



Lawmakers should leave driver-card ballot title alone: Editorial

Opponents of a new law granting driving privileges to Oregonians who can't prove their legal presence submitted about 60,000 signatures Oct. 13 to qualify a referendum for the November ballot. From left are Jim Ludwick, spokesman for Oregonians for Immigration Reform, Lee Vasche, executive director of the Signature Gathering Company of Oregon, Cynthia Kendoll, president of Oregonians for Immigration Reform, and Rep. Sal Esquivel, R-Medford. Yuxing Zheng (*Yuxing Zheng/The Oregonian*)

The Oregonian Editorial Board By **The Oregonian Editorial Board**

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Legislators did the right thing last year when they approved **Senate Bill 833**, which would allow some people who are in this country illegally to obtain driver cards. Naturally, they want voters to do the right thing in November by supporting the law, which opponents have referred to the ballot. Some lawmakers want this outcome so badly, however, that they may be willing to do the wrong thing.

A group that includes House Speaker **Tina Kotek**, D-Portland, may try to rewrite the referendum's ballot title, a breathtakingly cynical move that would taint the very law they're trying to preserve. To vote for a referendum doctored in this fashion would be to endorse an abuse of process. Rather than resorting to such a ploy, Kotek and company should accept the ballot title that emerges from the state Supreme Court's review, which is currently underway, and do their best to win the support of voters.

Ballot titles are the cause of so much squabbling because they figure largely in the decisions of otherwise uninformed voters. Unless the Supreme Court says otherwise, the ballot title in this case will be as follows: "Provides Oregon resident 'driver card' without requiring proof of legal presence in the United States." Ballots will contain supplemental information, including a summary of the measure and the effects of "yes" and "no" votes, but the ballot title is the first thing most will read – and in some cases the last.

The title is inadequate because it doesn't reflect the reason lawmakers passed the law, which is to provide "access so that people could drive licensed and insured," Rep. **Jessica Vega Pederson**, D-Portland, said recently. This desire to work the law's intent into the ballot title is behind the possibility of a legislative rewrite, *The Oregonian's Yuxing Zheng has reported.*

The current ballot title, by the way, is the result of a formal process conducted by the state Department of Justice. It's not the product of a partisan exercise, though a legislative rewrite certainly would be. For shameless self-service, in fact, such a rewrite **calls to mind Measures 66 and 67**, a pair of legislatively approved tax hikes referred to the ballot in 2010. Lawmakers back made the unusual decision to write their own ballot titles then as well.

FROM THE DESK OF: Rep. Sal Esquivel

A handwritten signature in black ink, appearing to be 'S. Esquivel', written over a white background.

The Legislature's self-service machine is poised to start chugging once again. This time around, at least lawmakers gave the Department of Justice a chance to certify a ballot title. Now that it has, however, some lawmakers believe it doesn't illuminate the driver-card proposal with the most flattering light possible. So they're ready to change the bulb. It's too risky, apparently, to trust the Supreme Court, which may not render a decision before the legislative session ends.

Opponents of the law are right to be furious, and supporters should be. Allowing people who are here illegally to obtain driver cards is a good idea. Such people are going to drive anyway, and those who received cards at least would have to prove that they're insured and familiar with the rules of the road. Yet it's true, as opponents note, that the law would reward people who are here precisely because they've broken the law. Many Oregonians are likely to be conflicted, and to survive November's vote the law will need the support of those who value the good it would do barely more than they resent the fact that it would reward illegal behavior. They won't be favorably impressed by the Legislature's decision to game the political system in order to help those who have gamed the immigration system.

Lawmakers may be tempted to believe their manipulation will be forgotten long before ballots go out this fall. That would be a mistake. Voters will remember because driver-card opponents, not being foolish, will see that they do. And in this regard, at least, their anger will be justified.

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