



OFFICE OF THE SECRETARY OF STATE

NEWS RELEASE

BILL BRADBURY

For Immediate Release:
May 25, 2006

Contact: Carla Corbin
Elections Division
(503) 986-1518

The Office of the Secretary of State received a draft ballot title from the Attorney General on May 24, 2006, for initiative petition #23, proposing a statutory amendment, for the General Election of November 7, 2006.

The draft ballot title is as follows:

PROHIBITS INSTRUCTION AT PUBLIC SCHOOLS (INCLUDING COLLEGES, UNIVERSITIES) THAT "APPROVES," "ENDORSES" HOMOSEXUAL, BISEXUAL, TRANSGENDERED BEHAVIOR

RESULT OF "YES" VOTE: "Yes" vote prohibits public schools, including colleges and universities, from teaching "sexual orientation" (defined) in a manner that "approves," "endorses" homosexual, bisexual, and transgendered behavior.

RESULT OF "NO" VOTE: "No" retains the current law: allows public schools, including kindergarten through high school and public colleges and universities, to teach sexual orientation in any manner.

SUMMARY: Current law allows public schools to teach "sexual orientation" in any manner. Measure prohibits public schools, including kindergarten through high school and public colleges and universities, from teaching "sexual orientation" in a manner that "approves," "endorses," or makes "morally acceptable" homosexual, bisexual, transgendered behavior. Defines "sexual orientation" as yielding to urges, temptations to have sex with the same gender. Defines "transgendered" as yielding to urges, temptations to switch genders by cross-dressing or physically altering body. Measure does not affect students' constitutional rights. The following activities are permitted so long as they do not "approve," make "morally acceptable" or "endorse" homosexual, bisexual, transgendered behavior: AIDS and sex education; human worth affirmation; suicide prevention; protection against name-calling; mentioning homosexuality, bisexuality, or "gender confusion." Other provisions.

Chief Petitioner(s): Lon Mabon, PO Box 13109, Salem, OR 97309 and Robert Ekstrom, 51163 Bankston RD, Scappoose, OR 97056.

Copies of the text of this initiative are available at Room 141, State Capitol for \$.25. Written requests for copies with your remittance of \$1.00 prepaid, should be addressed to: Elections Division, Room 141 State Capitol, Salem, OR 97310-0722.

There now follows a comment period of 10 business days during which any member of the public may submit written comments which address the specific legal standards a ballot title must meet to the Secretary of State's office. This period ends June 8, 2006. Comments must be addressed to: Elections Division, Room 141 State Capitol, Salem, OR 97310-0722; fax (503) 373-7414.

The Secretary of State will deliver all written comments to the Attorney General. If comments are received, the Attorney General shall issue the certified ballot title not later than the 10th business day after receiving the comments from the Secretary of State. If no comments are received, the Attorney General shall issue the certified ballot title not later than the 10th business day after the deadline for submitting comments.

In addition, during this ballot title comment period, the Secretary of State will also seek statements from interested persons regarding whether or not a proposed initiative petition complies with procedural constitutional requirements for submission of proposed initiative petitions. The Secretary will consider the information provided in the statements received from interested persons. If you wish to comment, this period ends June 8, 2006. Comments must be addressed to: Elections Division, Room 141 State Capitol, Salem, OR 97310-0722; fax (503) 373-7414.

Any elector who is dissatisfied with the ballot title certified by the Attorney General, and who timely submitted written comments which addressed the specific legal standards a ballot title must meet, may petition the Oregon Supreme Court seeking a different title. This appeal must be filed not later than the 10th business day after the Attorney General certifies a ballot title to the Secretary of State.

The required number of signatures for placement on the 2008 general election ballot is determined by the total votes cast for all candidates for governor at the 2006 general election. These signatures shall be filed in this office not later than July 3, 2008.

HARDY MYERS
Attorney General



PETER D. SHEPHERD
Deputy Attorney General

DEPARTMENT OF JUSTICE
APPELLATE DIVISION

May 24, 2006

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

Re: Proposed Initiative Petition — Prohibits Instruction At Public Schools (Including Colleges, Universities) That “Approves,” “Endorses” Homosexual, Bisexual, Transgendered Behavior
DOJ File #BT-23-06; Elections Division #23

Dear Mr. Lindback:

We have prepared and hereby provide to you a draft ballot title for the above-referenced prospective initiative petition. The proposed measure relates to prohibitions on instruction at public schools that “approves,” or “endorses” homosexual, bisexual, or transgendered behavior.

Written comments from the public are due to you within ten business days after your receipt of this draft title. A copy of all written comments provided to you should be forwarded to this office immediately thereafter.

A copy of the draft ballot title is enclosed.

Sincerely,

Misty Kintz
Legal Secretary

AMJ:mlk/APP94137

Enclosure

c: Peter Shepherd, Deputy Attorney General
Don Arnold, General Counsel Division
Steve Wolf, General Counsel Division

Lon T. Mabon
4272 Durbin Avenue SE
Salem, Oregon 97301

Robert F. Ekstrom
51163 Bankston Road
Scappoose, Oregon 97056

BALLOT TITLE

PROHIBITS INSTRUCTION AT PUBLIC SCHOOLS (INCLUDING COLLEGES, UNIVERSITIES) THAT “APPROVES,” “ENDORSES” HOMOSEXUAL, BISEXUAL, TRANSGENDERED BEHAVIOR

RESULT OF “YES” VOTE: “Yes” vote prohibits public schools, including colleges and universities, from teaching “sexual orientation” (defined) in a manner that “approves,” “endorses” homosexual, bisexual, and transgendered behavior.

RESULT OF “NO” VOTE: “No” retains the current law: allows public schools, including kindergarten through high school and public colleges and universities, to teach sexual orientation in any manner.

SUMMARY: Current law allows public schools to teach “sexual orientation” in any manner. Measure prohibits public schools, including kindergarten through high school and public colleges and universities, from teaching “sexual orientation” in a manner that “approves,” “endorses,” or makes “morally acceptable” homosexual, bisexual, transgendered behavior. Defines “sexual orientation” as yielding to urges, temptations to have sex with the same gender. Defines “transgendered” as yielding to urges, temptations to switch genders by cross-dressing or physically altering body. Measure does not affect students’ constitutional rights. The following activities are permitted so long as they do not “approve,” make “morally acceptable” or “endorse” homosexual, bisexual, transgendered behavior: AIDS and sex education; human worth affirmation; suicide prevention; protection against name-calling; mentioning homosexuality, bisexuality, or “gender confusion.” Other provisions.