



OFFICE OF THE SECRETARY OF STATE

NEWS RELEASE

BILL BRADBURY

For Immediate Release:
February 18, 2005

Contact: Carla Corbin
Elections Division
(503) 986-1518

The Office of the Secretary of State received a draft ballot title from the Attorney General on February 17, 2005, for initiative petition #30, proposing a statutory amendment, for the General Election of November 7, 2006.

The draft ballot title is as follows:

**PROHIBITS INTERNET AND INTERNET ACCESS TAXES IMPOSED BY
STATE, CITIES, COUNTIES, AND OTHER POLITICAL SUBDIVISIONS**

RESULT OF "YES" VOTE: "Yes" vote prohibits taxes on Internet and Internet access and repeals exception in current law for taxes that were in effect on October 6, 2001.

RESULT OF "NO" VOTE: "No" vote retains current law allowing taxes on Internet access and use of Internet access if the taxes were in effect on October 6, 2001.

SUMMARY: Current law prohibits state, cities, counties, and other political subdivisions from taxing Internet access or the use of Internet access if the tax was not in effect on October 6, 2001. Beginning January 2, 2007, measure prohibits state, cities, counties, and other political subdivisions from imposing, assessing, collecting, or attempting to collect a "tax" (defined) on "Internet access" (defined) or the use of Internet access. Measure defines "Internet," "Internet access," and "Tax," using definitions from current law. Measure supercedes any conflicting laws or "other enforceable government action." Measure repeals the existing exceptions for taxes in effect October 6, 2001. Measure reduces potential revenue for state, cities, counties, or other political subdivisions with tax in effect on October 6, 2001; provides no replacement revenue. Other provisions.

Chief Petitioner(s): Bill Sizemore, PO Box 343, Beavercreek, OR 97004.

Copies of the text of this initiative are available at Room 141, State Capitol for \$.25. Written requests for copies with your remittance of \$1.00 prepaid, should be addressed to: Elections Division, Room 141 State Capitol, Salem, OR 97310-0722.

There now follows an appeal period of 10 business days during which any member of the public may submit written comments which address the specific legal standards a ballot title must meet to the Secretary of State's office. This period ends March 4, 2005. Comments must be addressed to: Elections Division, Room 141 State Capitol, Salem, OR 97310-0722; fax (503) 373-7414.

The Secretary of State will deliver all written comments to the Attorney General. If comments are received, the Attorney General shall issue the certified ballot title not later than the 10th business day after receiving the comments from the Secretary of State. If no comments are received, the Attorney General shall issue the certified ballot title not later than the fifth business day after the deadline for submitting comments.

In addition, during this ballot title comment period, the Secretary of State will also seek statements from interested persons regarding whether or not a proposed initiative petition complies with procedural constitutional requirements for submission of proposed initiative petitions. The Secretary will consider the information provided in the statements received from interested persons. If you wish to comment, this period ends March 4, 2005. Comments must be addressed to: Elections Division, Room 141 State Capitol, Salem, OR 97310-0722; fax (503) 373-7414.

Any elector who is dissatisfied with the ballot title certified by the Attorney General, and who timely submitted written comments which addressed the specific legal standards a ballot title must meet, may petition the Oregon Supreme Court seeking a different title. This appeal must be filed not later than the 10th business day after the Attorney General certifies a ballot title to the Secretary of State.

The required number of signatures for placement on the 2006 general election ballot is 75,630. These signatures must be filed in this office not later than July 7, 2006.



DEPARTMENT OF JUSTICE
APPELLATE DIVISION

February 17, 2005

John Lindback
Director, Elections Division
Office of the Secretary of State
141 State Capitol
Salem, OR 97310

Re: Proposed Initiative Petition — Prohibits Internet And Internet Access Taxes Imposed By State, Cities, Counties, And Other Political Subdivisions
DOJ File #BT-30-05; Elections Division #30

Dear Mr. Lindback:

We have prepared and hereby provide to you a draft ballot title for the above-referenced prospective initiative petition. The proposed measure relates to prohibiting internet and internet access taxes imposed by state, cities, counties and other political subdivisions.

Written comments from the public are due to you within ten business days after your receipt of this draft title. A copy of all written comments provided to you should be forwarded to this office immediately thereafter.

A copy of the draft ballot title is enclosed.

Sincerely,

Misty Kintz
Legal Secretary

PLS:mlk/APP76787

Enclosure

c: Peter Shepherd, Deputy Attorney General
Don Arnold, General Counsel Division
Steve Wolf, General Counsel Division

Bill Sizemore
P.O. Box 343
Beavercreek, Oregon 97004

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DRAFT BALLOT TITLE

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