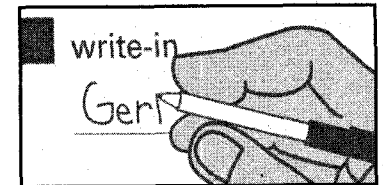
Locate the candidate or measure response (YES or NO) of your choice for each contest. To vote, you must completely darken the rectangle to the left of the response of your choice with black or blue ink. [Figure 1]



(Fig. 1)

To vote for a candidate whose name does not appear on the Official Ballot, completely darken the rectangle to the left of the blank line provided for the office and fill in the blank with the full name of the candidate. [Figure 2]

Remember: If you vote for more than the number of candidates allowed for an office, or you vote both YES and NO on a measure, it is called an overvote, and your vote will not count for that candidate or measure. [Figure 3]



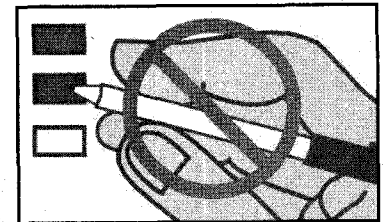
(Fig. 2)

②

## Review your Official Ballot

Ensure you have correctly marked your choice for each contest. Your official ballot may contain contests printed on both front and back. If so, remember to vote both sides!

If you make an error on your ballot, spoil it in any way or lose it, contact the Clackamas County Elections Division at 503.655.8510 (or TTY 503.655.1685) to request a replacement.



(Fig. 3)

③

## Return your Official Ballot

Place your voted Official Ballot in the ballot secrecy envelope and seal the envelope. Place the sealed secrecy envelope inside the return identification envelope (white with colored edge) and seal it.

Remember: Read and sign the Voter's Statement on the return identification envelope. **Your ballot will not be counted if the return identification envelope is not signed.**

### By mail:

- Attach sufficient first-class postage to the signed and sealed return identification envelope. Mail it as soon as possible to arrive at the Clackamas County Elections Division no later than 8:00 p.m. on Tuesday, September 18, 2012. **Remember, the postmark does not count!**

### In person:

- Deliver the signed and sealed return identification envelope to any official ballot drop site (see list on Page 15) no later than 8:00 p.m. on Tuesday, September 18, 2012. **Postage is NOT required if ballot is delivered to a drop site.**

**Do you have questions, or need assistance voting  
due to a permanent or temporary disability?  
Please call the Elections Division at 503.655.8510 (or TTY 503.655.1685).**

# Measure 3-401

**CAPTION:**

**VOTER APPROVAL OF COUNTY RESOURCES FOR PUBLIC RAIL TRANSIT SYSTEMS**

**QUESTION:** Shall use of county resources for financing, design, construction, or operation of any public rail transit system require voter approval?

**STATEMENT:** This measure requires an election before county resources can be used for the financing, design, construction or operation of any public rail transit system. The measure defines "county resources" to mean any public funds, staff time, lobbying agreements, property interest, tangible or intangible county assets. "Public rail transit system" is not defined in the measure. Any authority to use county resources gained through a voter approved ordinance is strictly limited to the authorization in the ordinance. Any measure submitted for voter approval must provide sufficient public notice of the authority granted. Notice must include the types of county resources authorized, permissible uses of county resources, estimated cash value of county resources used and duration of the authority. Sufficient public notice requires a certified ballot title that accurately summarizes the authority granted and a link to a detailed description hosted on a county website. If this cannot be accomplished, the county must provide such information by mail at least 21 days before the election. This measure would be effective immediately.

**EXPLANATORY STATEMENT**

Measure 3-401 would restrict the Board of County Commissioners from using "county resources" for "public rail transit systems" without first obtaining voter authorization through a county wide election.

"County resources" includes public funds, staff time, lobbying agreements, property interests or other tangible or intangible county assets; it also includes the right to direct or permit the use of such resources. "Public rail transit" is not defined, but that term commonly denotes rail-based transportation systems for public passengers. Three such systems currently operate in Clackamas County:

- MAX Light Rail Green Line,
- WES Commuter Rail, and
- AMTRAK's railroad passenger service.

A fourth line, the Portland-Milwaukie Light Rail Project, known as the Orange Line, is currently under construction.

*(continued)*

County ordinances are county laws which may be passed by county voters or the Board of County Commissioners. The County Code is a compilation of county laws. The Code prevents the Board of County Commissioners from taking any action unless at least three of the five commissioners approve, however, it does not otherwise restrict the Board of County Commissioners' authority to unilaterally take actions that commit county resources to public rail transit systems.

Measure 3-401 would amend the County Code to restrict the Board of County Commissioners' power to take certain actions in support of public rail transit systems without first obtaining an "authorization ordinance" approved by voters. Under the Measure the Board of County Commissioners could not, without first obtaining an "authorization ordinance," authorize the use of county resources for the financing, design, construction or operation of any public rail transit system.

According to the Measure, the Board of County Commissioners would be permitted to authorize county resources to support public rail transit systems if the action is taken within the parameters of voter-approved authorization ordinances specifying the:

- Types of county resources to be authorized,
- Permissible uses of such resources,
- Estimated cash value of any authorized resources, and
- Duration of the authority extended.

The parameters of an "authorization ordinance" would be provided to voters twenty-one days in advance of an election.

*Information furnished by:*  
Scot Sideras  
Office of County Counsel  
Clackamas County

# Measure 3-401

## Argument in Favor

Vote Yes on Measure 3-401

Do you remember when you were a kid and you had a train set. How fun was that? Well grow up. Trains are for kids. **Vote YES on Measure 3-401 to get rid of trains.** All of them.

How about third grade civics class? Remember when you learned that America is a Republic? We elect people that make decisions. Grow up. We have to make our own decisions. **Vote YES on Measure 3-401 to ensure we can vote on everything all the time** (except rail ever again).

Remember how cool it was to spend hours and hours in the car cruising when you first got your license? You know, those days can return. It's call commuting without allowing for alternate forms of transportation. **Vote YES for longer commutes!**

Are you worried about getting a DUI when you plow into a train crossing drunk from staying at the bar late to avoid the crushing rush hour traffic? Don't worry about it. **Measure 3-401 prevents the police from legally responding because it's at the rails.** Pretty cool huh?

Are you sick and tired of living wage jobs in Clackamas County? **Vote YES on Measure 3-401 to prevent economic development.**

Are you thrilled your county spent \$125,000 to hold this election? Heck that could have hired 2 additional deputy sheriffs. **Vote YES on Measure 3-401 to support frivolous government spending.**

This measure won't allow a cent to be spent on anything remotely related to rail without a vote of the county. Ha! Here's the punch line: it costs money to even have a vote. **Vote YES to forever prevent the right to vote on rail again!**

(This information furnished by John Sciarra, from the Committee to Vote Yes for All The Right Reasons)

*Information furnished by:*

John Sciarra  
The Committee to Vote Yes for All the Right Reasons

*The printing of this argument does not constitute an endorsement by the County of Clackamas, nor does the county warrant the accuracy or truth of any statement made in the argument.*

## Argument in Favor

Dear Clackamas County Residents,

The Portland Milwaukie Light Rail (PMLR) Orange line will provide transportation for a small percentage of citizens at the expense of the majority. Tri-met is falling deeper into debt, and despite a Tri-met tax increase not long ago the agency is still falling behind financially. If Tri-met were a publicly traded company it would have gone bankrupt long ago.

I support the right of citizens to vote on projects of this magnitude and I support elements of 3-401, although legal challenges lie ahead. I believe there are remedies to those legal challenges and other elements of the measure.

**3-401, when approved, only requires a vote on future light rail systems** and other related expenditures, though it remains unclear whether it applies to PMLR. Tri-met claims the measure does **not apply** to PMLR. Nonetheless, I will continue to call for a vote on PMLR, this has been my long standing position for the following reasons:

- The financial costs to the county will compromise higher priority needs.
- Safer "Closed System" designs for light rail security continue to go unfunded.
- Zoning changes near light rail puts excessive restrictions on many businesses.
- Higher density requirements discourage family style suburban housing.

Clackamas County has higher priority transportation needs. The region is in dire need of employment land with adequate highway capacity and freeway access. Our future is on hold because today's congested roads are choking off needed commerce while vital transportation corridors go unfunded. The completion of the Sunrise Corridor would create thousands of construction jobs and also allow otherwise vacant land to become viable employment areas where permanent **family wage jobs** are created.

The employment land shortage is my top priority for Clackamas County. **Jobs** are at stake for all age groups, especially for our children who want to live, work, and prosper in a place we call home.

3-401 is an important first step.

Sincerely,

Clackamas County Commissioner Paul Savas

*Information furnished by:*

Paul Savas

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# Measure 3-401

## Argument in Favor

**"YES, I want to vote"**

Why a special election? Because the people of Clackamas County simply want to vote on significant projects that will cost millions of dollars. A **YES** vote on **Measure 3-401** would require voter approval before the County could spend taxpayer funds for rail transit systems. It is not "anti-light rail" as much as it is "pro-voter".

County Commissioners were asked repeatedly to refer the Portland-Milwaukie Light Rail project to a vote of the people, but they refused. They had many opportunities to put the question on a ballot during the last two years, including the recent May primary, but they refused. This left concerned citizens with the only option of gathering signatures required for a ballot measure.

Why are citizens concerned? The Board of County Commissioners committed \$25 million towards the cost of the new Milwaukie Light Rail line. This commitment will consume \$40 million of future general fund revenues in order to pay the debt, and will put essential services at risk.

Tell your County Commissioners that you want to **VOTE** on whether to fund major projects like public rail transit before they spend **your** hard earned tax dollars on expensive projects that erode basic county services like: courts, sheriff's patrol, health and family services.

The Sheriff is one County elected official who supports your right to vote. "Since a large portion of the general fund is currently dedicated to public safety, I am very concerned that the cost of new light rail will undermine future public safety budgets. I support citizens having the right to vote on such matters." Craig Roberts, Sheriff, Clackamas County, *NW Connection*, July, 2012 issue.

Please join us in voting **YES on Measure 3-401**.

The Chief Petitioners for Measure 3-401 were:

Jim Knapp, Treasurer, Oak Lodge Water District  
Mary Olson, City Councilor, Lake Oswego  
Steve Spinnett, Mayor, City of Damascus

*Information furnished by:*  
Mary F. Olson

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## Argument in Favor

**Protect our Public Safety Funding - YES on 3-401**

Introducing a new light rail line into unincorporated Clackamas County from downtown Portland would create new public safety concerns for the County -- nobody disputes this. In the year after the MAX Green Line station opened at Clackamas Town Center, the Clackamas Sheriff's Office reported a 48.1% increase of crime to the surrounding areas. (See: "Clackamas County Sheriff, TriMet disagree over security at Town Center, MAX Green Line" The Oregonian, September 17, 2010).

The proposal to bring the MAX Orange Line from Portland into Clackamas from will increase the burden on county law enforcement while simultaneously reducing County funding for law enforcement. In 2011 Clackamas voters approved a property tax to fund public safety by an overwhelming margin. That property tax vote was not about raising money to offset light rail construction debts, but that is how our current Commissioners want to use it. We need to pass Measure 3-401 to retain the public safety funding voters passed last year.

We can change the course of this County by reaffirming our funding priorities. Light rail is expensive. The decision to build the Orange Line into Clackamas County is not carved into stone. Rail line construction has not begun inside county limits, so there is still some flexibility and room to maneuver on a project that is not scheduled for completion until 2015. The County's pledge to grant \$25million to TriMet is not "due" until September of 2013, and it is part of an agreement with TriMet that could still be terminated or restructured if county voters deliver a clear message to the Commissioners.

We can deliver that message by saying **YES to MEASURE 3-401**.

*Information furnished by:*  
Eric Winters  
Clackamas Rail Vote PAC

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# Measure 3-401

## Argument in Favor

**Look around the county**  
-- Then Vote Yes on 3-401

Over the last year and a half there have been many indications of the divide between elected officials and the public. When the public wants the opportunity to vote it's always the same elected officials and their friends who are opposed to letting the public decide anything.

**Lake Oswego:** The public does not want the Streetcar or the tax subsidized high density development being pushed by their politicians.

**Damascus:** Residents used the initiative process to reject Metro's unwanted comprehensive plans.

**Clackamas County:** Citizen Petitions gave the voters the ability to reject the unwanted Sellwood Bridge fee and Urban Renewal debt without voter approval.

**Gladstone:** Citizen initiatives now make voter approval required for any public project that incurs debt and for public building expenditures of \$1 million or more.

**Estacada:** A citizen initiative provided a public vote on the use of urban renewal.

**Boring:** A citizen led effort resulted in their community withdrawing from the TriMet district.

The politicians and their friends who have been opposed to these citizen efforts are now opposed to Measure 3-401 and any vote on Light Rail.

They've organized their opposition in an attempt to fool the voters. The Clackamas County Democrat party has come out opposed to the measure with a false claim the measure would "increase taxes". The Oregonian, PolitiFact July 6, 2012 "We rule the statement False"

This is a continuation of the pattern that saw Commissioner Lehan ruled "Mostly False" on her claims about the Sellwood Bridge and Commissioner Lininger being ruled "False" on her claims about the cost of the citizen Urban Renewal measure.

**Voters should Vote Yes on Measure 3-401 on September 18th.**

Then November voters must remember how Chair Lehan and Commissioner Jamie Damon were wrong on the Fee Referendum, wrong on the Urban Renewal measure and wrong on the Rail Vote measure.

John Savory, Canby, OR

*Information furnished by:*  
John Savory

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## Argument in Favor

**Trust the Voters- they'll get it right.**

As the campaign for citizen initiative measure 3-401 rolls out look for another round of distortions by those opposed to public votes on major issues. Already we've read how this new measure is being cast as anti-transit, anti-government and even anti-democratic. **It's about allowing a public vote.**

Remember the claims by Commissioner Lehan that the Sellwood Bridge would collapse, be closed or delayed if voters were allowed to vote and repeal the vehicle registration fee imposed by commissioners? Voters got it right, rejected the fee & not surprisingly the new bridge is well underway with the cost soaring.

Remember the Urban Renewal measures and how the commissioners sought to manipulate voters with a decoy competing measure? Voters got it right and now county Urban Renewal debt must be approved by a county wide vote.

**Here we go again.**

Now the anti-voter commissioners and their anti-voter supporters are at it again. They are once again cooking up all sorts of false claims about the new rail vote measure and excuses for not allowing a public vote. Commissioners want to hand over \$25 million the county does not have. The public would never approve such a decision. Light Rail interests are now funding a campaign to defeat 3-401 and help commissioners avoid the public vote that won't go their way.

**The Commissioners cannot be trusted.**

Passing 3-401 will once again allow the public the opportunity to show the commissioners they are wrong. When elected officials cannot be trusted to make the right decision citizens must intervene.

Over 11,000 county voters signed the petition to allow this vote because the commissioners cannot be trusted. Measure 3-401 is on the September ballot because the county commissioners refused to allow a public vote.

Trust the voters!

**Vote Yes on Measure 3-401**

Dan Phegley, Damascus, OR

*Information furnished by:*  
Daniel L. Phegley

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# Measure 3-401

## Argument in Favor

I am Tootie Smith, candidate for Clackamas County Commission Position 4, and I urge you to vote **YES on Measure 3-401**. Voters can change the course of government indebtedness and decide their economic future with a **YES vote on Measure 3-401**.

Consider the burden on Clackamas County taxpayers for the expansion of Portland/TriMet light rail into our county:

- \$25 million gift to TriMet from the county's general fund with **YOUR** hard-earned cash. Commissioners have said they will borrow money if need be in the form of a bond, with interest paid by taxpayers.
- Continued neglect of maintenance on county roads because there is not enough money to do both.
- Increased crime near Light Rail = increased Sheriff patrols near Light Rail = diminished law enforcement everywhere else.
- Disruption to businesses throughout Orange Line construction zone means more job losses.
- Continued debt and expense over the lifetime of the rail line because ridership is incapable of paying the cost of its operations.

As a candidate for Clackamas County Commission Position 4, I think it is irresponsible to expand Portland Light Rail into Clackamas County without the support of the taxpaying public.

**Affirm your right to vote** on public rail transit and give **yourself control** over boondoggle government spending -- please join me and **vote YES on Measure 3-401**.

*Information furnished by:*  
Tootie Smith

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## Argument in Favor

Voting **YES on 3-401** will require your reluctant current commissioners to ask the voters whether we taxpayers want Portland Metropolitan Light Rail to enter Clackamas County.

For far too long the Clackamas County Commissioners have allowed our precious **road taxes** to be used for non-automobile transportation projects, such as bike paths, light rail, and commuter rail.

Take a stand for your **right to vote**. When 3-401 passes **it will require the county to LET YOU VOTE** on whether you will allow county tax dollars to be spent on projects such as **Portland Light Rail**.

Commissioners have indicated they will **divert approximately \$1.9 million in tax income** from the Clackamas Town Center **each year for the next 20 years** in order to pay for light rail. Can we afford our **commissioners giving away the county's taxes from Clackamas Town Center property?**

Instead, that money is needed for our county's core services - public safety, health care, social services, roads and bridges.

### VOTE YES ON 3-401

John Ludlow,  
candidate for Chair of the Clackamas County Commission.

*Information furnished by:*  
John Ludlow

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# Measure 3-401

## Argument in Favor

### "Let us Vote"

This measure is about one thing—letting citizens VOTE before the county spends our public resources on more light rail systems. For some time, concerned citizens have tried to work with the current Clackamas County Commissioners only to be told that THEY were elected to make these decisions for us. Requiring voter permission on multi-million dollar projects is not a radical idea. Clackamas voters rejected their Sellwood Bridge funding (Vehicle Registration Fee) and then passed the citizen Urban Renewal measure to require a Countywide vote before THEY impose additional Urban Renewal County debt. Still, they would not listen and agreed to help fund the Milwaukee Light Rail system against overwhelming testimony, without a documented need, and during tough economic conditions.

This measure will simply limit the Commissioners ability to obligate our County resources for new light rail projects without voter approval. They must ask US before they can design, build or operate a new light rail line. Under Measure 3-401, the Commissioners need voter approval to:

- Use public funds or obligate our County for new transit system projects
- Direct County staff to work on new transit system projects
- Develop lobbying agreements with other entities for new transit system projects

PolitiFact Oregon recently ruled that the Clackamas County Democrats published statement that this measure "will increase our taxes with excessive special elections" is **FALSE!** In fact, PolitiFact stated "Approving Measure 3-401 will **not** increase taxes." All measure 3-401 will do is let Clackamas County citizens **vote** to approve or reject a new light rail line.

We need to send a message to the Clackamas County Commissioners **one more time**—it is our money, it is our County, and we would like you to listen to us!

The Clackamas County Republican Party urges you to

**Vote YES on Measure 3-401**

**"LET US VOTE"**

*Information furnished by:*

John J. Lee, Jr.

Clackamas County Republican Party

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## Argument in Favor

### Addressing Legal Arguments Against 3-401

Attorneys are zealous advocates by training.

What happens when they are asked to discredit a ballot measure?

They find creative reasons to say that a measure "goes too far," is "riddled with unforeseen consequences" or is otherwise "fatally flawed."

I was the attorney who drafted this measure and I recognize these arguments are par for the course. Similar things were lobbed at the Urban Renewal measure I wrote for Clackamas County. Regardless, it passed last year with 70% voter support and remains in effect (without legal challenge).

Even so, I feel inclined to address some of the hyperbole against 3-401:

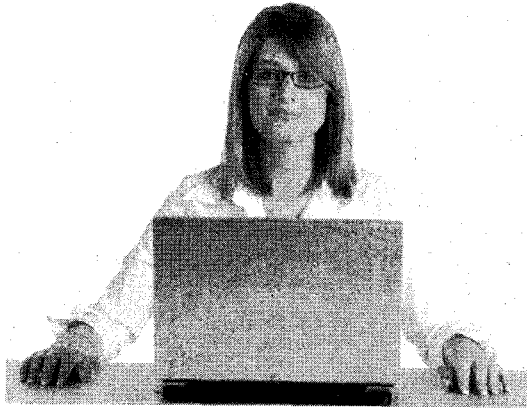
1. It voids an existing contract -- it's unconstitutional!  
This measure is not retroactive. It creates a voter approval process for future rail expenditures. The \$25 million grant contemplated by an existing agreement isn't "due" for another year, if ever. Before that, the agreement could be terminated or renegotiated. Passing this measure will strongly encourage your Commissioners to explore the County's legal options over the next year.
2. We'll need an election every time county staff does anything involving light rail! The measure only limits County Commissioners from taking action (e.g., voting as a Board) in support of public rail transit. This doesn't happen very often. County staff is not barred from responding to issues (emergency or otherwise) that are already within their discretion.
3. TriMet will sue us! The County has a year left to "grant" \$25 million to TriMet. That grant was based on promises that TriMet hasn't kept. November's election might even produce a Board of Commissioners that is willing to investigate TriMet's misrepresentations to the County during contract negotiations, and defend the taxpayers of Clackamas County.

Please read between the lines of any arguments against 3-401. Almost invariably they come from folks with a dog in the fight. Interested voters can read the ballot title, the explanatory statement and the measure's language to discern the truth.

*Information furnished by:*

Eric C. Winters, Attorney

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## **ELECTION RESULTS ON THE INTERNET**

[www.clackamas.us/elections/votes.htm](http://www.clackamas.us/elections/votes.htm)

Enter the above web address into your computer's internet browser and you can access current and archived results for elections conducted in Clackamas County.

Shortly after 8:00 p.m. on Election Day, you can navigate to current election returns with just a few clicks of the mouse.

As ballot processing continues throughout the evening of the election, updates will be posted to the Elections Division's web site.

## **Some Common Vote-by-Mail Mistakes**

Avoid these mistakes when signing and returning your ballot, and make sure your vote gets counted!

**Letting your spouse (or child or parent) sign your ballot envelope:** Some families like to make voting a communal event, but make sure the envelope you sign is your own, and doesn't belong to some other family member. If the signature on the envelope doesn't match the pre-printed name, the ballot will be challenged.

**Signing by Power of Attorney:** Don't do it. If a voter is unable to sign, a Signature Attestation form may be obtained so that the voter is able to use a rubber stamp of their signature.

**Saving a stamp by putting two ballots in one envelope:** Don't do it. Both ballots might be rejected.

**Forgetting to use the secrecy envelope:** First of all, *don't panic!* And don't bother mangling the return envelope to re-open it just because you forgot the secrecy envelope. Your vote will still be confidential and it will be counted.

**Waiting until Election Day to mail your ballot:** Mail your ballot back as soon as you can. The Postal Service simply cannot get a ballot from the mailbox to our office in the space of one day, and (it can't be said often enough) **the postmark does not count**. Waiting until Election Day to return the ballot practically ensures that your vote will *not* be counted, but if you do wait that long, please make use of one of our official drop sites (see the list on page 15).



# Measure 3-401

## Argument in Opposition

**NO BUSINESS WOULD OPERATE THIS WAY!**

**An election every time you need to paint a crosswalk?**

**RUN THE COUNTY MORE LIKE A BUSINESS**

**VOTE NO!**

**CLACKAMAS COUNTY BUSINESS LEADERS  
AGAINST MEASURE 3-401**

Will Vinton

Dark Horse Comics, Mike Richardson

Wilda A. Parks

Chip Sammons, Owner & Janitor, Holistic Pet Center

Roger Martin

Peter Toll

Christine Chin Ryan

David T. Adams

Arleigh R. Dodson

Thomas Hogan

Troy Reichlein, Certified Public Accountant,  
Downtown Milwaukie Business Owner

Allan Solares

Julie Nelligan, PhD

Lynne Wintermute

Eileen Coffey

Carol Winston

[www.positivelyclackamas.com](http://www.positivelyclackamas.com)

*Information furnished by:*

Eleanore Hunter, Positively Clackamas

## Argument in Opposition

**This Measure is Bad For Seniors**

Many of the senior citizens living at Willamette View depend on public transportation to get to doctors' appointments, to shop and to visit church and family. Many of us cannot drive anymore. We rely on TriMet buses and are excited about the Milwaukie rail line bringing us more options to get around.

The measure on the ballot in Clackamas County to limit funds for any rail project scares us. We understand that it was poorly written and has serious problems. For instance, this measure would:

- Prevent any public vehicles to come to the aid of a senior who fell or needed medical attention at any rail station
- Stop the sheriff from responding if a car got stuck at a rail crossing
- Prohibiting emergency responders to come to the scene of an accident on any rail line, even Amtrak
- Prohibit county staff from repairing broken rail crossing signals, making it dangerous for drivers and pedestrians to cross

This measure is WRONG for seniors, and WRONG for Clackamas County. It threatens public safety and creates more problems than it solves.

**Please join us in voting NO!**

Merrill A. McPeak, USAF Retired

Jeanne Magmer

Kathleen Chapman Charles S. Berglund

Jean Chapin

Elynor McPeak Joan Hamilton

Gudrun M. Fischer

Marian D Rauch David L. Jorling

Robert Ely

Margaret L. Ely Bernard Della Santina

John A. Turchi

Roger Hennagin Mabel E. Bloomquist

Robert L. Sack

Fred D. Rauch Robert B. Zimmer

Meri Foeller

Charles C. Kerr Roger Meyer

Susan Shawn

Thomas C. Foeller Eileen Coffey

Vassar Byrd

Jacqueline Jeppe Charlotte Robinson

Ruel Robinson

Robert B. Bennett Michael E. Foley

*Information furnished by:*

Eleanore Hunter, Positively Clackamas

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# Measure 3-401

## Argument in Opposition

### OREGON WOMEN LEADERS SAY NO TO MEASURE 3-401

This measure goes too far. Forcing an expensive county wide vote for even the smallest planning or repair on a rail line -- is a waste of time and money.

#### Vote No!

- Governor Barbara Roberts  
 State Representative Carolyn Tomei  
 Sally Moncrieff, Lake Oswego City Councilor  
 Former Oregon Commissioner of Labor and Industries  
 Mary Wendy Roberts
- |                                       |                       |                 |
|---------------------------------------|-----------------------|-----------------|
| Carlotta Collette                     | Judie Hammerstad      | Jeanne Magmer   |
| Wilda A. Parks                        | Karen Jealous         |                 |
| Jody Carson, West Linn City Councilor |                       |                 |
| Kelly K. Fryer                        | Suzanna Weaver        | Kelly Wilson    |
| Vassar Byrd                           | Charlotte Robinson    | Chaunda Wild    |
| Heather Chrisman                      | Christine Chin Ryan   | Elynor McPeak   |
| Deborah Lopardo                       | Lynn Hennagin         | Ann M. Jorling  |
| Mary Puskas                           | Mary Solares          | Carol Winston   |
| Lynn Wintermute                       | Molly Aleshire        | Eleanore Hunter |
| Jan Coulton                           | Mary L. Walsh         | Judy Davis      |
| Emily G. Toll                         | Laurie Kilbourn       | Susan Drew      |
| Gloria Bean                           | Linda K. Layne        | Marian D. Rauch |
| Margaret L. Ely                       | Mabel E. Bloomquist   | Meri Foeller    |
| Susan Shawn                           | Julie Nelligan, Ph.D. | Cindy Miguel    |
| Jacqueline Jeppe                      | Joan Hamilton         | Virginia Fink   |
| Eileen Coffey                         | Valerie E. Chapman    | Jean Chapin     |
| Rosie Stephens                        | Dena Hellums          | Carrie Clay     |

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## Argument in Opposition

### For the Sake of the Fair Vote No

#### Oppose Measure 3-401 For Safety

Measure 3-401 means our county sheriff, his deputies and our county emergency services are not supposed to respond if there is a train accident -- without a vote first! We think this is wrong and it hits home our families because the Clackamas County Fair Grounds are right by the Amtrak rail line.

On August 16, 2008 an Amtrak train struck a car. The vehicle erupted in flames upon impact, and was pushed nearly 1450 feet down the train tracks, burning the entire time. Two people perished. The entire train had to be evacuated into the fairgrounds because the locomotive had 2,000 gallons of diesel and fighting the fire was touch and go.

In a disaster, let's have our fire and safety officers ready to roll, not questioning whether they can help! We can't believe they would hesitate, but if this measure passes, that would be the law.

We can't believe that was the intention of the authors, but that would be the effect. It needs to be fixed now before it becomes a law.

Let's vote this one down, fix it and bring back a measure that doesn't have these kinds of mistakes.

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# Measure 3-401

## Argument in Opposition

**Beware the unintended consequences in Measure 3-401.**

The sponsors of Measure 3-401 want voter approval of County resources for public rail transit systems including Amtrak.

They may have intended to aim it at light rail, but they missed the mark and the measure actually goes much farther -- way too far.

First, this measure doesn't put Milwaukie to a vote. It's under construction now!

It's so badly written, Measure 3-401 fails to define "public rail transit system."

According to that County's legal interpretation that means the measure applies to any rail tracks that cross public highways, bridges or overpasses. So Measure 3-401 limits the county's ability to address any situation or incident involving a public rail line including Amtrak.

For example, the county can't repair a county road that crosses a rail line without an election.

**Sound ridiculous? It gets worse.**

According to legal counsel, the measure could hamper the County's ability to act in many situations, such as:

- Responding to a call concerning an Amtrak rail incident such as in the incident that occurred at the County Fair Grounds in Canby.
- Sending the Sheriff to investigate an accident at a rail crossing.
- You'd have to have an election for all housekeeping items involving rail such as tree trimming. At \$125,000 an election like this one costs, that's a waste of money.
- If the state tries to put high speed passenger rail through Clackamas County, the County can't respond or take a position. **Sorry Lake Oswego neighborhoods.**

It's one thing to try to derail light rail. It's quite another to hamstring the County's ability to respond to railroad emergencies and massive state projects that effect our neighborhoods.

**This measure was meant to do one thing, but it creates a lot of unintended problems.**

**Vote NO on Measure 3-401. Fix it and get it right**

*Information furnished by:*  
Eleanore Hunter, Positively Clackamas

## Argument in Opposition

**Measure 3-401 is badly written.**

**It will have serious unintended consequences for all of us who live and work in Clackamas County.**

It means the County won't have a voice if the State of Oregon tries to put high speed rail through Lake Oswego. Tough luck Lake Oswego.

- **Measure 3-401 threatens public safety.**

Measure 3-401 drastically restricts the use of the county's public resources for any activity or incident involving a public rail system.

What about an accident at a rail crossing? Or if a car gets stuck on a rail crossing? Measure 3-401 would limit the ability of county emergency responders to come to the scene.

- **Measure 3-401 goes too far.**

It requires an election every time we want to do anything remotely related to rail transit -- like post a directional sign to the Amtrak Station.

This election costs \$125,000 alone. How many more of these do we need?

- **Measure 3-401 will mean spending public funds on costly litigation.**

If Measure 3-401 passes, it will be essential for Clackamas County to seek legal action to allow the county to provide emergency services in rail accidents and maintain rail crossings. This will end up costing taxpayers.

**Vote NO on Measure 3-401 and fix it so it does what we all want it to.**

*Information furnished by:*  
Eleanore Hunter, Positively Clackamas

# Measure 3-401

## Argument in Opposition

### Vote NO on Measure 3-401.

Clackamas County needs JOBS. What we don't need is poorly written laws like Measure 3-401 that could devastate public safety in our county.

Measure 3-401 goes way too far. It could tie the hands of our public safety providers in Clackamas County to respond to accidents involving ANY rail line used by the public.

Measure 3-401 sends a negative message to employers. Why would an employer want to open a store or business in a county where public safety is at risk?

Unemployment in Clackamas County fell to its lowest point since late 2008, according to the Oregon Labor Market Information System.

We need jobs to ease our tax burden, not Measure 3-401.

We need JOBS in our county. We don't need Measure 3-401.

### Please vote NO.

Former West Linn Mayor Norm King  
Sergeant Wayne Kuechler (Retired Police Officer)  
Eleanore Hunter  
Roger L. Woehl  
Gary L. Michael  
Ryan Cuadras  
Steven Winkler  
Jan and Duke Castle  
Rob LeChevallier  
Former Lake Oswego City Councilor Daniel G. Vizzini  
William Wild, President, Friends of Local Control  
Ray Phelps  
Dennis M. Shawn  
Frederick Nelligan  
Mel Coffey  
Ray Bryan  
David Aschenbrenner  
Barbara J. Andersen

[www.positivelyclackamas.com](http://www.positivelyclackamas.com)

Information furnished by:

Eleanore Hunter, Positively Clackamas

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## Argument in Opposition

### Measure 3-401 should not be passed.

Dark Horse Comics, located in Milwaukie for nearly 25 years, has more than 120 employees. Many of them live here in Clackamas County. I, myself, have lived in this county for most of my life. We all have an abiding interest in our community and its livability.

Clackamas County has a number of transportation issues facing it in the future. The growth projected for this county and the surrounding area brings with it increased traffic congestion and decreased air quality, as well as rising pressure on our financial resources. It is crucial that those seeking alternatives to more roads, expanding freeways, and longer drive times be presented with choices.

This measure is designed in a way that makes it difficult to address transportation issues. If passed, it requires an election, at great expense to taxpayers, to address even the most minor rail issues.

It also creates unintended side effects.

For example, if the state attempts to bring high-speed rail through Clackamas County, our County government would be unable to support or oppose it. Nor would the County be able to examine the potential effects of such a project on neighborhoods without an election.

Voters should not be fooled by the intent of Measure 3-401. It is not intended, as those who drafted it claim, to give voters more say in transportation issues. Rather, it is simply one more tactic in an effort to stop light-rail altogether. The ability to have our say at the ballot box already exists. We do not need more bureaucracy and unnecessary expense.

This is not 1950. We need to look proactively at the problems currently facing our community, and at the community our children will later inherit. Rail may belong in that future; this measure does not.

Mike Richardson  
President, Dark Horse Comics  
Milwaukie Oregon

### Vote No on Measure 3-401

Information furnished by:

Mike Richardson, Dark Horse Comics

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# Drop Sites in Clackamas County

Ballots for September 18, 2012 Special Election may be deposited at any of the following locations during regular business hours beginning Friday, August 31, and continuing until 8:00 p.m. on Tuesday, September 18 (Election Day). Current hours of operation (as of publication) are listed below. Remember, ballots must be deposited at a drop site by 8:00 p.m. on Election Day, even if the location is open later. Ballots returned to drop sites do not require postage. If you have any questions, please call the Elections Division at **503.655.8510**.

## OUTDOOR BALLOT DROP BOXES

*These secure outdoor ballot drop sites may be accessed 24 hours a day, but will be locked at 8:00 p.m. on Election Day.*

<b>Canby City Hall</b> .....	182 N. Holly St., Canby .....	Phone: 503.266.4021
<b>Canby McDonald's</b> .....	709 SW First St., Canby .....	Phone: 503.266.5900
<b>ColtonTel</b> .....	20983 S. Hwy 211, Colton .....	Phone: 503.824.3211
<b>Estacada City Hall</b> .....	475 SE Main St., Estacada.....	Phone: 503.630.8270
<b>Oak Lodge Library</b> .....	16201 SE McLoughlin Blvd., Oak Grove .....	Phone: 503.655.8543
<b>City of Oregon City (City Hall)</b> .....	625 Center St., Oregon City .....	Phone: 503.657.0891
<b>Sandy City Hall (drive-up)</b> .....	39250 Pioneer Blvd., Sandy .....	Phone: 503.668.5533
<b>Sunnyside Library</b> .....	13793 SE Seiben Park Way, Clackamas.....	Phone: 503.794.3883
<b>West Linn City Hall</b> .....	22500 Salamo Rd., West Linn .....	Phone: 503.657.0331

## INDOOR BALLOT DROP BOXES

<b>Damascus City Hall</b> 19920 S.E. Hwy. 212, Damascus Phone: 503.658.8545  Mon - Fri ..... 8:00 a.m. - 5:00 p.m. <b>Election Day</b> 7:00 a.m. - 8:00 p.m.	<b>Lake Oswego Library</b> 706 4th St., Lake Oswego Phone: 503.636.7628  Mon - Thu .. 10:00 a.m. - 9:00 p.m. Fri, Sat..... 10:00 a.m. - 6:00 p.m. Sun ..... 1:00 p.m. - 6:00 p.m.	<b>Sunnyside Library</b> 13793 SE Seiben Park Way, Clackamas Phone: 503.794.3883 Mon..... 10:00 a.m. - 6:00 p.m. Tue - Thu... 12:00 p.m. - 8:00 p.m. Fri, Sat..... 10:00 a.m. - 6:00 p.m. Sun ..... 1:00 p.m. - 5:00 p.m.
<b>Estacada Library</b> 825 NW Wade, Estacada Phone: 503.630.8273  Mon & Wed 10:00 a.m. - 7:00 p.m. Tue & Thu... 11:00 a.m. - 7:00 p.m. Fri ..... 11:00 a.m. - 5:00 p.m. Sat - Sun.... 12:00 a.m. - 5:00 p.m.	<b>Ledding Library of Milwaukie</b> 10660 S.E. 21st Ave., Milwaukie Phone: 503.786.7580  Mon - Thu .. 10:00 a.m. - 9:00 p.m. Fri, Sat..... 10:00 a.m. - 6:00 p.m. Sun ..... 12:00 p.m. - 6:00 p.m.	<b>West Linn Library</b> 1595 Burns St., West Linn Phone: 503.656.7853  Mon - Wed.. 11:00 a.m. - 8:00 p.m. Thu, Fri ..... 10:00 a.m. - 6:00 p.m. Sat, Sun..... 12:00 p.m. - 5:00 p.m.
<b>Gladstone Library</b> 135 E. Dartmouth St., Gladstone Phone: 503.656.2411  Mon-Thu .... 10:00 a.m. - 8:00 p.m. Fri, Sat..... 11:00 a.m. - 5:30 p.m. Sun ..... CLOSED	<b>Molalla Library</b> 201 E. 5th St., Molalla Phone: 503.829.2593  Mon - Thu .. 10:00 a.m. - 8:00 p.m. Fri, Sat..... 10:00 a.m. - 5:00 p.m. Sun ..... CLOSED	<b>Wilsonville Library</b> 8200 S.W. Wilsonville Rd., Wilsonville Phone: 503.682.2744  Mon - Thu .. 10:00 a.m. - 8:00 p.m. Fri, Sat..... 10:00 a.m. - 6:00 p.m. Sun ..... 1:00 p.m. - 6:00 p.m.
<b>Happy Valley City Hall</b> 16000 SE Misty Dr., Happy Valley Phone: 503.783.3800  Mon - Fri ..... 8:00 a.m. - 5:00 p.m. <b>Election Day</b> - Open until 8:00 p.m.	<b>Oak Lodge Library</b> 16201 SE McLoughlin Blvd., Oak Grove Phone: 503.655.8543  Mon..... 10:00 a.m. - 6:00 p.m. Tue - Thu ... 12:00 p.m. - 8:00 p.m. Fri, Sat..... 10:00 a.m. - 6:00 p.m. Sun ..... 1:00 p.m. - 5:00 p.m.	<b>Clackamas County Elections</b> 1710 Red Soils Ct., Oregon City Phone: 503.655.8510  Mon - Thu .... 8:30 a.m. - 5:00 p.m. Fri ..... 8:30 a.m. - 3:00 p.m. <b>Election Day</b> 7:00 a.m. - 8:00 p.m.  <i>Ballot drop box in front of building is available 24 hours every day.</i>
<b>Hoodland Library</b> 68256 E. Hwy 26, Welches Phone: 503.622.3460  Mon - Wed. 12:00 p.m. - 8:00 p.m. Thu - Sat.... 10:00 p.m. - 5:00 p.m. Sun ..... CLOSED	<b>Sandy Library</b> 38980 Proctor Blvd., Sandy Phone: 503.668.5537  Mon - Fri .... 10:00 a.m. - 7:00 p.m. Sat ..... 10:00 a.m. - 5:00 p.m. Sun ..... 1:00 p.m. - 5:00 p.m. <b>Election Day</b> - Open until 8:00 p.m.	



**CLACKAMAS COUNTY ELECTIONS DIVISION  
1710 RED SOILS COURT, SUITE 100  
OREGON CITY, OR 97045**

**NONPROFIT ORG  
US POSTAGE  
PAID  
PORTLAND, OR  
PERMIT NO. 20**

**Dated Election Material**

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**Ballots will be mailed August 31, 2012.**