City of Portland Citizen Initiative Petition Information Packet



CITY OF PORTLAND

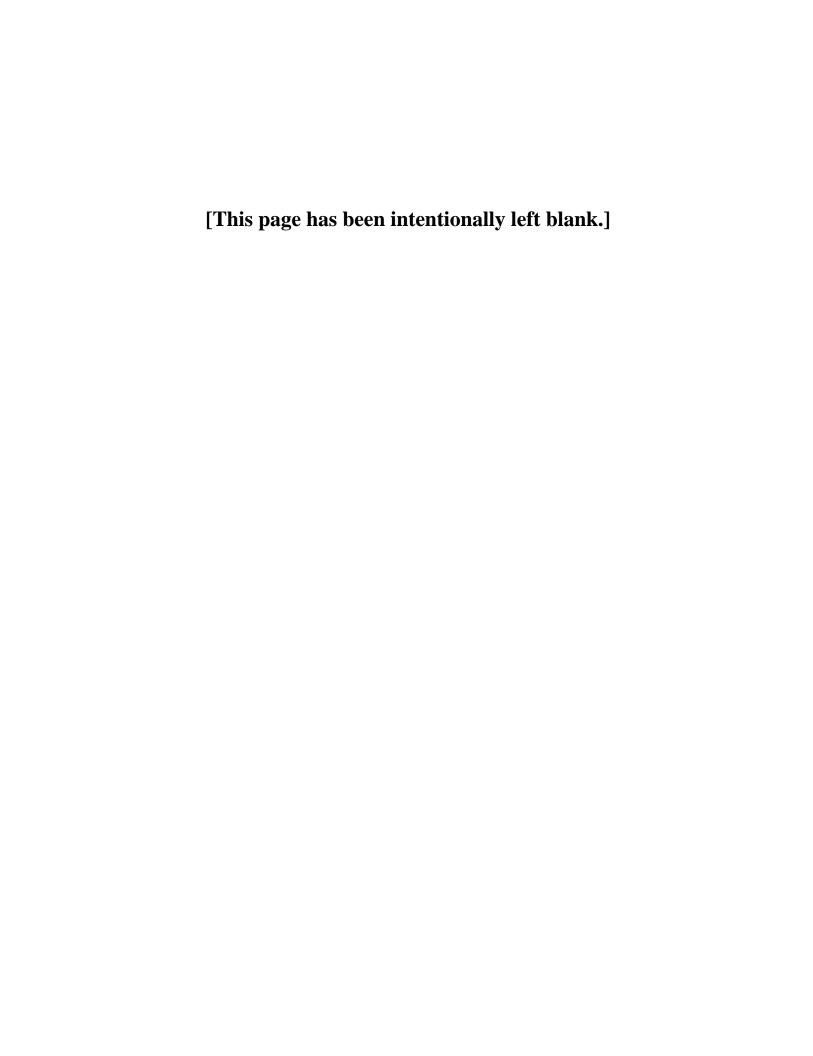
Office of City Auditor LaVonne Griffin-Valade

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503-823-3546 (phone) 503-823-4571(fax)

www.portlandonline.com/auditor/elections





Statement of Understanding

I have received a "Citizen Initiative Petition Information Packet" published by the City Auditor's Office. This packet describes procedures for filing an initiative petition with the City of Portland and includes:

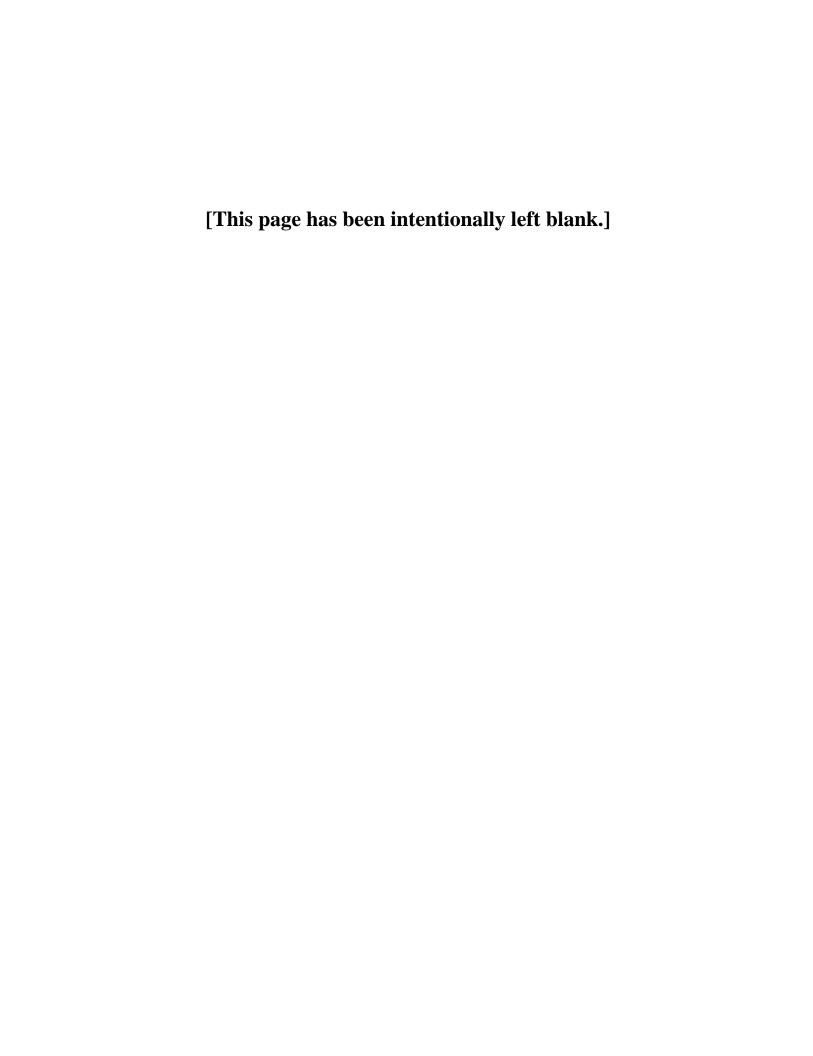
- Form SEL 370, prospective petition designating chief petitioners;
- Forms SEL 371 & 373, signature sheets;
- Form SEL 301, statement one or more circulators will/will not be paid;
- Cover sheet instructions and sample;
- Auditor's Office Information Sheets describing the initiative process;
- Portland City Code Chapter 2.04 Initiative and Referendum Procedures; and
- 2012 County, City and District Initiative and Referendum Manual published by Secretary of State*, and
- 2012 Campaign Finance Manual, published by Secretary of State.*

I understand I must file a Statement of Organization with the Secretary of State before the Auditor may approve signature and cover sheets for circulation. Further, I understand that all contributions and expenditures must be reported electronically to the Secretary of State via ORESTAR.

Name:	 (please print)
Signature:	 _
Date:	

(City Code 2.04.050 requires that a signed Statement of Understanding be submitted before a prospective petition can be accepted.)

^{*} Manuals are available in electronic form from the Oregon Secretary of State's website at http://www.sos.state.or.us/elections/publications



Citizen Initiative Petition Information Packet

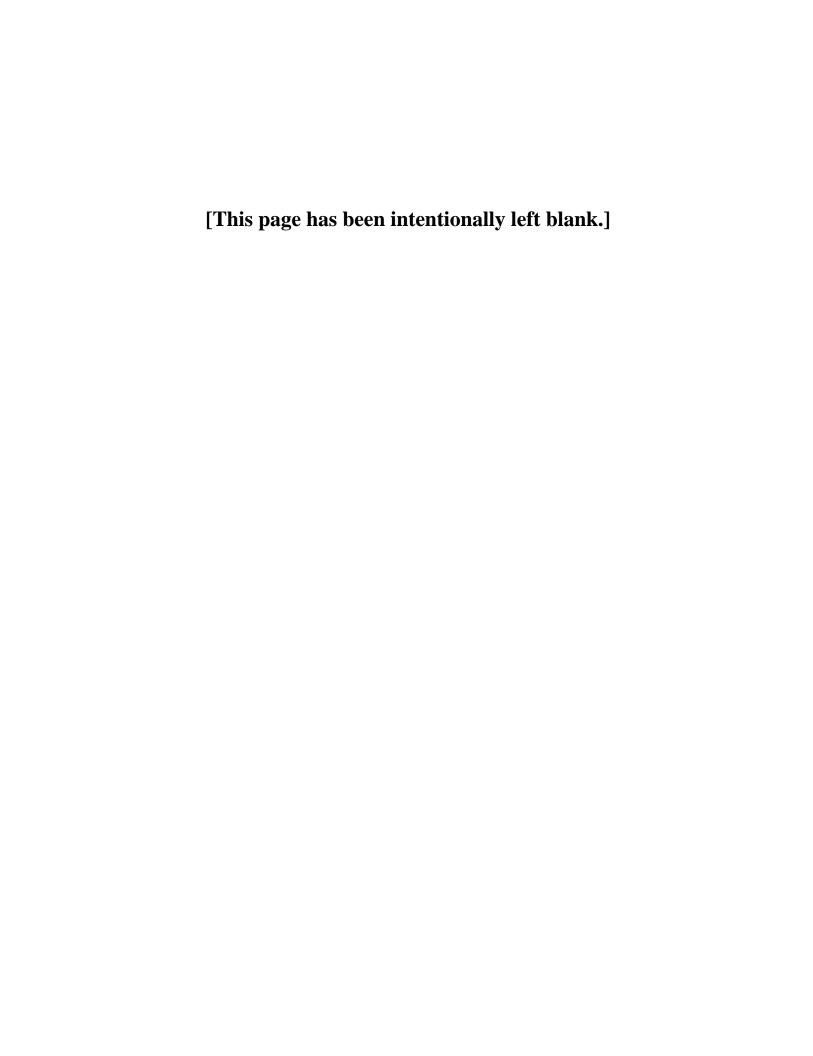
Statement of Understanding

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INTRODUCTION

Welcome

The "City Initiative Petition Information Packet" is intended to provide an overview of the procedures and regulations necessary to file a city initiative. The city initiative process is governed by the Oregon Constitution, Oregon Revised Statutes, Oregon Administrative Rules, Portland City Charter and Portland City Code. While every effort has been made to include necessary information in this packet, please contact the City Elections Office at 503-823-3546 for further information.

City Code Section 2.04.050 requires that petitioners sign a "Statement of Understanding," provided with this packet. This form indicates the petitioner has received all required forms and materials and understands that he or she is accountable for fulfilling all legal requirements.

Authority

Article IV, Section 1 of the Oregon Constitution, Section 3-201 of the Portland City Charter, and Section 2.04.040 of the City Code give citizens of the City of Portland the ability to initiate city legislation through the initiative petition process.

The Basics

The initiative petition process provides citizens with a vehicle to refer legislation to a vote of the people. Initiatives may propose new legislation or make amendments to the City Code or Charter. After completing the prospective petition process, petitioners are able to begin the signature gathering process. If the required number of valid signatures is gathered, the measure will be placed on the ballot. If it passes with a majority of the vote, it becomes law.

NOTE: Only legislation which is under the jurisdiction of the City of Portland may be initiated through the City's initiative petition process. Citizens are encouraged to seek legal counsel to ensure that their intended legislation is under the jurisdiction of the City.

INTRODUCTION

City Specific Regulations

In addition to State rules and regulations included in the Oregon Revised Statutes and Secretary of State publications, citizen initiative petitions in the City of Portland are also governed by provisions of the Portland City Code. A copy of City Code Chapter 2.04 is included in Appendix A of this packet. The main distinguishing characteristics of City initiative petition requirements are:

- Citizen initiative petitions may be placed only on regular election ballots biennial statewide primary and general elections.
- When filing their prospective petition, petitioners must indicate the election date for which the initiative is intended.
- Prospective petitions must be filed within 2 years and 4 months of the intended election date.
- Initiative petitions require a number of signatures equal to or greater than 9 percent of the number of electors registered in the city on the date of the primary municipal election immediately preceding the date the prospective petition is filed. Prospective petitions filed before the May 2014 election require 29,786 signatures to qualify for the ballot. The signature requirement for petitions filed after that date will be 9 percent of the voters registered in the City at the May 20, 2014 election. The Auditor will calculate this number and post it on the City website when it is available.
- Chief Petitioners must be registered voters of the City.

Step One - Filing Prospective Petition

The first step in referring an initiative petition to a vote of the people is to file a prospective petition with the City Elections Officer, located in the Office of the City Auditor. A prospective petition shall consist of:

- SEL 370, prospective petition designating not more than 3 chief petitioners
- SEL 301, statement whether circulators will be paid
- Complete text of the proposed charter change or ordinance to be initiated (legislation). It is recommended that petitioners consult legal assistance in drafting legislation according to legal specifications. The City Elections Officer can provide guidance regarding the *formatting* of the legislation, not content. Please see Appendix F for more information regarding format requirements of legislation.
- Optional: petitioners may also submit a draft ballot title, including caption, question and explanation. The City Attorney will prepare the final ballot title.

All forms required for the prospective petition are included in Appendix B of this packet.

On the SEL 370 (and later on the final signature sheet forms SEL 371 and 373), petitioners must specify the election date for which their initiative is intended. This date must be a biennial statewide primary or general election within two years and four months of the filing of the prospective petition.

Please Note: City Code Section 2.04.040 requires that chief petitioners be registered voters in the City of Portland.

Step Two - Constitutional Requirements

No later than five business days after receiving the prospective petition, the City Elections Officer reviews the text of the proposed legislation to determine whether it complies with the procedural constitutional requirements. After the review, the City Elections Officer notifies the chief petitioners of the determination.

If the text of the proposed legislation does not comply with the procedural constitutional requirements, the City Elections Officer notifies the chief petitioners by certified mail (with return receipt requested). This notice must be mailed no later than the sixth business day after the prospective initiative petition is filed.

If the text of the proposed legislation complies with the procedural constitutional requirements, the City Elections Officer notifies the chief petitioners in writing no later than the sixth business day after the prospective initiative petition is filed and forwards the petition to the City Attorney for preparation of the ballot title.

Step Three - Preparation of Ballot Title

The City Elections Officer cannot approve cover and signature sheets for circulation until the Statement of Organization for Petition Committee (SEL 222) and Campaign Account Information (SEL 223) have been filed with the Secretary of State. The City Elections Officer will contact the Secretary of State to confirm these filings.

The text, cover and signatures sheets for a prospective initiative petition must be approved in writing by the City Elections Officer before the chief petitioners may begin circulating the petition. The chief petitioners must comply with specific detailed requirements when preparing their cover and signature sheets. Failure to comply with the requirements in Appendix C of this packet will delay the receipt of written approval to circulate.

If the City Elections Officer determines that the prospective petition meets the procedural constitutional requirements, the City Elections Officer forwards two copies of the petition to the City Attorney for preparation of the ballot title no later than the sixth business day after the prospective petition is filed.

The City Attorney has five business days to prepare a ballot title and return it to the City Elections Officer. Oregon law requires that the ballot title contain all of the following elements:

- Caption: not to exceed 10 words; must reasonably identify the subject of the prospective initiative petition.
- Question: not to exceed 20 words; must plainly phrase the chief purpose of the prospective initiative so that an affirmative response corresponds to a yes vote on the ballot; and
- Summary: not to exceed 175 words; shall be concise and impartial and summarize the measure and its major effect.

Step Four - Publication of Notice of Receipt of Ballot Title

Upon receipt of the ballot title from the City Attorney, the Auditor immediately provides the chief petitioner with a copy of the ballot title. The Auditor also publishes a notice of receipt of the ballot title in the next available edition of the <u>Oregonian</u>. The notice must include:

- a statement that the petition meets the procedural constitutional requirements,
- a notice than an elector may file a petition to review the ballot title,
- the deadline for filing a petition to review the ballot title with the Circuit Court and
- the ballot title provided by the City Attorney or information on how to obtain a copy of the ballot title.

Any elector who is dissatisfied with the ballot title may petition the Circuit Court to review the ballot title issued by the City Attorney. The deadline to file a petition to review the ballot title is no later than the 7th business day after the City Elections Officer received the ballot title from the City Attorney.

Step Five - Challenge Period

As detailed in Step Four, any elector who is dissatisfied with the ballot title may petition the Circuit Court to review the ballot title issued by the City Attorney. The petition must name the City Attorney as the respondent. The petition must also state the reasons the title filed with the court is insufficient, not concise or unfair. The deadline to file a petition to review the ballot title is no later than the 7th business day after the City Elections Officer received the ballot title from the City Attorney.

If an elector files a petition to review a ballot title within the Circuit Court, the elector must also notify the City Elections Officer in writing that the petition has been filed.

!! WARNING - If this notice to the City Elections Officer is not timely filed, the petition to the Circuit Court will be dismissed.

After a petition to review a ballot title is filed, the Circuit Court conducts its review. The review of the ballot title by the Circuit Court shall be the first and final review.

After reviewing the ballot title, the Circuit Court renders its decision and certifies a ballot title meeting the requirements of ORS 250.035 to the City Elections Officer.

The City Elections Officer must not approve the cover and signature sheets for circulation until after the challenge period for the ballot title, or, if the ballot title is challenged, after the Circuit Court order is received by the City Elections Officer.

Step Six - Preparation of Cover & Signature Sheets

After receiving the final ballot title, the chief petitioners may begin the cover and signature sheet approval process.

The text, cover, and signature sheets for a prospective initiative petition must be approved in writing by the City Elections Officer before the chief petitioners may begin circulating the petition.

The chief petitioners must comply with specific detailed requirements when preparing their cover and signature sheets. Failure to comply with the requirements in Appendix C of this packet will delay the receipt of written approval to circulate.

After preparing the cover and signature sheets for the prospective initiative petition, the chief petitioners submit a draft to the City Elections Officer for review. If the text of the

prospective initiative is not printed on the cover sheet, a complete copy of the text must also be submitted with the draft cover and signature sheets. If cover and signature sheets are submitted for approval by someone other than a chief petitioner, all of the chief petitioners must file written consent with the city elections official before the initial review of the cover and signature sheets.

See Appendix C for Signature and Cover Sheet Requirements and Appendix E for Guidelines for Circulating Petitions.

After receiving the text, cover and signature sheets from the chief petitioners, the City Elections Officer reviews the sheets for compliance with the requirements for prospective city initiative petitions. The City Elections Officer reviews the text of the initiative petition to ensure that the text reads exactly the same and is formatted the same as the text submitted with the prospective petition. The City Elections Officer also review the cover and signature sheets for compliance with the city petition requirements.

The City Elections Officer prepares and mails a written notice to the chief petitioners detailing any corrections which must be made to the text, cover or signature sheets before they can be approved for circulation.

Once the text, cover and signature sheets meet all of the requirements, the city elections official notifies the chief petitioners in writing of approval to circulate the initiative petition.

Step Seven - Circulation

Once the chief petitioners receive written approval of the cover and signature sheets from the City Elections Officer, the chief petitioners may collect signatures needed to place the initiative on the ballot. Signature requirements and filing deadlines are included in Appendix D of this packet. A petition cannot be accepted unless it contains 100% of the required number of signatures. Signatures must be submitted no less than four months before the intended election date.

If the chief petitioners intend to mail cover and signature sheets to prospective signers, the text must be included with each mailing.

If at any time after receiving approval to circulate the residence address of any chief petitioner changes, new cover and signature sheets with the correct address must be submitted for approval.

Before collecting signatures, chief petitioners must review with circulators the legal requirements and guidelines for circulating an initiative, listed in Appendix E of this packet. Failure to comply with the legal requirements and guidelines will result in rejection of those sheets.

After reviewing the legal requirements and guidelines for circulating an initiative, the chief petitioners and circulators may circulate the petition.

- ➡ Each person collecting signatures must carry at least one full and correct copy of the text of the initiative and must allow any person to review the text upon request.
- **⊃** Each signature collected **must** be personally witnessed by the circulator. The circulator **must** sign and date the certification at the bottom of the petition sheet after all the signatures on the sheet have been collected.
- The circulator **must** complete the date when the certification is signed and **should not** collect any other signatures on that sheet.

For instructions on certifying new signatures to a petition sheet that has already been certified and dated by a circulator, see Oregon Administrative Rule 165-014-0270 (4) (d) in Appendix E.

- Circulators **must not** attempt to obtain signatures of persons knowing that the person signing the petition is not qualified to sign it.
- Circulators **must not** offer money or any thing of value to another person to sign or not sign a petition, nor may they sell or offer to sell signature sheets.
- **⊃** Circulators **must not** accept compensation to circulate a petition that is based on the number of signatures obtained.
- Circulators **must not** be paid to obtain signatures and, at the same time, obtain signatures for a petition for which the circulator is not being paid.

!!WARNING - Violations of the circulator requirements may result in conviction of a felony with a fine of up to \$125,000 and/or prison for up to 5 years.

Step Eight - Signature Submission

Petitioners must submit their petitions with the required number of signatures (listed in Appendix D of this packet) no less than four months before the election date specified on the petition. Failure to meet this deadline will render the petition void.

Once the chief petitioners have collected at least the required number of signatures, they may submit the signature sheets to the City Elections Officer.

Chief petitioners must also submit a new SEL 301, marked **completed** and signed by all current chief petitioners at the time signatures are submitted for verification.

If signatures are submitted and signature verification shows that the petition did not qualify, the chief petitioners may submit additional signatures for verification, as long as the additional signatures are submitted prior to the signature deadline (4 months before the intended election date)

Only the chief petitioners may submit signature sheets for verification. Signature sheets will not be accepted from circulators, agents, circulator companies, or any other entity.

Before submitting the signature sheets for verification, the chief petitioners must:

- Sort signature sheets into separate stacks by county; and
- Number each stack of sorted signature sheets beginning with the number 1 for each county and continue numbering sequentially until all sheets for that county have been numbered.

!!WARNING - It is the responsibility of the chief petitioners to ensure that the signature sheets are numbered sequentially before filing the petition signatures for verification. Failure to comply with this requirement will result in rejection of those sheets not filed in accordance with Oregon Administrative Rule 165-014-0110.

The chief petitioners submit sorted and numbered signature sheets for verification with the City Elections Officer. The initiative must contain at least the required number of signatures.

When submitting signature sheets, the chief petitioners must include a letter stating how many signatures they purport to have.

The chief petitioners must file a detailed contribution and expenditure report no later than 5:00 p.m. on the 15th day after submitting 100 percent of the required number of signatures to place the initiative on the ballot. The accounting period for this report begins on the date the prospective petition was filed and ends on the day the initiative was submitted for final signature verification. Refer to the 2012 Campaign Finance Manual (published by the Secretary of State and included in Appendix G by reference) for detailed instructions.

Withdrawing an Initiative - Chief petitioners may withdraw their initiative prior to submitting the petition signature sheets for verification by filing a SEL 375 Withdrawal of Initiative Petition form. The chief petitioners may not re-activate the withdrawn petition.

Step Nine - Signature Verification

After receiving the signature sheets from the chief petitioners, the City Elections Officer begins verifying the signatures to determine if the initiative contains enough valid signatures to qualify for the ballot. City Code Section 2.04.090 requires the City Elections Officer to complete the verification process within 30 days after receipt of the petition and to advise the chief petitioner whether the petition qualifies to be submitted to the voters.

The City Elections Officer processes signature sheets submitted for verification by:

- comparing the submitted cover and signature sheets to the approved versions
- verifying that each signature sheet has a sufficient circulator certification
- verifying that each signature sheet has the approved cover sheet copied on the back and
- verifying the original signatures using the voter registration records.

The City Elections Officer arranges with the county elections officials for verification of signatures. The signature verification is done using the statistical sampling method provided by the Secretary of State, as required by ORS and City Code.

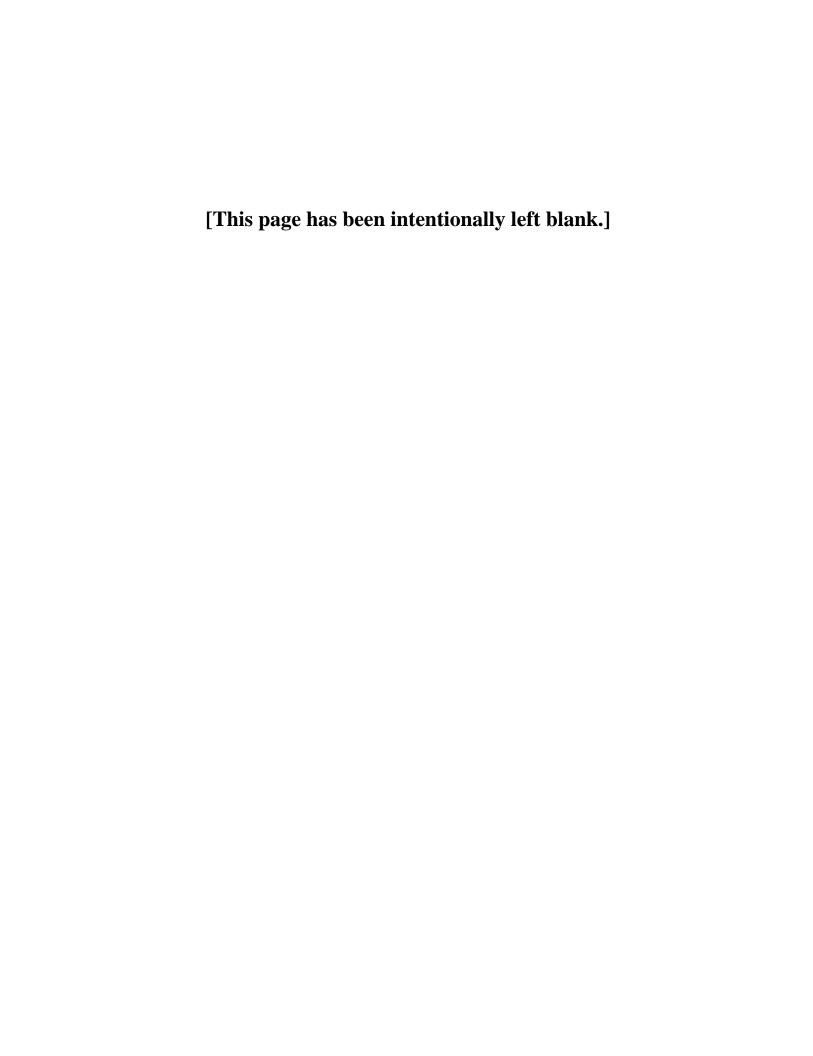
Step Ten - Opportunity for Competing Measure

In accordance with City Code Section 2.04.100, the City Elections Officer files qualified initiative petitions with the City Council for discussion, adoption or rejection. Council has 30 days to consider the petition. If Council adopts the measure, it will become law without appearing on the ballot. If Council rejects it, it will be referred to the voters. As required by law, the City Charter can only be amended by a vote of the people and must be referred to the voters.

The City Council may also chose to refer a competing measure to the voters.

Step Eleven - Placement on Ballot

If Council does not adopt the measure, the City Elections Officer certifies the measure to the County Elections Official for placement on the intended election ballot. The County Elections Official assigns a measure number. If the measure is approved by voters, it becomes law.



Appendix A

City Code Chapter 2.04 Initiative and Referendum Procedures

Chapter 2.04 Initiative and Referendum Procedures

-Note

(New Chapter Substituted by Ord. No. 163790, Jan. 16, 1991.)

2.04.010 Definitions.

(Repealed by Ordinance No. 177200, effective February 21, 2003.)

2.04.020 Applicability of State Law; Limitations.

(Repealed by Ordinance No. 177200, effective February 21, 2003.)

2.04.030 Pre-election Publication.

No City voters pamphlet shall be required for an election subject to this chapter unless the Council directs it specifically.

2.04.040 Submission of Measures to Voters.

(Amended by Ordinance No. 177200, effective February 21, 2003.)

A. Council Submission of Measures

- **1.** A measure may be submitted to the legal voters of the City by resolution of the Council. No petition is required.
- **2.** An advisory question, measure or proposition may be submitted to the voters by resolution of the Council. No petition is required. The vote shall not enact the matter into law, preclude the Council from adopting an ordinance enacting the matter into law, or require the Council to enact the measure into law.

B. Electorâ€[™]s Submission of Petition on Legislation

1. A petition initiating or referring city legislation may be submitted by electors. The petition shall comply with the requirements of Section 2.04.050 and meet the signature requirements of Section 2.04.090.

2.04.050 Prospective Petition.

(Amended by Ordinance No. 177200, effective February 21, 2003.)

- **A.** The chief petitioner(s) shall file a prospective petition with the Auditor prior to circulating the petition. The petition shall be in a form required by the Auditor.
- **B.** State law with regard to the form of the petition shall apply except that the City shall provide on the form a place for the chief petitioners to state at which election date the measure is to be placed on the ballot.
 - **1.** In the case of an initiative petition:
 - **a.** The chief petitioners shall specify the date at which the measure shall be submitted to the voters. The specified election date shall be a regular election date within two years and four months of the time the prospective petition is filed with the Auditor.
 - **b.** Each signature sheet shall contain the caption of the ballot title.
 - c. A full and correct copy of the legislation to be initiated must also be submitted with the

prospective petition.

- **2.** In the case of a referendum petition:
 - **a.** Each signature sheet shall contain the title, and charter section or ordinance number or section numbers proposed for referral and the date it was adopted by Council.
 - **b.** A full and correct copy of the legislation to be referred must also be submitted with the prospective petition.
- **3.** If one or more persons will be paid for obtaining signatures of electors on the petition, each signature sheet shall contain a notice stating: "Some Circulators For This Petition Are Being Paid."
- **C.** The Auditor shall provide each chief petitioner with a "Statement of Understanding" and with a copy of each of the forms and requirements listed on the Statement. A Statement of Understanding signed by each chief petitioner shall be a prerequisite to acceptance of the petition.
- **D.** Prospective petitions which meet the requirements of Sections 2.04.050 A., B., and C. shall be accepted by the Auditor. The Auditor shall inscribe the date of filing upon the petition. The Auditor shall forward two copies to the City Attorney for the preparation of a ballot title not later than the sixth business day after the prospective petition is filed with the Auditor.

2.04.055 One Subject Determination.

(Added by Ordinance No. 177200, effective February 21, 2003.)

- **A.** The Auditor shall determine in writing no later than the fifth business day after receiving a prospective initiative petition whether the petition meets the requirements of Section 1(2)(D), Article IV of the Oregon Constitution.
- **B.** If the Auditor determines that the prospective initiative petition meets the requirements, the Auditor shall publish the ballot title as required in Section 2.04.060, including a statement that the petition has been determined to meet the requirements of Section 1(2)(D), Article IV of the Oregon Constitution.
- **C.** If the Auditor determines that the initiative petition does not meet the requirements, the Auditor shall immediately notify the petitioner of the determination in writing by certified mail, return receipt requested.
- **D.** Any elector dissatisfied with a determination of the Auditor under Section 2.04.055 A. may petition the circuit court to overturn the determination as provided by state law.

2.04.060 Ballot Title; Publication; Legal Effect.

(Amended by Ordinance No. 177200, effective February 21, 2003.)

- **A.** The City Attorney shall prepare a ballot title within five business days after receiving the prospective petition from the Auditor, or in the case of measures referred by Council, within five business days of the request. The ballot title shall comply with the requirements of state law. The purpose of the ballot title is to accurately describe the proposed measure, and does not constitute an opinion as to whether the proposed measure is free of legal defects.
- **B.** The ballot title shall consist of:
 - **1.** A caption of not more than 10 words which reasonably identifies the subject matter of the petition.

- **2.** A question of not more than 20 words which plainly phrases the chief purpose of the measure so that an affirmative response to the question corresponds to an affirmative vote; and
- **3.** A concise and impartial statement of not more than 175 words summarizing the measure and its major effects.
- **C.** In the case of a prospective petition, the City Attorney shall transmit the ballot title to the Auditor who shall inscribe the date of receipt on it and shall:
 - 1. Transmit a copy of the petition and the ballot title to one of the chief petitioners; and,
 - **2.** Publish in the next available edition of a newspaper of general circulation in the City, a notice of receipt of the ballot title, that an elector may file a petition for review of the ballot title, and the date by which the appeal must be filed.
- **D.** Ballot titles for measures referred by Council shall be published by the Auditor as provided in Section 2.04.120 B.

2.04.070 Legal Challenge to Ballot Title.

(Amended by Ordinance No. 177200, effective February 21, 2003.) A ballot title filed with the Auditor by the City Attorney or adopted by the City Council may be challenged as provided by state law.

2.04.080 Circulation of Petition.

(Added by Ordinance No. 177200, effective February 21, 2003.)

- **A.** The Auditor shall certify the petition to one of the chief petitioners for circulation at the conclusion of the seventh business day after the ballot title is received from the City Attorney or immediately upon final adjudication as prescribed by the court, except a referendum petition which is found by the Auditor to satisfy the provisions of Section 2.04.050 may be circulated prior to the preparation of the ballot title.
- **B.** The Auditor shall advise the chief petitioner in writing that the preparation of the ballot title by the City Attorney and certification of the petition by the Auditor does not certify that the proposed measure is a proper matter for the initiative or referendum process or that it is legal or free of legal defects.
- **C.** Each copy of the petition which is circulated shall consist of a cover page including the ballot title and the text of the legislation being initiated or referred backed with the signature sheet. If the text of the legislation is too lengthy to fit on the cover sheet, each person obtaining signatures on the petition shall carry at least one full and correct copy of the measure to be initiated or referred and shall allow any person to review a copy upon request.
- **D.** Each elector signing the petition shall do so by affixing the electorâ€^{Ms} signature to the signature sheet. Space shall also be available on the signature sheet for the elector's, printed name, residence address, precinct number, and date of signing.
- **E.** No signature sheet shall be circulated by more than one person. Each signature sheet shall contain a certification signed by the circulator that each elector who signed the sheet did so in the circulatorâ€^Ms presence and to the best of the circulatorâ€^Ms knowledge, each elector signing the sheet is a legal voter of the City and that compensation received by the circulator, if any, was not based on the number of signatures obtained for this petition.

2.04.090 Filing Deadlines, Percentage Requirements and Signature Verification.

(Amended by Ordinance Nos. 177200 and 178799, effective November 5, 2004.)

A. The Auditor shall not accept a petition for signature verification which does not satisfy the requirements of this chapter and other applicable law. Petitions shall be verified in the order in which

they are filed with the Auditor.

- **B.** A petition shall not be accepted for signature verification unless it contains at least 100 percent of the required number of signatures.
- **C.** In computing the required number of signatures, the required number shall be a percentage, as provided in this section, of the number of electors registered in the city on the date of the primary municipal election immediately preceding the date the prospective petition is filed.

D. An initiative petition shall:

- **1.** Be filed with the Auditor for signature verification no less than four months before the election date specified on the petition. Failure to meet this filing deadline shall render the petition void.
- **2.** Be signed by a number of electors equal to or greater than 9 percent of the number of electors registered in the city on the date of the primary municipal election immediately preceding the date the prospective petition is filed.

E. A referendum petition shall:

- 1. Be filed with the Auditor for signature verification no later than 30 days after passage of the ordinance sought to be referred, however, it must be submitted to the Auditor at least four months before an election date in order to be placed on the ballot for that election. The four months submission requirement may be waived if the Auditor can complete the signature verification process and meet the countiesâ €™ elections filing deadlines, and the provisions of Section 2.04.130 B. are satisfied.
- **2.** Be signed by a number of legal voters equal to or greater than 6 percent of the number of electors registered in the city on the date of the primary municipal election immediately preceding the date the prospective petition is filed, except that a petition signed by 2,000 registered voters shall be sufficient to call a referendum upon any franchise ordinance.
- **F.** Upon acceptance of the petition, the Auditor shall arrange for verification of the validity of the signatures with the County Elections Officers. Verification may be performed by random sampling in a manner approved by the Secretary of the State of Oregon.
- **G.** The Auditor shall complete the verification process within 30 days after receipt of the petition and shall advise a chief petitioner whether the petition qualifies to be submitted to the voters.
- **H.** A date shall be placed on the petition or on a certificate attached to the petition which shows the date the verification process was completed. Measures which qualify for placement on the ballot shall be certified by the Auditor as meeting the requirements of this chapter and shall be submitted to the Council for action as provided by 2.04.100. The Auditor shall certify to the County Elections Offices each measure which qualifies for placement on the ballot, unless the measure has been enacted by the Council.

2.04.100 Council Action; Competing Measure and Certification.

(Amended by Ordinance No. 177200, effective February 21, 2003.)

- **A.** The Auditor shall file with the Council each initiative and referendum measure submitted by the electors which qualifies for placement on the ballot for action by the Council as follows:
 - 1. The Council may adopt an ordinance which codifies an initiative measure proposing a change to the City code. The Council shall act by a non-emergency ordinance not later than the 30th day after the measure has been certified by the Auditor for Council action and not later than the date

the measure must be certified to the County for placement on the ballot. Approval of the ordinance shall void the initiative petition.

- **2.** The Council may repeal an ordinance provision which is the subject of a referendum petition. The Council shall act by a non-emergency ordinance not later than the 30th day after the measure has been certified by the Auditor for Council action and not later than the date the measure must be certified to the County for placement on the ballot. Repeal of the referred ordinance provision shall void the referendum petition.
- **B.** All measures involving charter language which qualify for placement on the ballot shall be submitted to the voters.
- **C.** The Council may refer a competing measure, however, it shall prepare the measure not later than the 30th day after the measure has been filed with the Auditor for signature verification.

2.04.120 Measures Referred by the Council.

(Amended by Ordinance No. 177200, effective February 21, 2003.)

- **A.** Preparation of Ballot Title and Resolution; Effective Date.
 - **1.** Prior to final Council action on a measure to be referred to the electors, an elected City official shall submit a resolution and ballot title to the Council Clerk for placement on the Council agenda. The ballot title may be prepared by:
 - **a.** the City Attorney at the request of the Council or elected official;
 - **b.** the Council; or
 - c. an elected City official.

If the City Attorney is asked by the Council or an elected official to prepare the ballot title and resolution, the ballot title and resolution shall be transmitted to the Council or elected official within five business days of the request, unless a longer time period is specified by the Council or elected official.

- 2. The ballot title shall comply with the requirements of Section 2.04.060 B.
- **3.** A measure shall be placed on the ballot if the Council enacts a resolution directing that a measure be placed on the ballot.
- **4.** A measure shall be considered referred under this section as of the date the Council adopts the resolution directing placement of the measure on the ballot.
- **B.** Publication. Upon referral of the measure as outlined in Section 2.04.120 A., the Auditor shall publish in the next available edition of a newspaper of general circulation in the City, a notice of receipt of the ballot title, that an elector may file a petition for review of the ballot title, and the date by which the appeal must be filed.
- **C.** Legal Challenge to Ballot Title. A ballot title adopted by Council may be challenged as provided by state law.

2.04.125 Advisory Questions Referred by Council.

(Added by Ordinance No. 177200, effective February 21, 2003.)

A. Preparation of Ballot Title and Resolution; Effective Date.

- **1.** Prior to final Council action on an advisory question to be referred to the electors, an elected City official shall submit a resolution and ballot title to the Council Clerk for placement on the Council agenda. The ballot title may be prepared by:
 - **a.** the City Attorney at the request of the Council or elected official;
 - **b.** the Council; or
 - c. an elected City official.

If the City Attorney is asked by the Council or an elected official to prepare the ballot title and resolution, the ballot title and resolution shall be transmitted to the Council or elected official within five business days of the request, unless a longer time period is specified by the Council or elected official.

- 2. The ballot title shall comply with the requirements of Section 2.04.060 B.
- **3.** An advisory question shall be placed on the ballot if the Council enacts a resolution directing that a measure be placed on the ballot.
- **4.** An advisory question shall be considered referred under this Section as of the date the Council adopts the resolution directing placement of the question on the ballot.
- **B.** Publication. Upon referral of the measure as outlined in Section 2.04.125 A, the Auditor shall publish in the next available edition of a newspaper of general circulation in the City, a notice of receipt of ballot title, that an elector may file a petition for review of the ballot title, and the date by which the appeal must be filed.
- **C.** Legal Challenge to Ballot Title. A ballot title adopted by Council may be challenged as provided by state law.

2.04.130 Election Dates; Special Election.

(Amended by Ordinance No. 177200, effective February 21, 2003.)

- **A.** An initiative measure shall be placed on the ballot at the primary or general election date specified on the petition.
- **B.** A referendum measure shall be placed on the ballot at the next primary or general election unless the Council finds that the public interest in a prompt resolution of the question outweighs the costs associated with a special election. If the Council chooses not to place the matter on the ballot at the next primary or general election, the Council may call for a special election at the next available date or call for a special election at an election date when other measures are on the ballot thus reducing the cost.
- **C.** A measure or advisory question referred by Council shall be placed on the election ballot specified in the resolution directing the measure or question to be referred to the voters. This shall be a primary or general election date, unless the Council finds that the public interest in a prompt resolution of the question outweighs the costs associated with a special election. If the Council chooses not to place the matter on the ballot at the next primary or general election, the Council may call for a special election at the next available date or call for a special election at an election date when other measures are on the ballot thus reducing the cost. If no date is specified in the Council resolution, the measure shall be placed on the ballot at the next available primary or general election.

2.04.140 Ballot Designations.

(Amended by Ordinance No. 177200, effective February 21, 2003.)

Appendix A

- **A** Measures referred by the Council shall be designated on the ballot "Referred to the People by the City Council."
- **B.** Advisory questions referred by the Council shall be designated on the ballot "Advisory Question Referred to the People by the City of Portland."
- **C.** Measures proposed by referendum petition shall be designated on the ballot "Referred by Petition of the People."
- **D.** Measures proposed by initiative petition shall be designated on the ballot "Proposed by Initiative Petition."

2.04.150 Computation of the Vote.

(Amended by Ordinance No. 177200, effective February 21, 2003.)

- **A.** No measure shall be adopted unless it receives an affirmative majority of the total number of votes.
- **B.** A measure that falls under the requirements of Article 11, Section11 (8) of the Oregon Constitution shall be adopted only if it receives an affirmative majority of the total number of votes and:
 - 1. At least 50 percent of registered voters of the City cast a ballot; or
 - **2.** The election is a general election in an even-numbered year.
- **C.** If there are two or more measures on the ballot on the same subject or containing conflicting provisions, the measure receiving the greatest number of affirmative votes shall be the measure adopted.

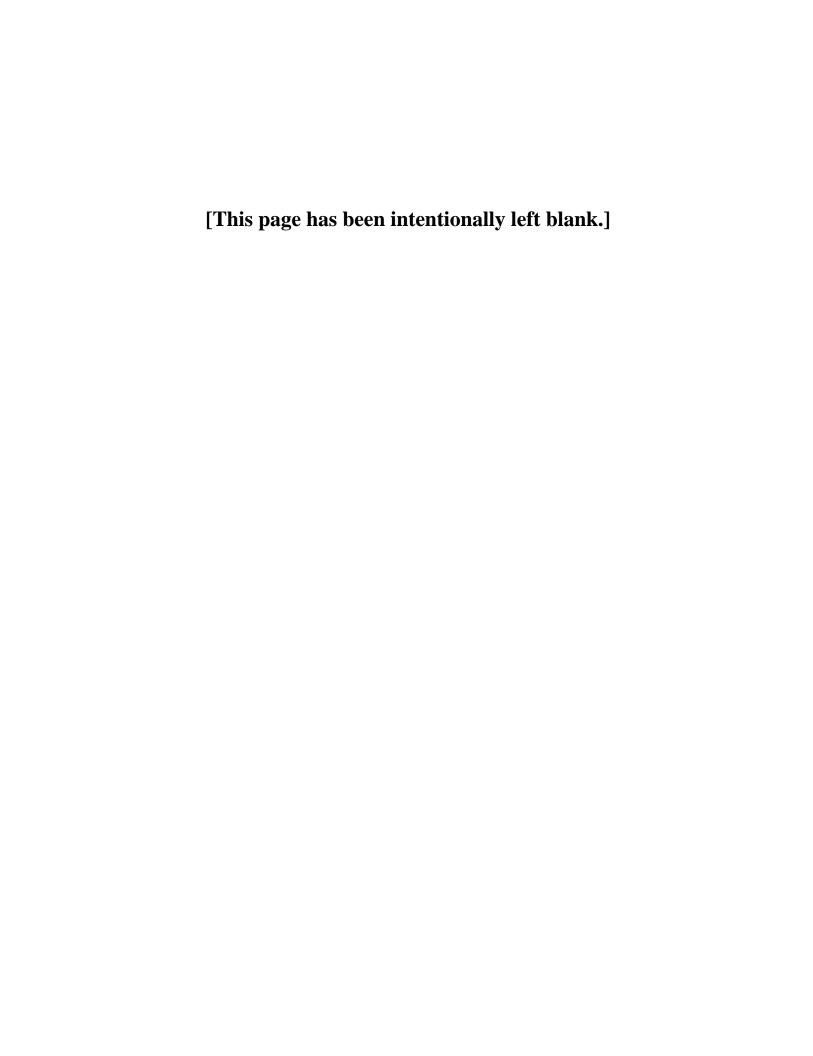
2.04.160 Effective Date.

(Amended by Ordinance No. 177200, effective February 21, 2003.)

- **A.** The Auditor shall submit the abstract of votes for each measure from the County Elections office to the Council within 30 days after the date of the election. The Mayor shall issue a proclamation giving the number of votes cast for or against a measure and declare the approved measure as the law on the effective date of the measure. If two or more approved measures contain conflicting provisions, the Mayor shall proclaim which is paramount, as provided by Section 2.04.150 B.
- **B.** An initiative or referendum measure adopted by the electors shall take effect upon proclamation by the Mayor unless the measure expressly provides a different effective date.

2.04.170 Computation of Dates.

(Repealed by Ordinance No. 177200, effective February 21, 2003.)

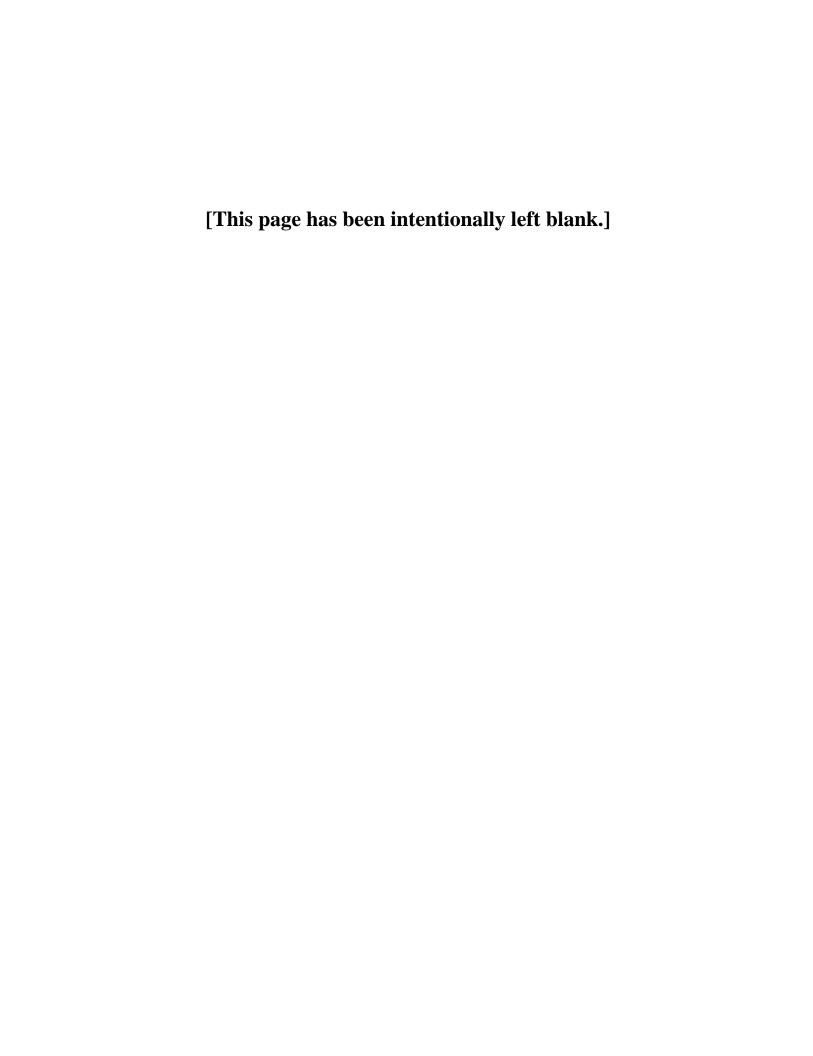


Appendix B

Prospective Petition - Required Forms

SEL 370	Prospective Petition for Local Measure
SEL 301	Statement One or More Petition Circulators Will/Will Not Be Paid
SEL 371	Petition for Local Initiative/Referendum Signature Sheet (Use if <u>no</u> circulators for petition are being paid)
SEL 373	Petition for Local Initiative/Referendum Signature Sheet (Use if <u>some</u> circulators for petition are being paid)
SEL 222	Statement of Organization for Petition Committee*
SEL 223	Campaign Account Information*

^{*} SEL 222, SEL 223 information may be filed electronically on ORESTAR



Prospective Petition for Local Measure

SEL 370 rev 1/12: ORS 250.045 250.165, 250.265, 255.135

To the County Elections Filing Officer/City Recorder (Auditor),

	measure to be submitted to the people of(name of county/city/district).						
	Type of Petition						
	O Initiative Petition O Referendum Petition						
Ì	Designating Chief Petitioners						
	Every petition must designate not more than three persons as chief petitioners, setting forth the name, residence address and title (if officer of sponsoring organization) of each. All chief petitioners for an initiative or referendum petition must sign this form. Please carefully read the instructions for circulators and signers on the back of this form.						
	Chief Petitioner Information						
	Name print		Signature				
Residence Address, Street/Route							
	City	State	Zip Code				
		Otato	zip oddo				
	Mailing Address if different, Street/Route						
	City	State	Zip Code				
	Email Address and/or Website	Day Phone Number		Sponsoring Organization if any			
2	Name print		Signature				
Residence Address, Street/Route							
	City	State	Zip Code				
	Mailing Address if different, Street/Route						
	City	State	Zip Code				
	Email Address and/or Website	Day Phone Number		Sponsoring Organization if any			
3	Name print		Signature				
Residence Address, Street/Route							
	City	State	Zip Code				
	Mailing Address if different, Street/Route						
	City	State	Zip Code				
	Email Address and/or Website	Day Phone Number		Sponsoring Organization if any			

Instructions for Circulators

- Only active registered voters of the county, city or district may sign a petition.
- It is advisable to have signers use a pen for signing petitions or for certifying petitions.
- Only one circulator may collect signatures on any one sheet of a petition.
- Each circulator must personally witness all signatures the circulator collects.
- Circulators shall not cause to be circulated a petition knowing it to contain a false signature.
- Circulators shall not knowingly make any false statement to any person who signs it or requests information about it.
- Circulators shall not attempt to obtain the signature of a person knowing that the person is not qualified to sign it.
- Circulators shall not offer money or any thing of value to another person to sign or not sign a petition.
- Circulators shall not sell or offer to sell signature sheets.
- Circulators shall not write, alter, correct, clarify or obscure any information about the signers unless the signer is disabled and requests assistance or the signer initials after the changes are made.
- Circulators shall not accept compensation to circulate a petition that is based on the number of signatures obtained.



Warning

Violations of the circulator requirements may result in conviction of a felony with a fine of up to \$125,000 and/or prison for up to 5 years.

Instructions for Signers

- Only active registered voters of the county, city or district may sign a petition. Sign your full name, as you did when you registered to vote.
- Please fill in the date on which you signed the petition, your printed name and your residence address in the spaces provided. Only signers may complete their optional information.
- Initial any changes that you or the circulator makes to your printed name, residence address or date on which you signed the petition.
- It is advisable to use a pen for signing petitions.
- It is unlawful to sign any person's name other than your own. Do not sign another person's name under any circumstances.
- It is unlawful to sign a petition more than once.
- It is unlawful for a person to knowingly sign a petition when the person is not qualified to sign it.

SEL 301: Statement One or More Petition Circulators Will be Paid

rev 1/12: ORS 250.045, ORS 250.165, ORS 255.165, ORS 255.135

O Prospective Petition initial filing with filing officer

I/We hereby declare one or more petition circulators will be paid money or other valuable consideration for obtaining signatures of active registered voters on the attached petition. I/We understand the filing officer must be notified not later than the 10th day after I/we first have knowledge or should have had knowledge that no petition circulator will be compensated for obtaining signatures. By signing this document, I hereby state that no circulators will be compensated on this petition based on the number of signatures obtained by the circulator.

O Completed Petition signatures submitted to filing officer

By signing this document, I hereby state that no circulators have been compensated on this petition based on the number of signatures obtained by the circulator.

Identify Petition	
Signed	Date Signed
Signed	Date Signed
Signed	Date Signed

o Statement must be signed by all chief petitioners for an initiative or referendum petition.



Warning

Supplying false information on this form may result in conviction of a felony with a fine of up to \$125,000 and/or prison for up to 5 years.

SEL 301: Statement No Petition Circulators Will be Paid

rev 1/12: ORS 250.045, ORS 250.165, ORS 255.165, ORS 255.135

O Prospective Petition Initial Filing with Filing Officer

I/We hereby declare no petition circulators will be paid money or other valuable consideration for obtaining signatures of active registered voters on the attached petition. I/We understand the filing officer must be notified not later than the 10th day after I/we first have knowledge or should have had knowledge that any petition circulator will be compensated for obtaining signatures. By signing this document, I hereby state that no circulators will be compensated on this petition.

O Completed Petition Signatures Submitted to filing officer

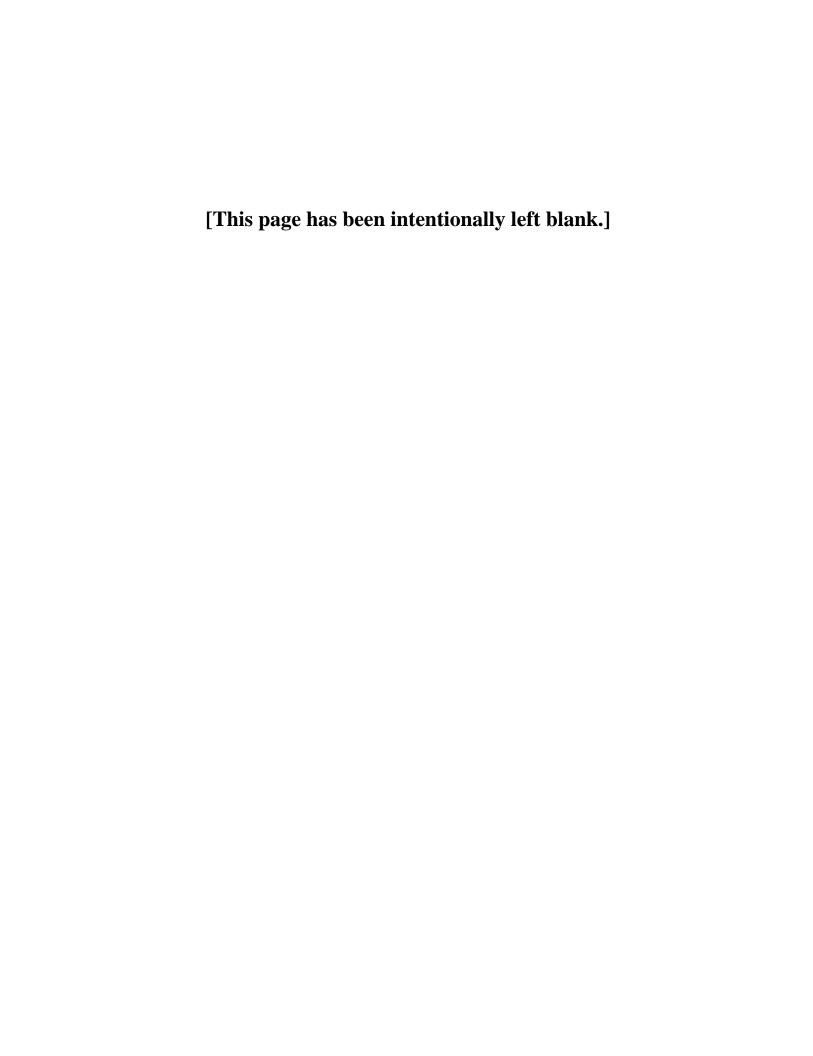
By signing this document, I hereby state that no circulators were compensated for obtaining signatures on the attached petition.

Identify Petition	
Signed	Date Signed
Signed	Date Signed
Signed	Date Signed

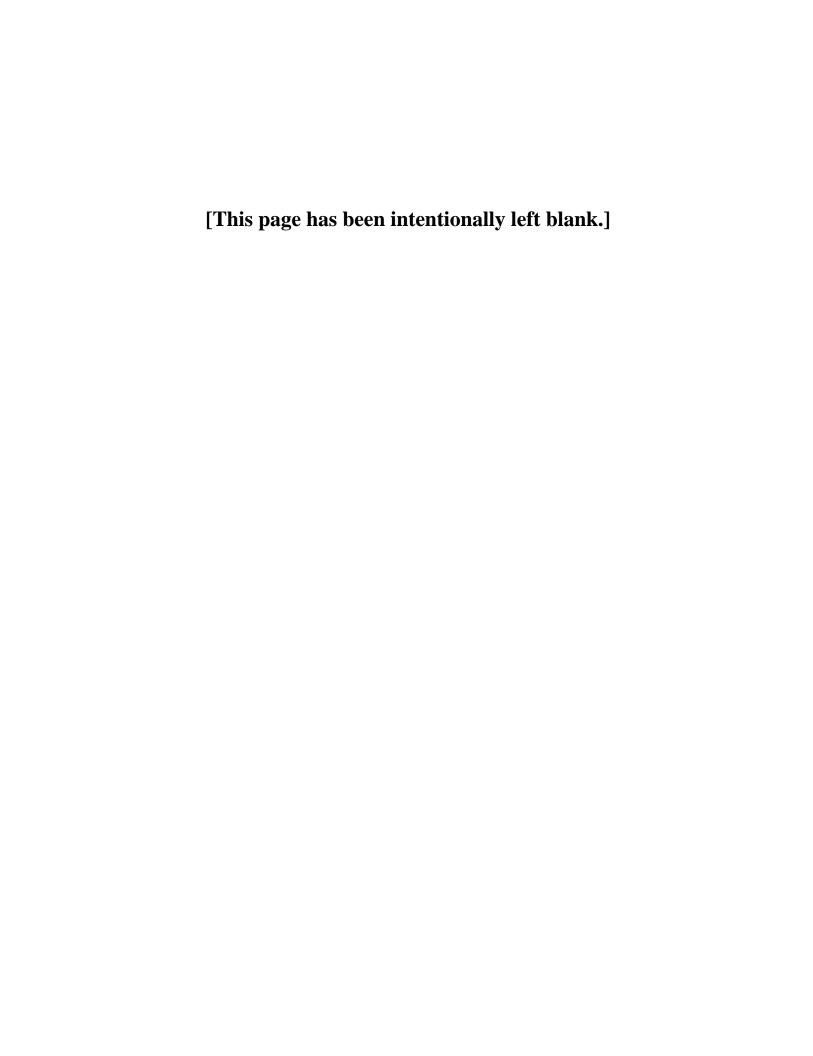
ightarrow Statement must be signed by all chief petitioners for an initiative or referendum petition.



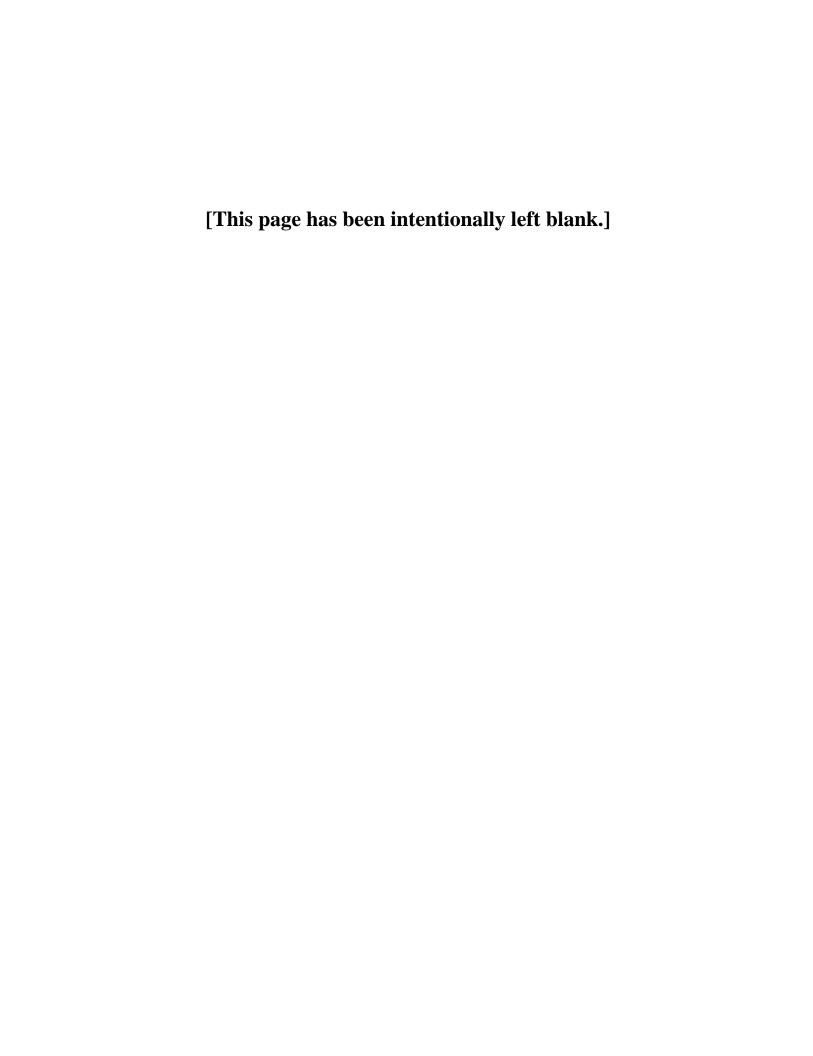
Warning



Petition for Local O Initiative O Referendum Measure Signat	ure Sheet Petition II	D
• No circulators for this petition are being paid. It is unlawful to sign a petition more than This is a local petition. Signers of this page must be active registered voters of the jurisdiction.	•	ot on:
To the County Elections Filing Officer/City Recorder (Auditor), County/City/District of:		
We, the undersigned voters, request this measure to be submitted to the residents of the county/citors A full and correct copy of this measure was made available for review and I have not previously signed.		
Insert Caption of Ballot Title or Number of Ordinance/Resolution and Date Adopted		
→ Signers must initial any changes that they or the circulator makes to their printed name, residence		
Signature Date Signed mm/dd/yy Print Name	Residence Address street, city, zip o	code
2		
3		
4		
5		
6		
7		
8		
9		
10		
Circulator Certification This certification must be signed by the circulator!		
You should not collect any additional signatures on this sheet once you have signed and dat I hereby certify that I witnessed the signing of the signature sheet by each individual whose signature in the county/city/district. (ORS 250.165, 250.265, 255.135, 198.750, 221.031) I also hereby certify that	e appears on the signature sheet, and I believe each pers	on is a qualified voter
Circulator Signature	Date Signed mm/dd/yy	
Printed Name of Circulator	Circulator's Address street, city, zip	code
County Elections Official Certification		
I hereby certify signatures on this petition are those of active registered voters in	County/City/District of Oregon.	
Signature of County Elections Official	Date Certified mm/dd/yy	Sheet Number



etition for	Local O Initiative O Referendum Measure Signature	gnature Sheet	Petition II	D
	rs for this petition are being paid. It is unlawful to sign a petition n		his petition is intended for the ballot	on:
<u>-</u>	ion. Signers of this page must be active registered voters of the ju	risdiction at the time of sig	ning.	
We, the undersigned	tion Filing Officer/City Recorder (Auditor), County/City District of: d voters, request this measure to be submitted to the residents of the conview and I have not previously signed a petition sheet for this measure.	unty/city/district for their appr	oval or rejection. A full and correct c	copy of this measure was
Insert Caption of B	allot Title or Number of Ordinance/Resolution and Date Adopted			
→ Signers must initia	al any changes that they or the circulator makes to their printed name, res	sidence address or date they	signed the petition.	
Signature	Date Signed mm/dd/yy	Print Name	Residence Address str	eet, city, zip code
1				
2				
3				
4				
5				
6				
7				
8				
9				
10				
Circulator Certificat	tion This certification must be signed by the circulator!			
You should not coll I hereby certify that I	lect any additional signatures on this sheet once you have signed a witnessed the signing of the signature sheet by each individual whose signa 0.165, 250.265, 255.135, 198.750, 221.031) I also hereby certify that compen	ture appears on the signature	sheet and I believe each person is a q	
Circulator Signatur	re	Date Signed n	nm/dd/yy	
Printed Name of Ci	irculator	Circulator's A	ddress street, city, zip code	
County Elections O	fficial Certification			
I hereby certify	signatures on this petition are those of active registered voters in		County/City/District of Oregon.	
Signature of Count	ty Elections Official	Date Certified	mm/dd/yy	Sheet Number



Secretary of State Elections Division | 255 Capitol St. NE, Suite 501, Salem, OR 97310 | p. 503.986.1518 | f. 503.373.7414 | www.oregonvotes.org

Statement of Organization for Petition Committee

SEL 222

v 1/12

Filing a New Committee: This form, along with the Campaign Account Information Form (SEL 223), must be completed and filed within 3 business days of first receiving a contribution or making an expenditure, and no later than the date the petition is approved for circulation. The "Original" box should be marked.

Chief Petitioners: A petition committee must list all chief petitioners of the petition. A recall committee may only have one chief petitioner.

Amending Information on this Form: Any change in the information on this form must be filed within 10 days of the change.

To notify the Elections Division of a change in information, submit this form, completed in its entirety, and mark the "Amendment" box. A newly appointed treasurer must be a signer on the campaign account, therefore an amended SEL 223 must also be filed.

Discontinuing: The treasurer may discontinue the committee by disclosing all transactions that achieve a zero cash balance and filing a completed SEL 222 with the "Discontinuation" box marked. Discontinuation of a state initiative or referendum petition committee prior to the deadline for submitting signatures for verification can occur only if the petition is withdrawn.

Note: Prior to discontinuing a committee must file a Notice of Intent to Discontinue (form SEL 224) either electronically using ORESTAR or by filing form SEL 224 with the Elections Division.

Please type or print legibly in black or blue ink

This filing is an:	Original	O Amendment	O Discontinuation
Committee Information			
Name of Committee (if changing the committee name, p	please include the former name	e) Abbreviation	n or Acronym
Committee Address (no post office box)	City	State	Zip Code
Campaign Phone			
Treasurer Information			
Name of Treasurer ○ Mr. ○ Ms.			
Mailing Address for Treasurer Correspondence	City	State	Zip Code
Work Phone Home Phone	Fax	Email Addre	ss (required)
Chief Petitioner Information (a recall committee may or	nly have one chief petitioner)		
Name of Chief Petitioner	Work Phone Nu	ımber	Fax Number
Address	City	State	Zip Code
Name of Chief Petitioner	Work Phone Nu	ımber	Fax Number
Address	City	State	Zip Code
Name of Chief Petitioner	Work Phone Nu	ımber	Fax Number
Address	City	State	Zip Code

Alternate Transaction Filer Informa							
Name of Alternate Transaction File ○ Mr. ○ Ms.	er (must be someone other the	nan treasurer)					
Mailing Address for Alternate Trans	nsaction Filer	City	State	Zip Code			
Email Address (required if listing an	n Alternate Transaction Filer)	Work Phone					
Type of Petition Committee (mark both type of petition and jurisdiction)							
Type of Petition:		○ Initiative	O Referendum	○ Recall			
Jurisdiction:	○ State	○ County	○ City	O Special District			
Additional Information							
Date Prospective Petition Filed (m	m/dd/yy) (only required for a	a local petition)					
Date of Election (mm/dd/yy) (only	required for state petition)						
Subject or Ballot Title of Petition/	Name of Public Official for I	Recall					
(including office, position number, if							
SEL 223							
Attached is a Campaign Account Info	ormation Form (SEL 223)		O Yes	O No			
By signing this document I acknowledge that I am personally liable for any penalties imposed under ORS Chapter 260 and attest that the information on the form is true and correct.							
Treasurer's Signature			Date Signed				

For Office Use Only

Initials

Committee ID Number

Secretary of State Elections Division | 255 Capitol St. NE, Suite 501, Salem, OR 97310 | p. 503.986.1518 | f. 503.373.7414 | www.oregonvotes.org

Campaign Account Information

SEL 223 rev 1/12:ORS 260.039. ORS 260.042

Filing a New Committee: This form, along with the appropriate Statement of Organization form (SEL 220, 221 or 222), must be completed and filed within 3 business days of first receiving a contribution or making an expenditure. The "Original" box should be marked on both forms.

Amending Information on this Form: Any change in the information on this form must be filed within 10 days of the change. To notify the filing officer of a change in information, submit this form, completed in its entirety, and mark the "Amendment" box. An amended SEL 220, 221 or 222 should not be filed unless the information on that form also changes.

Discontinuing: A committee may discontinue by disclosing all transactions that achieve a zero cash balance by filing a completed SEL 200, 221 or 222 with the "Discontinuation" box marked. It is not necessary to submit this form when discontinuing a committee.

Confidentiality: The SEL 223 and any information it contains is exempt from public records disclosure and shall be kept confidential by the Elections Division.

\rightarrow	Please	type or	print legibly	in black	or blue ink

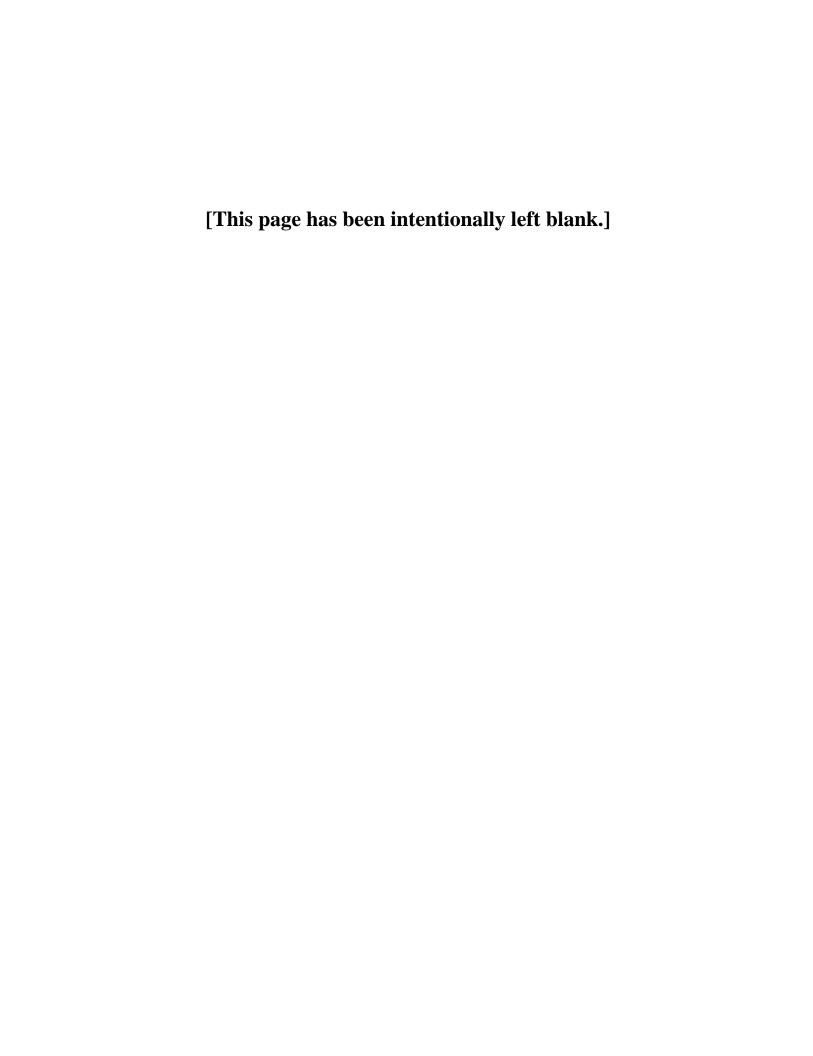
se include the former name)	
Name of Account (must be identic	al to name of committee)
true and correct.	
Data Signar	
Date Signed	1
Date Signed	ı
	Name of Account (must be identic



Important

The information on this form is exempt from public records disclosure and shall be kept confidential by the Elections Division

For Office Use Only	
Initials	Committee ID Number



Withdrawal of Olnitiative or OReferendum Petition

Initials

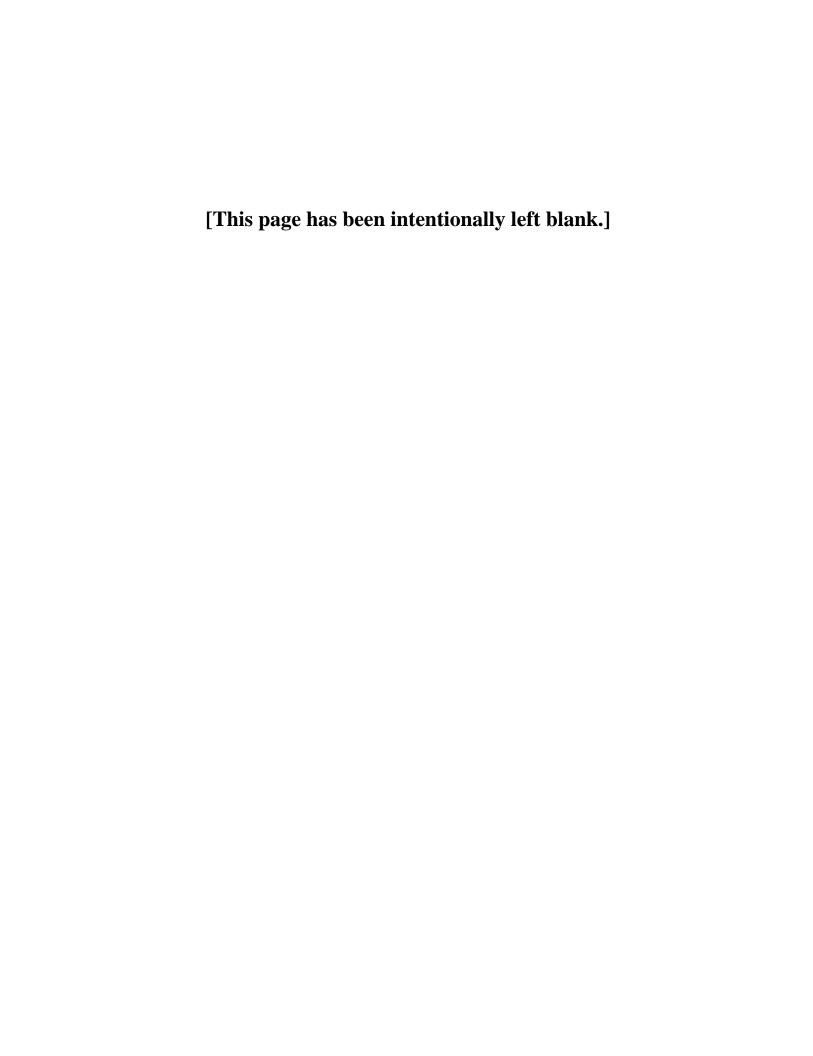


The chief petitioners of an initiative or referendum petition may withdraw the petition prior to the submission of the petition for signature verification. All chief petitioners must sign the same withdrawal form.

Type of Petition		
O Statewide	O County, City or District of	
Petition Information		
Petition Title caption of ballot title or title of act	Date Prospective Petition Filed	
Petition ID if applicable	Election ID if applicable	
Withdrawal Reason		
To the Secretary of State of Oregon/County Elections Official I/we submit this notice of withdrawal for the petition named		onal
Chief Petitioner Name print	Signature	Date Signed
Chief Petitioner Name print	Signature	Date Signed
Chief Petitioner Name print	Signature	Date Signed
For Office Use Only		

Petition ID

Receipt Number



Signature & Cover Sheet Requirements

All cover and signature sheet formats and designs must be approved by the City Elections Officer **before** circulating any petition. Signatures collected on unapproved cover and signature sheets will be rejected.

If at any time after approval to circulate the residence address of any chief petitioner changes, new cover and signature sheets must be submitted for approval.

!!WARNING - Logos, slogans, advertisements, party affiliations, etc. or any symbol or language which may be construed as advocacy is not permitted on any cover or signature sheet. Failure to comply with this requirement will result in rejection of those sheets and disqualification of those signatures.

Format Requirement for All Cover and Signature Sheets

Cover and signature sheets **must** meet the following formatting requirements:

- **⊃** standard 8 1/2" by 11" size paper
- at least 20 pound (weight) uncoated paper and
- printed on white or pastel colored paper stock to render the text readable and enable election officials to readily verify signatures

All paper must be approved by the City Elections Officer prior to circulation (coated paper will not be approved).

Size and style of type must be deemed readable and approved in writing by the City Elections Officer. However, the measure text must be printed in at least 10 point type.

Cover and signature sheets must be submitted for approval exactly as intended to circulate, including weight, style and color of paper with cover sheet copied on the back of the signature sheet. Any proposed variation to approved cover and signature sheets must be resubmitted and approved in writing by the City Elections Officer before circulating.

Cover Sheet Requirements

Each cover sheet for a prospective initiative petition shall have a signature sheet copied on the back and include **all** of the following:

- The printed words **City Initiative Petition** across the top of the cover sheet;
- The certified ballot title for the initiative:
- ➤ Names and residence addresses for all chief petitioners as designated on the prospective petition (SEL 370). If at any time after approval to circulate the residence address of any chief petitioner changes, new cover and signature sheets must be submitted for approval; and
- Instructions to petition circulators and signers as they appear on the prospective petition (SEL 370).

Chief petitioners may also include the name and mailing addresses of the political committee sponsoring the prospective initiative petition.

Signature Sheet Requirements

Form SEL 371 or 373 may be recreated by the chief petitioners but must appear the same as the original form. Each signature sheet for an initiative petition shall have a cover sheet copied on the back and include **all** of the following:

- **⊃** A notice stating **"Some Circulators For This Petition Are Being Paid,"** if one or more persons will be paid for obtaining signatures of electors on the petition.
- The sentence, "It is unlawful to sign a petition more than one time";
- The petition identification number (obtained from the City Elections Officer);
- **⊃** Statement that signers must initial any changes that the circulator makes to their printed name, residence address or date they signed the petition
- **Caption of the final ballot title**
- **○** A space for placing the signature sheet number;
- → Petition circulator's certification stating that the circulator witnessed the signing of the signature sheet by each individual whose signature appears on the signature sheet, that the circulator believes each signer is an elector, and that any compensation received was not based on the number of signatures obtained;
- **○** Area for providing date when circulator signed certification;
- ◆ Area for placing the county elections official's certification; and

- **⊃** Ten signature lines unless a variation is approved by the City Elections Officer.
- **○** Each signature line must include fields for:
 - signature
 - date of signing petition
 - printed name
 - residence address

Any proposed variation to the approved cover or signature sheets must be resubmitted and approved in writing by the City Elections Officer, before circulating.

Signers are only required to provide a signature. An elector's printed name, residence address and date they signed the petition are not mandatory under Oregon law. These information fields, while optional for the signer, provide valuable assistance to county elections officials who are performing the signature verification. Failure to provide the optional information increases the possibility that the signature cannot be confirmed to be that of an active registered voter, and thus reduces the chances of the petition having adequate verifiable signatures to qualify for the ballot. If no date is provided by the elector, the signatures are considered valid only if the county elections official determines that the elector was an active registered voter during the period beginning the date the petition was approved for circulation through the date of filing the petition for signature verification.

!!WARNING - Circulators are advised to encourage signers to complete the optional information whenever possible. Failure to provide the optional information increases the possibility that the signature cannot be confirmed to be that of an active registered voter, and thus reduces the chances of the petition having adequate verifiable signatures to qualify for the ballot.

Additional Forms:

A sample initiative cover sheet is included as part of Appendix C.

<u>Statement of Organization for Petition Committee (SEL 222) - to be filed with the Oregon Secretary of State.</u>

Approval to circulate will not be given until a Statement of Organization has been filed with the Secretary of State. The Statement of Organization may be filed electronically on ORESTAR, the Secretary of State's online campaign finance reporting system. For ORESTAR help or Statement of Organization filing questions, contact the Secretary of State at (503) 986-1518.

CITY INITIATIVE PETITION Sample Cover Sheet This petition is intended for the ballot on

A Signature Sheet must be copied on the reverse side of each Cover Sheet. The ballot title must appear the same as the ballot title filed by the City Attorney or approved by the Circuit Court.

BALLOT TITLE

Text of Initiative - A chief petitioner may, but is not required to, place the text of an initiative petition here. Replace this text and the text below with the actual text of the initiative. If the text is not printed on the cover sheet, the person obtaining signatures on the petition must carry at least one full and correct copy of the measure to be initiated and must allow any person to review the text upon request. (ORS 250.045).

Chief Petitioners

Name Name Name

Residence Address Residence Address Residence Address
City, State, Zip Code City, State, Zip Code City, State, Zip Code

Instructions for Circulators

- → Only active registered voters of the county, city or district may sign a petition.
- → It is advisable to have signers use a pen for signing petitions or for certifying petitions.
- → Only one circulator may collect signatures on any one sheet of a petition.
- → Each circulator must personally witness all signatures the circulator collects.
- → Circulators shall not cause to be circulated a petition knowing it to contain a false signature.
- → Circulators shall not knowingly make any false statement to any person who signs it or requests information about it.
- → Circulators shall not attempt to obtain the signature of a person knowing that the person is not qualified to sign it.
- → Circulators shall not offer money or any thing of value to another person to sign or not sign a petition.
- → Circulators shall not sell or offer to sell signature sheets.
- → Circulators shall not write, alter, correct, clarify or obscure any information about the signers unless the signer is disabled and requests assistance or the signer initials after the changes are made.
- → Circulators shall not accept compensation to circulate a petition that is based on the number of signatures obtained.



Warning

Violations of the circulator requirements may result in conviction of a felony with a fine of up to \$125,000 and/or prison for up to 5 years.

Instructions for Signers

- → Only active registered voters of the county, city or district may sign a petition. Sign your full name, as you did when you registered to vote.
- → Please fill in the date on which you signed the petition, your printed name and your residence address in the spaces provided. Only signers may complete their optional information.
- → Initial any changes that you or the circulator makes to your printed name, residence address or date on which you signed the petition.
- > It is advisable to use a pen for signing petitions.
- → It is unlawful to sign any person's name other than your own. Do not sign another person's name under any circumstances.
- > It is unlawful to sign a petition more than once.
- → It is unlawful for a person to knowingly sign a petition when the person is not qualified to sign it.

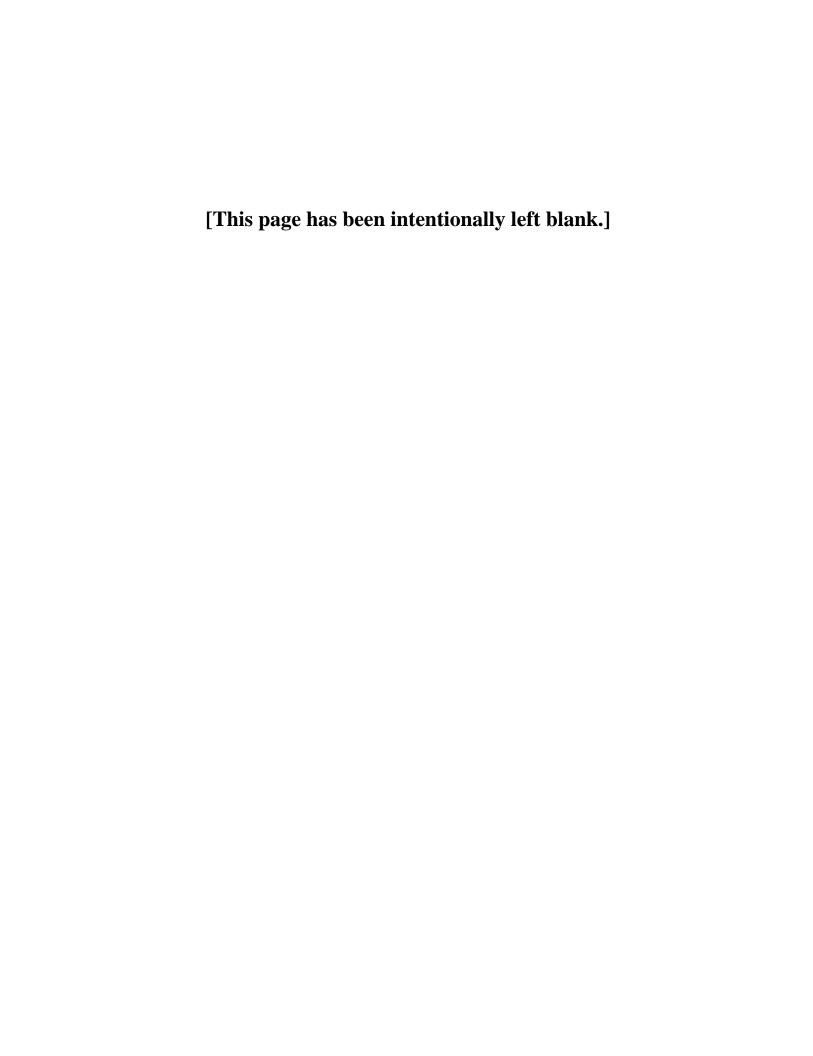
Required Signatures

Until the next City Primary Election in May 2014, City initiative petitions require 29,786 valid signatures to be placed on the ballot.

City Code Section 2.04.090 says that an initiative petition must be filed with the Auditor for signature verification no less than four months before the election date specified on the petition. Failure to meet this filing deadline shall render the petition void.

City Code Section 2.04.090 also says that an initiative petition must be signed by a number of electors equal to or greater than 9 percent of the number of electors registered in the city on the date of the primary municipal election immediately preceding the date the prospective petition is filed.

On the date of the May 15, 2012 Primary, there were 330,955 registered voters in the City of Portland.



Guidelines for Circulating Petitions

(Source: County City and District Initiative and Referendum Manual, Secretary of State)

It is very important for chief petitioners to instruct circulators on the guidelines for circulating a petition. A circulator's failure to comply with the guidelines may result in the rejection of petition signature sheets and a felony conviction for the circulator. To ensure compliance with the circulating requirements the chief petitioners must educate their circulators and monitor their activities.

Petition Circulator

Each petition circulator:

- → must carry at least one full and correct copy of the text of the initiative or referendum and must allow any person to review the text upon request
- → must personally witness all signatures the circulator collects
- → must personally sign their legal signature on the petition circulator's certification with a minimum of a first name initial and full last name
- → must provide the date when the certification was signed and should not collect any additional signatures on that sheet after dating the certification

For instructions on certifying new signatures to a petition sheet that has already been certified and dated by a circulator, see "OAR 165-014-0270 Circulator Certification"

- → must not attempt to obtain the signature of a person knowing that the person signing the petition is not qualified to sign it
- → must not knowingly make any false statement regarding the contents, meaning or effect of the petition to a prospective signer must not offer money or anything of value to another person to sign or not sign a petition must not sell or offer to sell signature sheets
- \rightarrow may alter, correct, clarify or obscure any information about the petition signer on the signature sheet, only if the petition signer initials after the changes are made
- \rightarrow may be paid to obtain signatures on any petition, but must not accept compensation based on the number of signatures obtained
- **!! Warning:** Violations of the circulator requirements may result in conviction of a felony with a fine of up to \$125,000 and/or prison for up to 5 years
- → A circulator may assist a disabled signer who requests assistance in completing their printed name, address and date signed. Otherwise, only a signer may complete the optional information about themselves. This does not prevent the chief petitioners from placing a line through an entire signature line prior to submission of signatures for verification.

Petition Signer

Each petition signer must be an active registered voter and a resident of the city at the time of signing the petition or the person's signature will not be counted.

Signing a petition and filling out a voter registration card, or updating their voter registration information at the same time, is not sufficient to make the petition signature valid unless the **completed** card is received by an elections filing officer before 5pm on the same day the petition is signed.

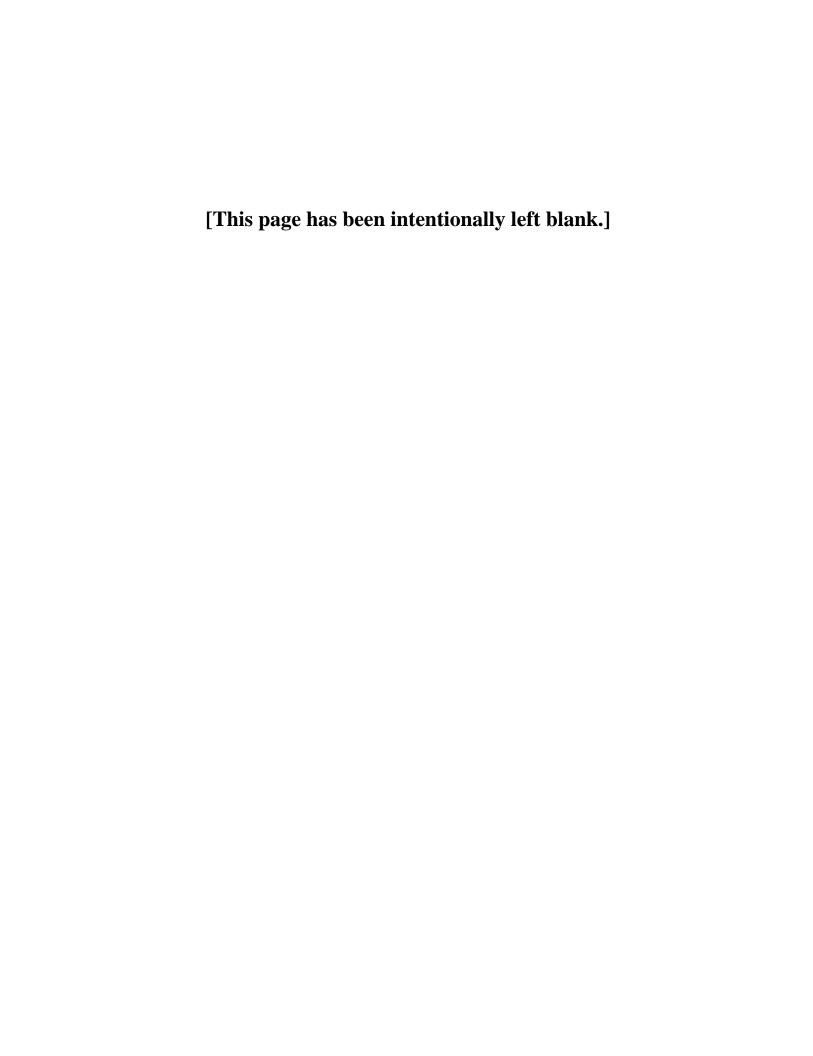
OAR 165-014-0270 Circulator Certification

- (1) The purpose of this rule is to incorporate into administrative law previously enforced standards on what constitutes a sufficient circulator certification on Initiative, Referendum, Recall, and Candidate Nominating petitions.
- (2) A petition signature sheet will be rejected for insufficient circulator certification if:
 - (a) No signature whatsoever appears below the certification;
 - (b) No date appears next to circulator's signature or the date is crossed out;
 - (c) The date of the circulator certification is earlier than the date of the electors' signatures, unless the circulator and the only signer are the same person;
 - (d) Original date is crossed out, and a new date is provided, but the circulator failed to re-sign;
 - (e) Any part of the original date is overwritten with a different date;
 - (f) Date information is insufficient or ambiguous. Date must be provided in month, day, year order if written in all numeric characters;
 - (g) The original signature of a circulator has been crossed out, and a different circulator's signature is inserted;
 - (h) Two individuals sign and date as circulator, unless the only signers and the circulators are the same people;
 - (i) White out appears on the signature or date line;
 - (j) The circulator has signed using only initials, unless the circulator's use of initials as a signature is verified by exemplar under paragraph (5) of this rule;
 - (k) The circulator has signed using a signature stamp, unless use of a signature stamp has been approved under ORS 246.025;
 - (l) Circulator's signature is photocopied, carbon-copied, or otherwise appears on the face of the document to be a replicated and not original signature except as provided for in ORS 250.043;
 - (m) Signature, printed name, and address are all illegible;
 - (n) Signature alone is illegible, unless the circulator's use of the apparently illegible signature is verified by exemplar under paragraph (5) of this rule;
 - (o) Circulator's signature is in printed script rather than cursive script, unless the circulator's use of a printed signature is verified by exemplar under paragraph (5) of this rule;
 - (p) If for any other reason, from the face of the signature sheet, the circulator's identity cannot be determined or it otherwise cannot be determined that the circulator executed the certification after witnessing the electors' signatures.
- (3) If a petition signature sheet contains elector signatures dated both on or before the date of the circulator's effective certification and after the date of the circulator's effective certification, the signature sheet will be accepted with regard to the elector signatures dated on or before the date of the certification, but elector signatures dated after the date of the certification will not be accepted.
- (4) The following defects in the circulator certification will not result in rejection of the signature sheet:
 - (a) The circulator's signature appears on the printed name line instead of on the signature line;
 - (b) Signature consists of full last name and at least the first name initial;
 - (c) The circulator has signed and dated the certification, but has not provided an address or printed name; or
 - (d) The circulator has re-signed and re-dated the certification and the circulator's original signature has not been crossed out.

OAR 165-014-0270 Circulator Certification

- (5) If a preliminary determination is made under paragraph (2)(j), (n) or (o) of this rule that a certification is insufficient, the certification signature may be verified by exemplar in the following manner:
 - (a) If the circulator is required to be registered under ORS 250.048 Section 2 the Elections Division will compare the certification signature only to the circulator's signature supplied by the circulator on the circulator's SEL 308, Circulator Registration. If the certification signature matches the signature on the SEL 308 that was in effect at the time that the signature sheet was certified, the petition signature sheet will be accepted. If the certification signature does not match the signature on the SEL 308 that was in effect at the time that the signature sheet was certified, the petition signature sheet will be rejected for insufficient certification. A certification signature may consist at a minimum of a first name initial and full last name and still be accepted even if the signature on the circulator's most recent SEL 308 contains a full first name and full last name.
 - (b) For circulators not required to be registered under ORS 250.048, the Elections Division will compare the certification signature to the circulator's current Oregon voter registration card signature, if available. If the certification signature matches the voter registration signature, the petition signature sheet will be accepted. If the certification signature does not match the voter registration signature, the petition signature sheet will be rejected for insufficient certification.
 - (c) If the circulator is not required to be registered under ORS 250.048 and an Oregon voter registration card bearing the circulator's signature is not available as an exemplar, the Elections Division will compare the certification signature to an alternative exemplar filed with the Elections Division or retained on file by the Elections Division under section (6) of this rule. If the certification signature does not match the alternative exemplar provided or retained under section (6) and (7) of this rule, the petition signature sheet will be rejected for insufficient certification.
 - (d) If the circulator is not required to be registered under ORS 250.048 and an Oregon voter registration card bearing the circulator's signature is not available as an exemplar, and an alternative exemplar has not been filed with or retained on file by the Elections Division under section (6) and (7) of this rule, the Elections Division will notify the chief petitioner or the chief petitioner's designee by telephone and electronic mail, if available, and provide the chief petitioner or designee an opportunity to submit an alternative exemplar of the circulator's signature.
 - (A) If an alternative exemplar is requested by the Elections Division not later than the 20th day after signatures are submitted for verification, the chief petitioners or the chief petitioner's designee must provide the alternative exemplar within 2 days of notification for the alternative exemplar to be considered.
 - (B) If an alternative exemplar is requested by the Elections Division after the 20th day after signatures are submitted for verification, the chief petitioners or the chief petitioner's designee must provide the alternative exemplar within 1 day of notification for the alternative exemplar to be considered.
 - (C) The alternative exemplar must be a signature on an official government-issued document such as a driver's license or passport, and must have been executed before the date of the attempted certification of the petition signature sheet. If the certification signature matches the alternative exemplar, the petition signature sheet will be accepted. If the certification signature does not match the alternative exemplar, the petition signature sheet will be rejected for insufficient certification.
 - (D) The alternative exemplar may be physically delivered to the Elections Division or may be delivered by facsimile transmission or electronic mail. If delivered by electronic mail, the document must be reproduced in .gif or .pdf format. The alternative exemplar must be received at the office of the Secretary of State not later than 5 p.m. of the day it is due.
- (6) Chief petitioners may submit alternative exemplars of petition circulators' signatures at the same time they submit petition signature sheets for signature verification. The alternative exemplar must comply with the requirements of paragraph (5)(c) (C) of this rule. When submitting alternative exemplars, chief petitioners must provide a list of circulators for whom they are submitting alternative exemplars. If no list accompanies the alternative exemplars submitted under this section, those alternative exemplars will not be accepted or used to compare the circulator's signature to the certification. If an alternative exemplar is omitted from the list, that alternative exemplar will not be accepted or used to compare the circulator's signature to the certification. Chief petitioners may still be offered the opportunity to submit alternative exemplars under paragraph (5)(c).
- (7) Alternative exemplars received and accepted by the Elections Division under paragraphs (5) and (6) of this rule, will be retained on file for two years from the date of receipt.

Stat. Auth.: ORS 246.150, 249.008, 250.105, 250.215, 250.315, 255.175



Secretary of State Publications

The "2012 Campaign Finance Manual" and "2012 County, City and District Initiative and Referendum Manual" are incorporated by reference. These manuals will be provided when prospective petitions are filed or upon request. They are also available for download from the Secretary of State's website at

http://oregonvotes.org/pages/publications/manuals/index.html

Please be advised that some information in the "2012 County, City and District Initiative and Referendum Manual" is superseded by City Charter and Code, as referenced in this packet.