

INSTRUCTIONS

FOR CIRCULATORS

- A petition circulator must be an elector of the state.
- Only electors may sign a petition.
- Do not use ditto marks.
- It is advisable to use a pen or indelible pencil for signing petitions.
- Only one circulator may collect signatures on any one sheet of a petition.
- All signers on any one sheet of a petition must be electors of the same county.
- The signature sheet affidavit must be completed for each sheet by the circulator of that sheet.
- It is unlawful for a person circulating a petition to knowingly make any false statement to any person who signs it or requests information about it.
- It is unlawful to circulate or file a petition knowing it to contain a false signature.

FOR SIGNERS

- Only electors may sign a petition.
- Do not use ditto marks.
- Sign your full name, as you did when you registered, and fill in the date on which you signed the petition, your residence address and your precinct in the spaces provided.
- If your signature is difficult to read, print your name clearly in the space provided.
- It is unlawful to sign any person's name other than your own. Do not sign another person's name under any circumstances.
- A woman should sign her own name, not her husband's or her husband's initials; for example, "Mary A. Jones", not "Mrs. John A. Jones."
- It is unlawful to sign a petition more than once.
- It is unlawful for a person to knowingly sign a petition when not qualified to sign it.

MAIL COMPLETED PETITIONS TO: "P.O.P.S.", P.O. Box 301204, Portland, OR 97230

INITIATIVE PETITION

CHIEF PETITIONERS: Don McIntire George Choban Thomas P. Dennehy
23500 S.E. Stark 4245 N.W. 174th 16421 N.E. Holladay St.
Gresham, OR 97030 Portland, OR 97229 Portland, OR 97230

BALLOT TITLE

STATE CONSTITUTIONAL LIMIT ON PROPERTY TAXES FOR SCHOOLS, GOVERNMENT OPERATIONS

QUESTION: Shall constitution set limits on property taxes, and dedicate them to fund public schools and non-school government operations?

EXPLANATION: Amends constitution. Limits 1991-1992 property taxes for public schools to \$15, and property taxes for non-school government operations to \$10 per \$1000 of market value. Schools limit gradually decreases to \$5 per \$1000 in 1995-1996 and after. Government operations limit remains same. Limits do not apply to government assessments, service charges, taxes to pay certain government bonds. Assessments, service charges shall not exceed cost of making improvements, providing services. General Fund to replace, until 1996, school funds lost due to schools limits.

AN ACT

Be it enacted by the People of the State of Oregon:

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

SECTION 11b. (1) During and after the fiscal year 1991-92, taxes imposed upon any property shall be separated into two categories: One which dedicates revenues raised specifically to fund the public school system and one which dedicates revenues raised to fund government operations other than the public school system. The taxes in each category shall be limited as set forth in the table which follows and these limits shall apply whether the taxes imposed on property are calculated on the basis of the value of that property or on some other basis:

MAXIMUM ALLOWABLE TAXES

For Each \$1000.00 of Property's Real Market Value

Fiscal Year	School System	Other than Schools
1991-1992	\$15.00	\$10.00
1992-1993	\$12.50	\$10.00
1993-1994	\$10.00	\$10.00
1994-1995	\$ 7.50	\$10.00
1995-1996	\$ 5.00	\$10.00

and thereafter

Property tax revenues are deemed to be dedicated to funding the public school system if the revenues are to be used exclusively for educational services, including support services, provided by some unit of government, at any level from pre-kindergarten through post-graduate training.

(2) The following definitions shall apply in this section:

(a) "Real market value" is the minimum amount in cash which could reasonably be expected by an informed seller acting without compulsion, from an informed buyer acting without compulsion, in an "arms-length" transaction during the period for which the property is taxed.

(b) A "tax" is any charge imposed by a governmental unit upon property or upon a property owner as a direct consequence of ownership of that property except incurred charges and assessments for local improvements.

(c) "Incurred charges" include and are specifically limited to those charges by government which can be controlled or avoided by the property owner

(i) because the charges are based on the quantity of the goods or services used and the owner has direct control over the quantity; or

(ii) because the goods or services are provided only on the specific request of the property owner; or

(iii) because the goods or services are provided by the governmental unit only after the individual property owner has failed to meet routine obligations of ownership and such action is deemed necessary to enforce regulations pertaining to health or safety.

Incurred charges shall not exceed the actual costs of providing the goods or services.

(d) A "local improvement" is a capital construction project undertaken by a governmental unit

(i) which provides a special benefit only to specific properties or rectifies a problem caused by specific properties, and

(ii) the costs of which are assessed against those properties in a single assessment

upon the completion of the project, and

(iii) for which the payment of the assessment plus appropriate interest may be spread over a period of at least ten years.

The total of all assessments for a local improvement shall not exceed the actual costs incurred by the governmental unit in designing, constructing and financing the project.

(3) The limitations of subsection (1) of this section apply to all taxes imposed on property or property ownership except

(a) Taxes imposed to pay the principal and interest on bonded indebtedness authorized by a specific provision of this Constitution.

(b) Taxes imposed to pay the principal and interest on bonded indebtedness incurred or to be incurred for capital construction or improvements, provided the bonds are offered as general obligations of the issuing governmental unit and provided further that either the bonds were issued not later than November 6, 1990, or the question of the issuance of the specific bonds has been approved by the electors of the issuing governmental unit.

(4) In the event that taxes authorized by any provision of this Constitution to be imposed upon any property should exceed the limitation imposed on either category of taxing units defined in subsection (1) of this section, then, notwithstanding any other provision of this Constitution, the taxes imposed upon such property by the taxing units in that category shall be reduced evenly by the percentage necessary to meet the limitation for that category. The percentages used to reduce the taxes imposed shall be calculated separately for each category and may vary from property to property within the same taxing unit. The limitation imposed by this section shall not affect the tax base of a taxing unit.

(5) The Legislative Assembly shall replace from the State's general fund any revenue lost by the public school system because of the limitations of this section. The Legislative Assembly is authorized, however, to adopt laws which would limit the total of such replacement revenue plus the taxes imposed within the limitations of this section in any year to the corresponding total for the previous year plus 6 percent. This subsection applies only during fiscal years 1991-92 through 1995-96, inclusive.

PARAGRAPH 2. The limits in Paragraph 1, above, are in addition to any limits imposed on individual taxing units by this Constitution.

PARAGRAPH 3. Nothing in this measure is intended to require or to prohibit the amendment of any current statute which partially or totally exempts certain classes of property or which prescribes special rules for assessing certain classes of property, unless such amendment is required or prohibited by the implementation of the limitations imposed by Paragraph 1, above.

PARAGRAPH 4. If any provision of this measure is in irreconcilable conflict with a provision of any other measure amending the Constitution of the State of Oregon submitted to the vote of the people of the State of Oregon and voted on at the same election as this measure, then the provision which is contained in the measure receiving a majority vote and the highest number of affirmative votes shall prevail and become operative.

PARAGRAPH 5. If any portion, clause or phrase of this measure is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, the remaining portions, clauses and phrases shall not be affected but shall remain in full force and effect.

SIGNATURE SHEET
PETITION FOR (X) INITIATIVE () REFERENDUM

THIS IS A STATE-WIDE MEASURE.
SIGNERS OF THIS PAGE MUST BE
REGISTERED VOTERS IN
COUNTY ONLY.

CIRCULATOR'S
CERTIFICATE

To the Secretary of State of Oregon: We, the undersigned electors, request that the attached measure be submitted to the people of Oregon for their approval or rejection at the election to be held on **November 6, 1990**. We have not previously signed a petition sheet for this measure.

STATE CONSTITUTIONAL LIMIT ON PROPERTY TAXES FOR SCHOOLS, GOVERNMENT OPERATIONS

	SIGNATURE	Date Signed Month/Day/Year	PRINT NAME	Residence Address Street and Number	City or Post Office	Zip Code	Precinct (if known)
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I, _____, hereby certify that every person who signed this sheet did so in my presence, and I believe that each individual is an elector.

Signature of Circulator: _____ Address: _____
Street

Circulator Phone: _____ City _____ Zip _____