

## Oregon has voted against him, but Sizemore fights on

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Randy L. Rasmussen / The Oregonian Oregon's "initiative king" Bill Sizemore speaks in favor of one of five initiatives he has placed on the Nov. 4 ballot, before the Salem Chamber of Commerce last week. Sizemore acknowledges he does little campaigning for his initiatives, spending most of his time gathering signatures for the initiatives.

In 1994, Oregonians were introduced to a new force in state politics. It came in the form of two ballot measures crafted by an anti-tax organization called Oregon Taxpayers United.

One measure failed. The other, to require public employees to pay 6 percent of their salaries into the state fund that provides their pensions, was narrowly approved by voters. Its chief sponsor was Bill Sizemore, then the director of Taxpayers United.

Two years later, the Oregon Supreme Court overturned the measure as unconstitutional, making for a hollow victory and setting a pattern that still endures.

So began the career of Oregon's most prolific ballot initiative author, the scourge of the state's public employee unions and public school teachers. During the past 14 years, Sizemore and his anti-tax, anti-union allies have come to dominate Oregon's initiative system, although every Sizemore measure has been rejected by voters, overturned by the courts or changed by legislators.

### **Bill Sizemore's ballot measures**

**Measure 58:** Ban teaching public school students in a language other than English for more than two years.

**Measure 59:** Make full amount of federal income tax deductible from Oregon taxable income. Earlier version: Measure 91 (rejected in 2000).

**Measure 60:** Ban use of seniority as a factor in determining teachers' salaries and job security. Earlier version: Measure 95 (rejected in 2000).

**Measure 63:** Exempt home improvements valued at \$35,000 or less from building permit requirements.

**Measure 64:** Ban use of a "public resource" for a "political purpose." Earlier version: Measure 59 (rejected in 1998), Measures 92 and 98 (rejected in 2000).

After a six-year period in which Sizemore qualified only one measure for the ballot and seemed to be fading from the state's political scene, the 57-year-old activist is back.

Five of the eight citizen initiatives on the Nov. 4 ballot are authored by Sizemore, including three that are versions of earlier measures he sponsored that voters rejected.

Sizemore has returned despite multiple setbacks, including a disastrous campaign as the 1998 Republican candidate for governor and mounting legal troubles. In 2002, in a civil case brought by two teachers unions, a Multnomah County jury found that Sizemore had engaged in a pattern of racketeering that included forged signatures and filing of false financial reports as part of his effort to put two anti-union initiatives on the 2000 ballot.

The jury awarded \$2.5 million plus attorney fees to the unions from two now-defunct Taxpayers United organizations that Sizemore controlled. The money has not been paid, and Sizemore has been held in contempt of court three times for violating an injunction stemming from the lawsuit.

And because Sizemore has not gone away, a coalition that stretches from labor unions to civic, religious and environmental groups to business organizations is preparing to spend millions of dollars this fall to defeat his five ballot measures and two others that were authored by another prolific initiative activist, Kevin Mannix, the former Republican Party chairman.

Members of the Defend Oregon coalition concede that they are playing into Sizemore's hands. A side effect of his efforts is to drain resources from unions and other liberal groups, keeping them constantly on the defensive. But they say the stakes for Oregon's future are so high that they have no choice.

In an exhaustive study of Sizemore's public career published earlier this year, Janice Thompson, executive director of Democracy Reform Oregon, which tracks money in politics, calculated that between 1994 and 2006, Sizemore and his allies spent about \$3 million trying to pass the ballot measures he authored. During that same time, Sizemore's opponents spent more than \$25 million to defeat them.

Sizemore rejects all criticism of his methods and motives. With the glib charm of a born salesman, he said he has targeted public employee unions because they "are the primary reason that government is big and wasteful and taxes are high. Public employee unions -- not public employees -- are the natural enemies of taxpayers."

He said he hasn't mounted serious campaigns to pass his measures because it is difficult to raise the kind of money it would take to be successful. It is much easier, and cheaper, to get the measures on the ballot.

As for diverting resources from his opponents, Sizemore said, "It's not my goal. It's something I have in the back of my mind. If a measure keeps my enemies busy, that's not necessarily a bad thing."

### **Money in politics**

The man who has been the focus of so much attention and animosity grew up in Montesano, Wash., a logging town on the Olympic Peninsula. He moved to Oregon in 1972 and graduated from Portland Bible College.

Sizemore dabbled in politics in the early 1980s, running unsuccessfully for the Portland City Council and the Oregon Senate.

A toy manufacturing company he founded enjoyed some success, but it ceased operations in the early 1990s with about \$795,000 in unpaid loans and bills. Another venture, Bill Sizemore Carpet Brokers, filed for bankruptcy protection in the late 1980s.

To his critics, Sizemore's only business success has been to "hijack" Oregon's 106-year-old initiative system and turn a populist political tool into a moneymaking enterprise.

When asked what motivates the man he calls "the initiative king," Greg Hartman, a lawyer for the Oregon Education Association who has battled Sizemore in court for eight years, has a one-word answer: "Money."

The financial support for Sizemore's operation has come from a few wealthy conservatives. In the current election cycle, records show that Sizemore's signature-gathering efforts have received nearly \$1 million from two men: \$570,000 from Loren Parks, a former Oregon medical device manufacturer who now lives in Nevada, and \$354,000 from a group sponsored by Richard Wendt, founder of Jeld-Wen, a Klamath Falls manufacturing company.

Beginning with Measure 8 in 1994, Sizemore and his allies have sponsored 12 ballot measures. Voters rejected nine and the courts overturned two that voters approved.

Sizemore's most lasting impact on the state came in 1996 with the passage of Measure 47, which reduced property taxes and limited annual tax increases. But lawmakers complained that the measure was riddled with ambiguities and loopholes and, with Sizemore's cooperation, rewrote it into Measure 50, approved by voters in 1998.

### **Long-term effect?**

Some say Sizemore's efforts have largely backfired.

"Some of the effect has not been a plus for the conservative movement or the limited-government movement," said Don McIntire, a onetime Sizemore ally who has broken with him. McIntire cited a surge in union activism in Oregon politics, which he said "ends up increasing the liberal voter turnout."

Tim Nesbitt helped engineer the response to Sizemore. Nesbitt, a former Oregon AFL-CIO president who is now Gov. Ted Kulongoski's deputy chief of staff, said Sizemore "drove a political agenda, but it was also a business plan. That was a model that didn't exist before. It took a while before people who cared about government services realized that this was going to be a relentless, every-two-year operation until we found a way to counter it."

One result, Nesbitt said, was that by the end of the 1990s, unions in Oregon were raising and spending more money per capita than unions anywhere else in the country. Along with the rise in union activism, Democrats, who now control the Legislature and all but one statewide office, have tightened their grip on state government.

Sizemore also has affected the initiative process itself. Partly in reaction to his 2000 blizzard of ballot measures, voters in 2002 approved Measure 26, which banned the practice of paying initiative circulators for each signature they obtained. And last year, the Legislature passed a law that imposed more stringent rules on how signatures can be collected and made it more difficult to start the process.

Mannix, who has concentrated his ballot measures on public safety issues, said Sizemore has played a useful role by raising issues the Legislature has ignored. But he suggested that Sizemore has gone to the ballot too often, especially with measures that have been rejected in the past.

"The process is now more bureaucratic," Mannix said. "There are more obstacles. I think part of that is due to the volume of initiatives, and Bill Sizemore has played a role in that."

Sizemore bristles at any suggestion that he has not been an important force in Oregon politics. He noted that one of his 2000 measures (which he is repeating this year) would have made the full amount of federal taxes deductible from Oregon taxable income. Voters rejected that measure, but in response to the fiscal threat it posed to the state, the Legislature increased the federal tax deduction on state tax returns from \$3,000 to \$5,000 and indexed it to inflation.

"You can count that measure as a loss or say that it advanced the cause," he said.

No matter what happens with his five measures, Sizemore already looks forward to 2010. As of last week, he had filed 13 initiative petitions with the state Elections Division. Most of them would cut taxes or restrict labor unions.

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