



Senate Republican Office

Oregon State Capitol
900 Court Street NE, S-223
Salem, Oregon 97301

FOR IMMEDIATE RELEASE
May 25, 2007

CONTACT: Michael Gay
(503) 986-1950

Democrats approve rigged ballot titles, quash judicial review for special interest supporters

“No attempt at a fair and balanced voter’s pamphlet”

Salem, OR – At the request of their special interest supporters, Democrats passed a bill in the late hours of a Senate floor session Sunday with eight hastily drafted ballot titles, ignoring the normal public process that ensures a fair, balanced and accurate voter’s pamphlet. The bill, [House Bill 2640](#), passed on party lines.

“The title should be written for what the measure means, not how it polls,” said Senator Ted Ferrioli (R-John Day), one of the dissenting votes. “They know they can’t win using the traditional means, so they are going to fudge the process. The Attorney General has already [written a ballot title](#) for the Measure 37 repeal. It is more fair, balanced, and far less political. Why can’t we use the title already certified by Oregon’s Attorney General?”

A side-by-side comparison of the title for a slightly different version of the Measure 37 repeal already written by the Attorney General and the title used in HB 2640 reveals obvious biases meant to skew public perception of the measure. A side by side comparison of both titles is attached.

“Special interests are calling the shots here, and voters are being set up,” said Ferrioli. “This empowers people to make a political argument in a referral to the people. It is an insult to Oregon voters, an insult to the initiative process, and arrogant in every way.”

Senator Roger Beyer (R-Molalla) read into the record a veto letter from Governor John Kitzhaber. The letter explains Kitzhaber’s veto of SB 1120 in 1995. Senate Bill 1120 sought to by-pass the public process for writing ballot titles in the same manner as HB 2640.

“SB 1120 would prohibit judicial review of the ballot title that will accompany SJR 41 which places before Oregon voters a proposed constitutional amendment relating to obscenity. This means Oregonians will completely forgo their rights to appeal this issue to the highest court in the land – a right we all hold dear.

“I’m aware that the Legislature has chosen to bypass this appeal process in the past. This rare exception was invoked only when the Legislature needed to get a quick answer from the voters. It is never appropriate to avoid the appeals procedure in an effort to thwart court scrutiny and bypass citizens who may have an alternate point of view on the objectivity of the proposed ballot title.”

(Continued...)

Statute sets a process through the Attorney General's office for drafting ballot titles when citizens file an initiative. Ignoring a ballot title that has already been through that process, the Governor's office and legislative Democrats have solicited the input of special interests to manipulate the ballot titles on controversial measures. Now they are using the hectic last hours of session to rig the voter pamphlets people will read in the fall. Recently, an e-mail exchange between Tim Nesbitt and The Nature Conservancy [was leaked to the press](#). The e-mail contained The Nature Conservancy's suggestions for ballot title language for the Measure 37 repeal.

Many of the eight measures with titles in HB 2640 second-guess voters clearly stated will and put to the people questions they have already answered. Among the measures, the repeal of Ballot Measure 37, repeal of the constitutional provision requiring double-majority voter turnout to pass a tax increase, and a measure putting a tobacco tax in the Oregon Constitution.

###