

BILL BRADBURY
SECRETARY OF STATE



ELECTIONS DIVISION
JOHN LINDBACK
DIRECTOR
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SALEM, OREGON 97310-0722
ELECTIONS—(503) 986-1518

July 11, 2007

To All Interested Parties:

Secretary of State Bill Bradbury is responsible for the pre-election review of proposed initiative petitions for compliance with the procedural constitutional requirements established in the Oregon Constitution for initiative petitions. This review will be completed before approving the form of the cover and signature sheets for the purpose of circulating the proposed initiative petition to gather signatures.

The Secretary of State is seeking public input on whether proposed initiative petition (#112), satisfies the procedural constitutional requirements for circulation as a proposed initiative petition. Petition #112 was filed in our office on July 10, 2007, by Mehran Smith and Shahriyar Smith, for the General Election of November 4, 2008.

Enclosed is a copy of the text of this proposed initiative petition. If you are interested in providing comments on whether the proposed initiative petition meets the procedural constitutional requirements, please write to the secretary at the Elections Division in the State Capitol. Your comments, if any, must be received by the Elections Division no later than August 1, 2008, in order for them to be considered in the review.

BILL BRADBURY
Secretary of State

BY:

Carla Corbin
Compliance Specialist

RESPECT FOR LAW ACT

Section 1. Oregonians welcome legal immigrants. All of Oregon's public officials and public employees shall be considerate and positive in assisting legal immigrants to participate in our free society. Oregonians also respect the rule of law. Accordingly, the People adopt this statute, which shall be known as the Respect for Law Act.

Section 2. a. No statute, regulation, or order of any agency or instrumentality of this state, or of any of Oregon's political subdivisions, including, but not limited to, any law enforcement agency, shall prohibit or limit any public official or public employee from cooperating with federal agencies or officials in the enforcement of federal immigration law.

b. This section supersedes any existing statute, regulation, or order which prohibits or restricts such cooperation with federal agencies or officials.

Section 3. a. Election officials shall require satisfactory evidence of United States citizenship from any applicant who is registering to vote for the first time as an Oregon voter. This requirement of evidence of citizenship applies even if the applicant has previously registered to vote in another state or territory of the United States.

b. Satisfactory evidence of United States citizenship shall consist of any one of the following:

- i.** The number of the applicant's driver license or non-operating identification license issued after October 1, 1996, by the Department of Transportation or the equivalent governmental agency of another state within the United States, if the agency indicates on the applicant's driver license or non-operating identification license that the person has provided satisfactory proof of United States citizenship.
- ii.** A legible photocopy of the applicant's birth certificate that verifies citizenship. Supporting legal documentation shall be provided as to a name change if the name on the birth certificate is not the same as the applicant's current name. A Certificate of Birth Abroad for a United States citizen, reflecting registration with the Department of State, shall be considered a birth certificate.
- iii.** A legible photocopy of pertinent pages of the applicant's United States passport identifying the applicant and the applicant's passport number or presentation to an election official of the applicant's United States passport.
- iv.** A presentation to an election official of the applicant's United States naturalization documents or the number of the certificate of naturalization. If only the number of the certificate of naturalization is provided, the applicant shall not be included in the registration rolls until the number of the certificate of naturalization is verified with the United States government by the election official.
- v.** Other documents or methods of proof of citizenship that are established pursuant to the federal immigration reform and control act of 1986.
- vi.** The applicant's Bureau of Indian Affairs card number, tribal treaty card number or tribal enrollment number.

Section 4. a. Prior to issuing, renewing or replacing any driver license, driver permit or identification card, the Department of Transportation shall require the applicant to provide proof of legal presence and a verified Social Security number. If the applicant is not eligible for a Social Security number, the applicant shall provide documentation issued by the United States Department of Homeland Security establishing that the applicant is legally present in the United State but is not eligible for a Social Security number.

b. A person provides proof of legal presence by submitting valid documentation that the person is a citizen or permanent legal resident of the United States or is otherwise legally present in the United States in accordance with federal immigration laws.

c. A person satisfies the requirement of providing proof of a Social Security number by submitting a valid Social Security number that has been assigned to the person by the United States Social Security Administration. The Department of Transportation shall verify the Social Security number with the United States Social Security Administration.

d. The Department of Transportation may issue a temporary driver license or temporary driver permit to an applicant who provides proof that the applicant is legally present in the United States on a temporary basis. The temporary driver license or temporary driver permit shall be valid only during the period of time of the applicant's authorized stay in the United States or, if there is no definite end to the period of authorized stay, for a period of one year. The temporary driver license or temporary driver permit may be renewed only upon presentation of documentation that the status by which the applicant qualified for the temporary driver license or temporary driver permit has been extended by the United States Department of Homeland Security. A person legally present in the United States on a temporary basis is not eligible to receive an Oregon identification card but may rely on that person's passport or other foreign or U.S. government identification.

e. The fees for issuance, renewal and replacement of temporary driver licenses and temporary driver permits under this subsection are as provided under ORS 807.370 for the corresponding non-temporary license or permit.

f. The Department of Transportation may further define required documentation, by rule, provided that such documentation meets or exceeds the standards of this Act.

Section 5. This Act is effective on passage, and Sections 1, 2, and 3 of this Act are operative on passage. Section 4 of this Act is operative on April 1, 2009.

SECRETARY OF THE STATE
BILL BRADBURY

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