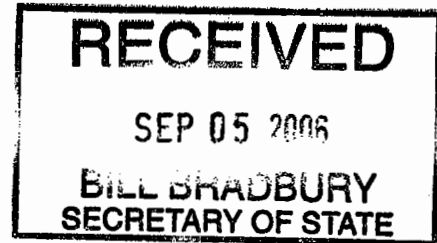


Duane Fletchall
4262 Bison Court NE
Salem, OR 97305

August 30, 2006

Summer Davis
Compliance Specialist, Elections Division
Office of the Secretary of State
141 State Capitol
Salem, OR 97310



Re: Proposed Initiative Petition #41

Dear Ms. Davis:

Please accept this letter as my response, as an elector and as a Chief Petitioner on this initiative petition, to the inquiry about procedural constitutional requirements.

It is my view that the proposed initiative complies with procedural constitutional and statutory requirements for an initiative petition.

Thank you for your consideration.

Sincerely,


Duane Fletchall

Cc Steve Beck, Chief Petitioner

Duane Fletchall
4262 Bison Court NE
Salem, OR 97305

RECEIVED
2006 SEP -5 AM 10:40
SECRETARY
SECRETARY OF THE STATE

August 30, 2006

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

Re: Proposed Initiative Petition - Amends Constitution: Allocates 15% of Lottery Proceeds to Public Safety Fund for Crime Prevention, Investigation, Prosecution
DOJ File #BT-41-06; Elections Division #41

Dear Mr. Lindback:

Please accept this letter as my response, as an elector and as a Chief Petitioner on this initiative petition, to the draft ballot title presented to you by the Attorney General.

I believe that the caption is an appropriate reflection of the measure and does not require any change.

I disagree with the statement as to the RESULT OF "YES" VOTE and "RESULT OF "NO" VOTE. Under the RESULT OF "YES" VOTE section, you have stated the obvious: "Reduces percentage of funds available for other lottery-funded programs." Any time you dedicate 15% of a fund to something, you leave 85% of the fund for something else. One could just as easily say that a result of a "yes" vote would be to expand funds available for crime investigation and prosecution. This is because the 15% allocation provides more funds for those activities. It is not necessary to use the maximum number of words required for RESULT OF "YES" VOTE statement. However, a more accurate statement for RESULT OF "YES" VOTE would be to state the positive fact that the measure still allows lottery funds to be used for currently authorized purposes, since some people may think that the measure substituted the public safety allocation for something else.

I recommend that the RESULT OF "YES" VOTE read as follows:

"RESULT OF "YES" VOTE: "Yes" vote amends constitution to allocate 15% of lottery proceeds to public safety fund; maintains authorization for lottery to finance education, economic development."

This will better balance with the current draft of the RESULT OF "NO" VOTE. If you correct the RESULT OF "YES" VOTE section, the RESULT OF "NO" VOTE section does

John Lindback
Page 2
August 30, 2006

not need to be changed as it points out that the current list of authorized purposes is retained, but a "no" vote rejects a certain percentage of lottery proceeds going to public safety.

The SUMMARY statement should be changed to make it clear that the measure does not eliminate the current category for lottery funding but adds a category for public safety.

The SUMMARY should be revised to read as follows:

"SUMMARY: Amends constitution. Constitution currently allocates lottery proceeds to create jobs, further economic development, support parks, finance public education. Measure maintains these authorizations, but adds requirement of 15% of net lottery proceeds to be deposited in public safety fund. 50% of fund moneys are distributed to counties to fund grants for the following: 20% for early childhood programs for at-risk children, 15% to supplement district attorney operations, 15% to county sheriffs' investigation, field operations. Allocates grants to county under formula: 30% divided equally on per-county basis, 70% divided on population basis. Measure dedicates 50% of proceeds to Oregon State Police criminal investigation, forensic operations. Measure prohibits legislature from limiting expenditures from the fund. Funds to prosecution, sheriffs not a substitute to existing funds. Other provisions."

Thank you for your consideration.

Sincerely,

Duane Fletchall

Cc Peter Shepherd, Deputy Attorney General
Don Arnold, General Counsel Division
Steve Wolf, General Counsel Division
Steve Beck, Chief Petitioner