State Initiative and Referendum Manual

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Getting Started

This manual explains the requirements and procedures for filing a statewide initiative or referendum petition for placement on the 2014 General Election ballot.

The requirements and procedures explained in this manual may be used to begin the petition process for subsequent general elections but are subject to change. To ensure uniformity within a petition cycle and to avoid voter confusion only one petition cycle will be approved for circulation during a two year period. Approval to circulate for the 2016 will not be given until after the deadline to submit signatures for the 2014 cycle which is July 3, 2014.

For assistance, contact:

Elections Division 255 Capitol St NE Suite 501 Salem OR 97310

- 503 986 1518 fax 503 373 7414
- elections.sos@state.or.us www.oregonvotes.gov
- **1 866 673 VOTE/673 8683** se habla español
- tty 1 800 735 2900 for the hearing impaired

Icons used in this manual



alert icon

indicates alert; warning; attention needed



deadline icon

indicates a deadline



form icon

indicates a reference to a form



info icon

indicates additional information



petition sheet icon

indicates a reference to a signature sheet



search icon

indicates information located elsewhere



The 2014 State Initiative and Referendum Manual and associated forms are adopted by Oregon Administrative Rule No. 165-014-0005.

Getting Started (cont.)

In 1902 voters overwhelmingly approved a ballot measure that created Oregon's initiative and referendum process. The initiative and referendum process is a method of direct democracy that allows people to propose laws or amendments to the Oregon Constitution or to adopt or reject a bill passed by the legislature.

If chief petitioners gather and submit the required number of signatures, the initiative or referendum is placed on the ballot for voters to adopt or reject at the next regularly scheduled general election, which is held in November of every even numbered year.

Chief Petitioners

An initiative or referendum may have up to three chief petitioners who are the individuals responsible for the preparation and organization of the petition.



In Oregon any person, acting individually or on behalf of an organization, may be a chief petitioner.

Chief petitioners are responsible for:

- → signing and filing a statement providing required information for all chief petitioners
- → designating whether petition circulators will be paid or unpaid
- > establishing a petition committee prior to approval to circulate
- → educating and monitoring circulators
- → collecting signatures
- → submitting signatures

At least one original chief petitioner must remain as a chief petitioner throughout the process. Additional or different chief petitioners may be added until cover and signatures sheets are approved for circulation. If all original chief petitioners resign, the petition must be re-filed.

Campaign Finance Reporting

Oregon campaign finance law requires chief petitioners to establish a campaign account and file a Statement of Organization designating a treasurer within three business days of first receiving a contribution or making an expenditure after filing a prospective petition with the Elections Division.



A separate petition committee must be established for each initiative or referendum.

Chief petitioners sponsoring an initiative or referendum petition file:



Form SEL 222 Statement of Organization **Petition Committee**

and



Form SEL 223 Campaign Account Information



Cover and signature sheets will not be approved for circulation until a petition committee has been established.

Campaign finance law also requires the filing of campaign finance transactions electronically.



The Secretary of State developed ORESTAR a secure web-based electronic reporting system that committees must use to file campaign finance transactions unless the committee is eligible to file a Certificate of Limited Contributions and Expenditures.

For further detail on campaign finance reporting requirements:



See the Campaign Finance Manual and the ORESTAR User's Manuals available at www.oregonvotes.gov.

Filing Requirements

2014 Petition Cycle	Constitutional Initiative	Statutory Initiative	Referendum
First Day to File Prospective Petition	Anytime	Anytime	After bill becomes act
Last Day to File Signatures	July 3, 2014	July 3, 2014	90 days after legislature adjourns sine die
Percentage of Votes Cast for Office of Governor	8%	6%	4%
The total votes cast for all candidates for Governor at the 2010 General Election was 1,453,548.			
Required Signatures	116,284	87,213	58,142
Monthly Signature Submissio	n Calendar		
Chief petitioners are required to	January 15, 2014	February 14, 2014	March 14, 2014
submit to the Elections Division not later than the 10th business day of every month all signatures gathered during the previous calendar month by paid circulators.	April 14, 2014	May 14, 2014	June 13, 2014

⁽i) The calculation of the number of votes cast for the office of governor includes votes cast for each candidate whose name was printed on the ballot and write-in votes. It does not include over or under votes.

2016 Petition Cycle	Constitutional Initiative	Statutory Initiative	Referendum
First Day to File Prospective Petition	Anytime	Anytime	After bill becomes act
Last Day to File Signatures	July 8, 2016	July 8, 2016	90 days after legislature adjourns sine die
Percentage of Votes Cast for Office of Governor	8%	6%	4%
Required Signatures	To be determined by 20	14 gubernatorial election h	neld November 4, 2014.
Monthly Signature Submissio	n Calendar		
Chief petitioners are required to	August 14, 2014	September 15, 2014	October 14, 2014
submit to the Elections Division not later than the 10th business	November 17, 2014	December 12, 2014	January 15, 2015
day of every month all signatures gathered during the	February 13, 2015	March 13, 2015	April 14, 2015
previous calendar month by	May 14, 2015	June 12, 2015	July 15, 2015
paid circulators.	August 14, 2015	September 15, 2015	October 14, 2015
	November 16, 2015	December 14, 2015	January 15, 2016
	February 12, 2016	March 14, 2016	April 14, 2016
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Initiative Petition Process

Chief Petitioner Elections Division begins process by filing: issues cover and signature sheet templates so chief petitioners may gather 1,000 sponsorship signatures (E) SEL 310 listing no more than 3 chief petitioners (1) 3 business days text of the prospective initiative (9) See page 8 (9) See page 8 3 after gathering sponsorship signatures submits verifies signatures for verification 10 business days or 20 if 3 or more petitions filed at (9) See page 9 once, or full signature verification required (9) See page 9 **Attorney General** drafts and files ballot title that impartially summarizes \leftarrow forwards prospective petition to Attorney General for the petition and its major effect drafting of ballot title (1) 5th business day after receipt next business day after determining the prospective petition contains at least 1,000 sponsorship See page 17 signatures See page 10 Registered Voter (step not required) can file comments as to whether the draft ballot title meets statutory requirements or whether the petition meets the procedural requirements in the Oregon Constitution 10th business day after draft ballot title filed See page 10 **Attorney General** considers any written comments filed on the draft ballot title and issues a certified ballot title ① 10th business day after comment deadline, if no comments received, or 10th business day after receipt of comments (9) See page 17 Registered Voter (step not required) issues templates to chief petitioners so they can begin who filed comments and is dissatisfied with the certified the signature sheet approval process ballot title can appeal to Oregon Supreme Court (1) 3rd business day after appeal deadline or 3rd business 10th business day after certified ballot title filed day after final ballot issued (9) See page 18 See page 11 **Chief Petitioner** 11 submits cover and signature sheets for approval See page 11 12 after receiving approval to circulate and reviewing with circulators the legal requirements and guidelines for circulating an initiative petition, begins gathering signatures (9) See page 11 13 submits signatures for verification 14 conducts signature verification 10th business day of every month for those 30th day after signature submission deadline signatures gathered by paid circulators (9) See page 12 May 23, 2014, early submission deadline qualifies petition for ballot if signature verifications July 3, 2014, signature submission deadline shows the petition contains the required number of signatures (9) See page 12 (9) See page 12

⁽i) To calculate deadlines, day one is the day after a document is filed or is due. If a statutory deadline falls on a Saturday, Sunday or holiday, the deadline becomes the following business day as provided for in ORS 246.021. However, constitutional deadlines that fall on a Saturday, Sunday or holiday, becomes the previous business day.

Referendum Petition Process

Chief Petitioner

- 1 begins process by filing:
 - SEL 310 listing no more than 3 chief petitioners
 - text of the nonemergency act or portion of the nonemergency act to be referred

(See page 14

- 3 submits cover and signature sheets for approval
 - (Q) See page 14
- 4 after receiving approval to circulate and reviewing with circulators the legal requirements and guidelines for circulating an initiative petition, begins gathering signatures

(See page 15

- 5 submits signatures for verification
 - No later than 90 days after the legislature adjourns sine die

See page 15

Elections Division

7

- issues templates to chief petitioners so they can beginthe signature sheet approval process
 - 3 business days

(Q) See page 14

- 6 conducts signature verification
 - (1) 30th day after signature submission deadline

(Q) See page 15

qualifies petition for ballot if signature verification shows the petition contains the required number of signatures

See page 15

- 6 forwards prospective petition to Attorney General for drafting of ballot title
 - (1) next business day after determining the petition contains the required number of signatures

See page 16

Attorney General

- 9 drafts and files ballot title that impartially summarizes the petition and its major effect
 - 10th business day after receipt

(See page 17

Registered Voter (step not required)

- 10 can file comments as to whether the draft ballot title meets statutory requirements
 - 10th business day after draft ballot title filed

③ See page 17

Attorney General

- 11 considers any written comments filed on the draft ballot title and issues a certified ballot title
 - 10th business day after comment deadline, if no comments received, or 10th business day after receipt of comments

See page 17

Registered Voter (step not required)

- **12** who filed comments and is dissatisfied with the certified ballot title can appeal to Oregon Supreme Court
 - 10th business day after certified ballot title filed

See page 18

(1) A referendum is voted on at the next regularly scheduled general election, unless otherwise ordered by the Legislative Assembly. The Legislative Assembly may also provide for a process that supersedes the steps outlined above. The act a referendum petition is filed on does not go into effect until it is determined the chief petitioners failed to submit enough valid signatures or an election is held.

The Initiative Process

The procedures for filing an initiative petition are explained in the following sections. It is very important to review the procedures thoroughly and follow the instructions completely.



Failure to follow the instructions contained in this manual may invalidate the petition.



All required forms are available online at **www.oregonvotes.gov**.



Please note that any notification the Elections Division is required to send in writing may also be sent to the affected individuals by email.

1 Filing a Prospective Petition

Oregon Constitution, Article IV, §1 and ORS 250.045

Before gathering the 1,000 sponsorship signatures necessary to begin the ballot title drafting process, chief petitioners must file a prospective petition.

Chief Petitioner

A prospective initiative petition consists of:



Form SEL 310 Prospective Petition – State Initiative or Referendum completed and signed by chief petitioners designating circulator pay status



If any information provided on form SEL 310 changes, including circulator pay status, an amended form SEL 310 must be filed within 10 calendar days of the change.

and

→ the text of the proposed law or constitutional amendment



Chief petitioners are encouraged to seek legal assistance when drafting text.



Under ORS 173.140, Legislative Counsel will assist chief petitioners in drafting text of an initiative petition when:

→ 50 or more electors request their assistance in writing

and

- → Legislative Counsel Committee determines there is a reasonable probability that the initiative will be submitted to voters
- a Contact Legislative Counsel for more information at 503 986 1243.

Simultaneous to filing the prospective petition chief petitioners are also encouraged to:

→ establish a campaign account and file a Statement of Organization designating a treasurer with the Elections Division



See Campaign Finance Reporting on page 4.

→ authorize individuals to act on their behalf in most matters regarding the petition process by completing and filing



Form SEL 307 Agent Authorization

Elections Division

After receiving the prospective initiative petition the Elections Division:

- → date and time stamps the prospective petition
- reviews the forms for completeness and correctness
- → if complete and correct, assigns the petition an identification number

and

→ provides official cover and signature sheet templates



See Official Template Requirements on page 19.

2 Gathering Sponsorship Signatures

ORS 250.045

Chief petitioners use the official templates provided by the Elections Division to prepare cover and signature sheets for circulation.



See Petition Guidelines and Requirements on page 19.

Before collecting any signatures, chief petitioners must review with circulators the legal requirements and guidelines for circulating the initiative petition.



See Guidelines for Circulation on page 20.



Petition sheets that do not comply with the legal requirements and guidelines will be rejected.

Chief petitioners are advised to obtain more than the required number of signatures to ensure the petition contains a sufficient number of valid signatures.



The text of the prospective initiative petition, if not contained in the cover sheet template prepared by the Elections Division, must be stapled to each signature sheet prior to circulation and it must remain stapled at all times.

If the signature sheet and the text become separated chief petitioners may do either of the following:

→ begin the process again

or

provide a notarized statement signed by each circulator attesting that at no time during circulation were signature sheets separated from the text of the prospective petition

3 Filing Sponsorship Signatures

ORS 250.045 and OAR 165-014-0030

Sponsorship signatures may be submitted by chief petitioners or authorized agents but will not be accepted from circulators, circulator companies or any other entity unless a chief petitioner or authorized agent is personally present at the time the signatures are submitted to the Elections Division. Only one chief petitioner or authorized agent must be personally present.

Chief petitioners may also submit signatures through the US Postal Service or a parcel service.

To complete the filing process chief petitioners must:

- → ensure each signature sheet certification is signed and dated by the circulator
- → number each signature sheet sequentially in the space provided
- → submit signature sheets containing at least 100% of required number of signatures to the Elections Division for verification either personally or through the mail

and

→ provide the number of signatures submitted for verification by completing and filing



Form SEL 339 Petition Submission

4 Sponsorship Signature Verification

OAR 165-014-0030

Signature verification will only be conducted if the Elections Division determines the petition signature sheets accepted for verification contain a number of unverified signatures equal to or greater than the required number of signatures.

The Elections Division processes signature sheets submitted for verification in accordance with the Statistical Sampling Procedures for State Petitions adopted under administrative rule by:

→ comparing the submitted cover and signature sheets to the official templates

The Initiative Process (cont.)

- verifying that the text if not contained in the cover sheet template is stapled to each signature sheet
- > verifying sheets are numbered sequentially
- → determining if the circulator's certification is sufficient

and

→ verifying original signatures using voter registration records



See OAR 165-014-0030 online at www.oregonvotes.gov.

If the prospective petition contains at least 1,000 sponsorship signatures the Elections Division:

→ forwards two copies of the text of prospective petition to the Attorney General for drafting of the ballot title.

and

→ seeks public input on whether the text of the proposed law or constitutional amendment complies with the procedural constitutional requirements for proposed initiative petitions



Chief petitioners of a prospective petition that does not contain at least 1,000 sponsorship signatures may make one additional submission of signatures.



See OAR 165-014-0030 available at www.oregonvotes.gov.

5 Ballot Title

ORS 250.035, 250.065, 250.067 and 250.085

A ballot title is a concise and impartial statement summarizing the initiative and its major effect that is printed on the reverse of all signature sheets used for circulation and on the ballot.

After receiving copies of the text of the prospective initiative petition, the Attorney General drafts a ballot title and files it with the Elections Division.

Any registered voter may submit written comments on the legal sufficiency of the ballot title and the Elections Division will forward them the Attorney General for consideration when certifying the ballot title. Any timely commentor may petition the Supreme Court to review the certified ballot title.



Chief petitioners are prohibited from gathering signatures until the ballot title is final and the challenge process is complete.



See Ballot Title Process on page 17.

6 Procedural Constitutional Review

Oregon Constitution, Article IV, §1, Article XVII and OAR 165-014-0028

The Oregon Constitution established the following requirements for initiative petitions:

- → must contain a single subject or closely related subject
- → multiple subjects that are not closely related must be voted on separately
- → must include the full text

and

→ must be legislative rather than administrative in nature

Any person

Any person may comment on whether the prospective initiative petition complies with all procedural requirements in the Oregon Constitution.

Secretary of State

After the deadline to submit comments has passed the Secretary:

- → reviews the text of the prospective initiative petition
- → considers any procedural constitutional requirement comments
- → receives advice from the Attorney General

and

→ determines whether the prospective initiative petition complies with the requirements set forth in the Oregon Constitution



The Secretary of State does not review the prospective petition for substantive constitutional or legal sufficiency.

Any Person

Any person may file an appeal of the Secretary's determination as to whether the prospective initiative petition complies with the procedural requirements of the Oregon Constitution.

Procedural Constitutional Ruling Timeline

1 Comments

Any person may file comments as to whether the prospective initiative petition complies with all of the procedural constitutional requirements no later than:

15th business day after the prospective petition is forwarded to the Attorney General for drafting of the ballot title (same deadline for commenting on legal sufficiency of draft ballot title)

2 Ruling

Secretary determines whether prospective petition complies with requirements no later than:

(1) the date the certified ballot title is received

3 Appeal

Any person may appeal the Secretary's ruling with Marion County Circuit Court no later than:

(1) 60th day following determination

7 Official Templates

ORS 250.045 and 250.052

After receiving the final ballot title, the Elections Division provides chief petitioners official templates which must be used to prepare cover and signature sheets for circulation.



See Official Template Requirements on page 19.

8 Approval to Circulate

Prior to final approval to circulate additional or different chief petitioners may be added. To add or change chief petitioners an amended form SEL 310 must be filed prior to chief petitioners preparing cover and signature sheets for approval to circulate.

Chief Petitioners

Chief petitioners may begin the cover and signature sheet approval process after:

→ receiving official templates that include the final ballot title

and

 establishing a campaign account and filing a Statement of Organization designating a treasurer with the Elections Division



See the Campaign Finance Manual and the ORESTAR User's Manuals available at www.oregonvotes.gov.



Cover and signature sheets may only be submitted for approval by a chief petitioner or authorized agent.

Elections Division

After receiving signature sheets from chief petitioners or an authorized agent, the Elections Division:

- verifies chief petitioners have established a petition committee and filed a Statement of Organization
- → reviews cover and signature sheets for compliance with petition requirements
 - See Petition Guidelines and Requirements on page 19.

and

If cover and signature sheets do not comply

→ provides written notification of all required corrections

or

If cover and signature sheets do comply

→ provides written approval to circulate the petition that includes the number of required signatures and the last day to submit signatures for verification



See Filing Requirements on page 5 for the number of required signatures and the last date to submit signatures for verification.

9 Gathering Petition Signatures

ORS 250.045

Once the petition has been approved to circulate, but before collecting any signatures, chief petitioners must review with circulators the legal requirements and guidelines for circulating the initiative petition.



See Guidelines for Circulation on page 20.



Petition sheets that do not comply with the legal requirements and guidelines will be rejected.

The Initiative Process (cont.)

Chief petitioners are advised to obtain more than the required number of signatures to ensure the petition contains a sufficient number of valid signatures.

10 Monthly Submission

ORS 250.105

Chief petitioners are required to submit to the Elections Division not later than the 10th business day of every month all signatures gathered during the previous calendar month by paid circulators.



See Filing Requirements on page 5 for the monthly submission deadlines.



Signatures that are not submitted timely will not be accepted for verification.

At least one chief petitioner or an authorized agent must be physically present when a monthly submittal of signatures is made. Signature sheets will not be accepted from circulators, circulator companies or any other individual or entity if a chief petitioner or authorized agent is not physically present.

Each month chief petitioners or an authorized agent

- → ensure each signature sheet certification is signed and dated by the circulator
- → sort signature sheets by circulator and separate into stacks of 200
- number each signature sheet sequentially in the space provided

and

→ provide the number of signatures submitted by completing and filing



Form SEL 339 Petition Submission

11 Completing a Petition

ORS 250.105

To complete the petition process chief petitioners must:

→ submit signature sheets containing at least 100% of required number of signatures

and

→ affirm the petition is complete by filing



Form SEL 339 Petition Submission marked completed

12 Signature Verification

ORS 250.105 and OAR 165-014-0030

Signature verification will only be conducted once chief petitioners affirm the petition is complete and if the Elections Division determines the petition signature sheets accepted for verification contain a number of unverified signatures equal to or greater than the required number of signatures.

The Elections Division processes signature sheets submitted for verification in accordance with the Statistical Sampling Procedures for State Petitions adopted under administrative rule by:

- → comparing the submitted cover and signature sheets to the official templates
- → verifying sheets are numbered sequentially
- → determining if the circulator's certification is sufficient

and

 verifying original signatures using voter registration records



See OAR 165-014-0030 online at www.oregonvotes.gov.

After the signature verification process has been completed the Elections Division provides in writing to chief petitioners:

- → results of signature verification
- → final number of signatures determined to be valid

and

For petitions not qualified to the ballot

 information on how to submit additional signatures for verification if the filing deadline has not passed



If the filing deadline has passed and chief petitioners failed to submit enough valid signatures, the initiative is void.

For petitions qualified to the ballot

→ information on measure number assignment

Measure numbers are assigned:

→ after all petitions have been verified



Assignment typically occurs late July or early August of even numbered years.

→ in the sequence the completed initiative petitions were filed with the Elections Division for signature verification

and

→ will not be repeated

Withdrawing an Initiative

To withdraw an initiative petition, chief petitioners must complete, sign and file:



Form SEL 375 Withdrawal - Petition

The petition can only be withdrawn if chief petitioners have not submitted the total number of signatures required for verification.



Once withdrawn the petition cannot be reactivated. Chief petitioners may re-file the initiative and begin the process again.

The Referendum Process

The procedures for filing a referendum petition are explained in the following sections. It is very important to review the procedures thoroughly and follow the instructions completely.



Failure to follow the instructions contained in this manual may invalidate the petition.



All required forms are available online at www.oregonvotes.gov.



Please note that any notification the Elections Division is required to send in writing may also be sent to the affected individuals by email.

1 Filing a Prospective Petition

ORS 250.045

Before gathering the signatures necessary to place a referendum on the ballot, chief petitioners must file a prospective petition.

Chief Petitioner

A prospective referendum petition consists of:



Form SEL 310 Prospective Petition – State Initiative or Referendum completed and signed by chief petitioners designating circulator pay status



If any information provided on form SEL 310 changes, including circulator pay status, an amended form SEL 310 must be filed within 10 calendar days of the change.

and

→ the text of the act



A referendum petition may be filed on the entire act or part of the act. References to the act in this manual include a portion of the act, if that is what is referred.

Simultaneous to filing the prospective petition chief petitioners are also encouraged to:

 establish a campaign account and file a Statement of Organization designating a treasurer with the Elections Division



See Campaign Finance Reporting on page 4.

authorize individuals to act on their behalf in most matters regarding the petition process by completing and filing



Form SEL 307 Agent Authorization

Elections Division

After receiving the prospective referendum petition the Elections Division:

- → date and time stamps the prospective petition
- → reviews the forms for completeness and correctness
- → if complete and correct, assigns the petition an identification number

and

→ provides official cover and signature sheet templates

2 Official Templates

ORS 250.045 and 250.052

After receiving the prospective referendum petition, the Elections Division provides chief petitioners official templates which must be used to prepare cover and signature sheets for circulation.



See Official Template Requirements on page 19.

3 Approval to Circulate

Prior to final approval to circulate additional or different chief petitioners may be added. To add or change chief petitioners an amended form SEL 310 must be filed prior to chief petitioners preparing cover and signature sheets for approval to circulate.

Chief Petitioners

Chief petitioners may begin the cover and signature sheet approval process after:

→ receiving official templates

and

→ establishing a campaign account and filing a Statement of Organization designating a treasurer with the Elections Division



See the Campaign Finance Manual and the ORESTAR User's Manuals available at **www.oregonvotes.gov**.



Cover and signature sheets may only be submitted for approval by a chief petitioner or authorized agent.

Elections Division

After receiving signature sheets from chief petitioners or an authorized agent, the Elections Division:

- → verifies chief petitioners have established a petition committee and filed a Statement of Organization
- reviews cover and signature sheets for compliance with petition requirements
 - 9

See Petition Guidelines and Requirements on page 19.

and

If cover and signature sheets do not comply

→ provides written notification of all required corrections

or

If cover and signature sheets do comply

→ provides written approval to circulate the petition that includes the number of required signatures and the last day to submit signatures for verification.



See Filing Requirements on page 5 for the number of required signatures and the last date to submit signatures for verification.

4 Gathering Petition SignaturesORS 250.045

Once the petition has been approved to circulate, but before collecting any signatures, chief petitioners must review with circulators the legal requirements and guidelines for circulating the referendum petition.



See Guidelines for Circulation on page 20.



Petition sheets that do not comply with the legal requirements and guidelines will be rejected.

Chief petitioners are advised to obtain more than the required number of signatures to ensure the petition contains a sufficient number of valid signatures.

5 Completing a Petition

ORS 250.105

Signature sheets will not be accepted from circulators, authorized agents, circulator companies or any other entity unless a chief petitioner is physically present at the time the signatures are submitted to the elections official. Only one chief petitioner must be physically present.

To complete the petition process chief petitioners must:

→ submit signature sheets containing at least 100% of required number of signatures

and

→ affirm the petition is complete by filing



Form SEL 339 Petition Submission marked completed

6 Signature Verification

ORS 250.105 and OAR 165-014-0030

Signature verification will only be conducted once chief petitioners affirm the petition is complete and if the Elections Division determines the petition signature sheets accepted for verification contain a number of unverified signatures equal to or greater than the required number of signatures.

The Elections Division processes signature sheets submitted for verification in accordance with the Statistical Sampling Procedures for State Petitions adopted under administrative rule by:

- → comparing the submitted cover and signature sheets to the official templates
- > verifying sheets are numbered sequentially
- → determining if the circulator's certification is sufficient

and

→ verifying original signatures using voter registration records



See OAR 165-014-0030 online at **www.oregonvotes.gov**.

The Referendum Process (cont.)

After the signature verification process has been completed the Elections Division provides in writing to chief petitioners:

- → results of signature verification
- → final number of signatures determined to be valid

and

For petitions not qualified to the ballot

→ information on how to submit additional signatures for verification if the filing deadline has not passed



If the filing deadline has passed and chief petitioners failed to submit enough valid signatures, the referendum is void.

or

For petitions qualified to the ballot

→ forwards two copies of the text of prospective petition to the Attorney General for drafting of the ballot title

and

→ information on measure number assignment

Measure numbers are assigned:

→ after all petitions have been verified



Assignment typically occurs late July or early August of even numbered years for referendums appearing on the general election ballot. Referendums appearing on other ballots will have a measure numbered assigned no later than the 61st day before the date of the election.

→ in the sequence the completed initiative petitions were filed with the Elections Division for signature verification

and

→ will not be repeated

7 Ballot Title

ORS 250.035, 250.065, 250.067 and 250.085

A ballot title is a concise and impartial statement summarizing the referendum and its major effect that is printed on the ballot. After receiving copies of the text of the prospective referendum petition, the Attorney General drafts a ballot title and files it with the Elections Division.

Any registered voter may submit written comments on the legal sufficiency of the ballot title for the Elections Division to forward to the Attorney General for consideration when certifying the ballot title. Any timely commentor may petition the Supreme Court to review the certified ballot title.



The Legislative Assembly may choose to enact legislation either adopting a ballot title or providing an alternative process for preparing a ballot title.



See Ballot Title Process on page 17.

Withdrawing a Referendum

To withdraw a referendum petition chief petitioners must complete, sign and file:



Form SEL 375 Withdrawal – Petition

The petition can only be withdrawn if chief petitioners have not submitted the total number of signatures required for verification.



Once withdrawn the petition cannot be reactivated. Chief petitioners may re-file the referendum petition as long as the filing deadline has not passed.

Ballot Title Process

ORS 250.035, 250.065, 250.067, 250.085

Ballot Title Process Deadlines

1 Draft Ballot Title

Attorney General prepares and issues no later than:

5th business day after receiving the text of the prospective initiative petition

or

① 10th business day after receiving the text of the Act being referred by referendum petition

Elections Division distributes no later than:

1st business day after filed

2 Draft Ballot Title Comments

Registered voter may file comments no later than:

① 10th business day after draft ballot title filed with the Elections Division

Comments are forwarded no later than:

1st business day after comment deadline

3 Certified Ballot Title

Attorney General prepares and issues no later than:

① 10th business day after comment deadline if no comments received

or

10th business day after receiving any comments filed

Elections Division distributes no later than:

① 1st business day after filed

4 Ballot Title Appeal

Registered voter who commented on draft ballot title may appeal no later than:

10th business day after ballot title certified

Registered voter provides notice no later than:

5pm 1st business day after appeal filed with Supreme Court

5 Supreme Court Review

No deadline provided for in statute

Modified Ballot Title

If directed by Supreme Court Attorney General prepares and files no later than

5th business day after the court referred for modification

Any party to appeal process may file objection no later than:

- 5th business day after modified ballot title filed with Supreme Court
- (i) Step 5 is repeated until a final ballot title if certified by the Supreme Court

A ballot title is a concise and impartial statement that will be printed on the ballot summarizing the petition. The ballot title process for both initiative and referendum petitions is explained in the following sections.

1 Draft Ballot Title

After receiving the petition text the Attorney General prepares a draft ballot title and files it with the Elections Division. A ballot title includes:

- → a caption that does not exceed 15 words describing the subject of the petition
- → a statement that does not exceed 25 words describing the result if the petition is passed
- → a statement that does not exceed 25 words describing the result if the petition is rejected

and

→ a summary that does not exceed 125 words describing the major effect of the petition



The Legislative Assembly may choose to enact legislation either adopting a ballot title or providing an alternative process for preparing a ballot title.

The Elections Division prepares a notice that contains the draft ballot title and deadline for submitting written comments and distributes it to chief petitioners, the Legislative Assembly and the interested party subscription service.

2 Draft Ballot Title Comments

Any registered voter may submit written comments on the draft ballot title to the Elections Division. After the deadline to submit comments the Elections Division forwards the comments to the Attorney General.



Written comments may be scanned and emailed to irrlistnotifier.sos@state.or.us or faxed to 503.373.7414.



Comments must be received in their entirety prior to 5 pm on the day they are due to be considered timely.

Ballot Title Process (cont.)

3 Certified Ballot Title

After considering comments submitted on the draft ballot title the Attorney General issues a certified ballot title and files it with the Elections Division.

Upon receipt of the ballot title the Elections Division prepares a notice that contains the certified ballot title and deadline to appeal the ballot title and distributes it to chief petitioners, the Legislative Assembly and the interested party subscription service.



If the certified ballot title contains a clerical error the Attorney General may correct the error no later than the 10th business day after the ballot title is certified. The deadline to file a petition to review the corrected ballot title is no later than the 10th business day after the ballot title is corrected.

4 Ballot Title Appeal

Any registered voter who submitted timely written comments on the draft ballot title and is dissatisfied with the certified ballot title issued by the Attorney General may petition the Oregon Supreme Court to review the ballot title.

If a registered voter files a petition to review a certified ballot title with the Supreme Court, the voter must:

- → name the Attorney General as the respondent and
- → also notify the Elections Division in writing that a petition has been filed



If this notice to the Elections Division is not timely filed, the petition to the Supreme Court may be dismissed.



For correct procedures on filing an Oregon Supreme Court challenge, refer to the Oregon Rules of Appellate Procedure, Rule 11.30.

Contact the Oregon Supreme Court for more information at 503 986 5555.

5 Supreme Court Review

After a petition to review the ballot title is filed, the Supreme Court conducts the review and determines:

→ the certified ballot title complies with the statutory requirements

or

→ the certified ballot title does not comply with the statutory requirements

If the court determines that the certified ballot title does not comply with the statutory requirements the court may:

→ modify the ballot title

or

refer it to the Attorney General for modification.

Any party to the ballot title review proceeding may file an objection to the modified ballot title and:

→ if no objection is filed by the deadline the court certifies the modified ballot title to the Elections Division

or

→ if an objection is filed timely the Supreme Court reviews the modified ballot title to determine if it complies with statutory requirements



This process is repeated until a final ballot title is certified by the Supreme Court and an appellate judgment is received by the Elections Division.

Petition Guidelines and Requirements

The guidelines and requirements for producing and circulating initiative and referendum cover and signature sheets are explained in the following sections.

Official Template Requirements

ORS 250.045 and 250.052

Chief petitioners must use official templates to collect signatures. Official templates include:

- → ten line signature sheet, which requires the circulator to complete the certification
- → an electronic signature sheet or e-sheet, which has space for one voter to sign and does not require a circulator certification be completed



Circulators are prohibited from using the esheet to gather signatures on any petition.

and

 a cover sheet which contains chief petitioner's names and residence addresses and the final ballot title



Chief petitioners may request modification of the official templates at anytime.



The Elections Division will review all requests made and provide modified templates if necessary. Allowable modifications include:

- name, mailing address and website of political committee sponsoring the petition
- → union bug, recycle button, soy ink button
- → less than 10 signature lines



Logos, slogans, advertisements, party affiliation, etc. or any symbol or language which may be construed as advocacy will not be permitted on the official templates.

If at any time after receiving approval to circulate the residence address of a chief petitioner changes or if the circulator pay status changes:

→ Elections Division will provide updated templates

→ chief petitioners must submit cover and signature sheets prepared using the updated templates for approval

and

→ once new cover and signature sheets are approved, chief petitioners will have 30 days to remove the previous version from circulation

Cover and Signature Sheets

ORS 250.045 and 250.052

The text, cover and signature sheets chief petitioners use to collect signatures are subject to the following requirements:

- → when submitted for verification be on standard 8½" x 11" size paper
- → paper must be at least 20 pounds and uncoated



Upon request from the Elections Division, chief petitioners may be required to provide a printer's certification that the paper they are using meets these standards.

- → white paper stock is for petition sheets gathered by volunteer circulators and e-sheets
- → colored paper stock is for petition sheets gathered by paid circulators

and

→ text printed in at least 10-point type



If chief petitioners intend to mail cover and signature sheets or provide the electronic template to prospective signers the text must be included.

The requirements outlined above will not apply to any e-sheet, if from the face of the e-sheet, the Elections Division can make a determination that the signer had the opportunity prior to signing the e-sheet to review the required information.

Guidelines for Circulation

ORS 250.045, 260.555 and 260.558

To ensure compliance with circulating requirements chief petitioners must educate their circulators on the guidelines for circulation and monitor their activities.

Petition Guidelines and Requirements (cont.)

Circulators

Requirements What this means Each petition circulator must: > personally witness each watch the person sign signature collected the petition (i) It is not sufficient to merely be present in the same room or vicinity. → complete the circulator use legal signature with certification after a minimum of a first witnessing all signatures name initial and full collected on a sheet last name (i) Initials, signature stamps, illegible or printed script are not sufficient unless verified by exemplar. provide the date the certification is signed (i) Date must be provided in month, day, year order if written in all numbers. → if being paid to gather must be completed signatures, register with prior to gathering any the Elections Division signatures (i) The Circulator Training Manual is available at www.oregonvotes.gov. A circulator's failure to comply with these requirements may result in the rejection of the

Prohibitions

It is against the law for circulators to:

conviction for the circulator.

→ circulate a petition containing a false signature

petition signature sheets and a felony

- → attempt to obtain the signature of a person who is not qualified to sign the petition
 - (i) Only active registered voters may sign a petition.
- → make false statements to any person who signs the petition or requests information about it
- → offer money or anything of value to another person to sign or not sign the petition
- → sell or offer to sell signature sheets
- write, alter, correct, clarify or obscure any information about the signers unless the signer initials after the changes are made
 - (i) A circulator may assist a disabled signer who requests assistance in completing their printed name, address and date signed.



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. ORS 260.715.

Signers

9.8.1.6.2			
Requirements Each petition signer must	What this means		
→ provide an original signature but is encouraged to provide their printed name, date signed and address	sign the petition using a signature contained in their voter registration record		
→ be an active registered voter at the time of signing the petition in the electoral district where the petition is being circulated	information in the voter registration record is up to date and they would be able to vote on the petition		
If no date is provided by the signer, the signature is only considered valid if the signer: was an active registered voter between the date the petition was approved to circulate and the circulator's certification date or			
→ originally registered to vo- petition was approved to active registered voter be	circulate and was an		

registration date and the circulator's certification

(i) This standard also applies to any signer that provides a date

occurred instead of the date they signed the petition.

of birth or a date that at the time of verification has not yet

Prohibitions

It is against the law for signers to:

- → sign another person's name under any circumstances
- → sign a petition more than one time
- → sign a petition when not qualified to sign it



Only active registered voters may sign a petition. If the signer is not registered to vote or an active voter the signature will be rejected unless a completed registration card is received by a designated voter registration agency or elections filing officer before 5 pm the day the petition is signed or 11:59 pm if completed electronically online at www.oregonvotes.gov.

Circulator Certification

OAR 165-014-0270

After all signatures on a signature sheet have been collected, circulators complete the certification by signing their legal signature with a minimum of a first name initial and full last name and by providing the date when the certification was signed.



If additional signatures are gathered after the circulator certification has been signed and dated, the circulator must re-sign and re-date the certification.

If the circulator certification is not completed or determined to be insufficient the signature sheet will be rejected. Prior to submission for signature verification the circulator may correct the following circulator certification defects with the appropriate remedy:

Circulator Signature D If the circulator has:	efects the circulator should:
→ signed using only initials i Unless initials as a signature is verified by exemplar.	re-sign and re-date certification with legal signature
→ signed using a signature stamp i Unless a signature stamp has been approved under ORS 246.025.	re-sign and re-date certification with legal signature
→ signed using an illegible signature i Unless an illegible signature is verified by exemplar.	re-sign and re-date certification with legal signature
→ signed using printed script instead of cursive i Unless a printed script signature is verified by exemplar.	re-sign and re-date certification with legal signature
→ photocopied or carbon copied the certification	re-sign and re-date certification with legal signature
→ signed in a manner that the signature, printed name, and address are all illegible	re-sign and re-date certification with legal signature

Certification Date Defe	
If the date is:	the circulator should:
→ missing	re-sign and date or date and initial correction
→ crossed out	re-sign and re-date or re-date and initial correction
→ overwritten with a different date	re-sign and re-date or re-date and initial correction
 → earlier than all petition signers i Unless the circulator and the only signer are the same person. 	re-sign and re-date or re-date and initial correction
→ earlier than some, but not all petition signers i Only those signatures dated on or before the date of the certification will be accepted.	re-sign and re-date or re-date and initial correction
→ partial or ambiguous	re-sign and re-date or re-date and initial correction i Date must be provided in month, day, year order if written in all numeric characters.
→ obscured in any way by white out or other correction fluid or adhesive tape	re-sign and re-date or re-date and initial correction

Circulator Certification (cont.)

The following defects in the circulator certification cannot be corrected and any signature sheet submitted that contains one of these defects will be rejected:

Incurable Defects

- → the original signature of a circulator has been crossed out, and a different circulator's signature is inserted
- **i** Unless the original signature is that of an individual whose signature appears on the same signature sheet as a signer.
- →two individuals sign and date as circulator
- i Unless the only signers and the circulators are the same people
- → white-out or other correction fluid or adhesive tape appears on the signature line



Forms

SEL 222

Statement of Organization for Petition Committee

SEL 223

Campaign Account Information

SEL 307

Agent Authorization

SEL 310

Prospective Petition – State Initiative or Referendum

SEL 339

Petition Submission

SEL 375

Petition Withdrawal

Statement of Organization Information 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. This filing is an: Original Amendment Discontinuation **Committee Information** Name of Committee (if changing the committee name, please include the former name) Acronym Committee Address (no post office box) Zip Street City State **Campaign Phone** Extension **Treasurer Information** Name of Treasurer Mr. First MI Last Suffix Title Ms. **Mailing Address for Treasurer Correspondence** Street Address or PO Box City State Zip Contact Information - Email Address is required Work Phone Home Phone Fax Email Address Chief Petitioner(s) Information: Name of Chief Petitioner (1) Mr. First ΜI Last Ms. **Mailing Address for Chief Petitioner** Street Address or PO Box City State Zip **Work Phone** Name of Chief Petitioner (2) MI Mr. First Last **Mailing Address for Chief Petitioner** City Street Address or PO Box Work Phone State Zip Name of Chief Petitioner (3) ☐ Mr. ΜI First Last ☐ Ms. **Mailing Address for Chief Petitioner** Street Address or PO Box City State Zip Work Phone

Alternate Transaction Filer I	nformation						
Name of Alternate Transaction	Filer						
Mr. First Ms.	N	11	Last				
Mailing Address for Alternate T	ransaction Filer Correspo	nden				T	
Street Address or PO Box		ļ	City			State	Zip
Contact Information – Email Ad	dress is required						
Work Phone			Email Address				
Petition Information Type of Petition Committee							
	□ p !!	Г					
Initiative Jurisdiction	Recall	L	Referendum				
		Г	7 cir.		□ Diatwiat		
State Additional Information	County	L	City		District		
		al £ a a					
Date Prospective Petition Filed (
Date of Election (mm/dd/yy) (or	nly required for a state pe	tition)				
Petition Information							
Subject/Title:							
Recall							
Identify the following information	on about the public officia	al the					
First Name			Last Name				
Office	Distr	rict, Po	osition, County o	or City (includ	de position number if appl	icable)	
SEL 223							
SEL 223 Attached is a Campaign account	Information Form (SEL 22	23)		Yes		□ No	
Attached is a Campaign account	Information Form (SEL 22	23)		Yes		□ No	
Attached is a Campaign account Treasurer's Attestation							
Attached is a Campaign account Treasurer's Attestation By signing this document, I ackn			able for any pen		ed under ORS Chapter 260		the information
Attached is a Campaign account Treasurer's Attestation			able for any pen		ed under ORS Chapter 260		the information
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Treasurer's Attestation By signing this document, I acknown the form is true and correct.			able for any pen	alties impose			the information
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Treasurer's Attestation By signing this document, I acknown the form is true and correct.			able for any pen	alties impose			the information

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 Elections Division 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.

"Amendment" box. An amended SEL 220, 221 or 222 sh	nould not be filed unless the information on that form also changes.
Confidentiality: The SEL 223 and any information it confidential by the Elections Division.	stains is exempt from public records disclosure and shall be kept
This filing is an: Original Amendmen	nt
Committee Information	
Name of Account (must be identical to the name of com	nmittee, if changing the committee name, please include the former name)
Name of Oregon Financial Institution	
Name of Account Holder (must be identical to the name	e of the committee)
Names of Persons Who Have Signature Authority	
First	Last
First	Last
First	Last
A lancatout.	
Important: The information on this form is exempt from pu	ublic records disclosure and shall be kept confidential by the Elections Division.
	,, ,,, ,,, ,,,
By signing this document I attest that the above information	ation is true and correct.
Candidate Signature	Date Signed
-	'
Treasurer Signature	Date Signed
For Office Use Only Initials	Committee Number

Agent Authorization Form

SEL 307

rev 01/14 ORS 250.052

Filing a New Agent Authorization Form: This form may be used by chief petitioners of an initiative or referendum, the chief petitioner of a recall or the chief sponsor of a minor political party formation. It will allow anyone named by all current chief petitioners or the chief sponsor to act on their behalf in matters regarding the petition process. With the exception of signatures required to be submitted monthly for state initiative petitions, only chief petitioners or the chief sponsor may submit signatures for verification. All chief petitioners must sign the same authorization form.

Amending Information on this Form: To authorize additional or different agents chief petitioners the chief sponsor must file an amended form within 10 days of the change. To notify the filing officer of a change in information, submit this form, completed in its entirety and signed by all current chief petitioners or the chief sponsor.

Withdrawal of Petition: It is not necessary to submit this form when withdrawing a petition.

This filing is an: Original	I	Amendment	
Petition Information			
Petition Title or Number			
Туре			
☐ Initiative ☐ Refer	endum	Recall	Minor Party Formation
Authorized Agent Information			
Name		Contact Phone	
Chief Petitioner/ Sponsor Information	All chief petitioners must s	sign the same form.	
→ By signing this document, I hereby state	that the above named in	ndividuals are authorize	d to act on my behalf.
Name	Contact Phone		Email Address
Signature			Date Signed
Name	Contact Phone		Email Address
Signature			Date Signed
Name	Contact Phone		Email Address
Signature			Date Signed

Prospective Petition

SEL 310

State Initiative and Referendum

rev 01/14 ORS 250.045

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. Each chief petitioner is required to provide, on the same form, their name, residence address, a contact phone number and a signature attesting that the information on the form is true and correct. Changes to the information provided for a chief petitioner or to the circulator pay status below must be reported to the Elections Division no later than the 10th day after you first have knowledge or should have had knowledge of the change.

Petition Information			General Election Da	ate 1 st Tuesday after 1 st I	Monday, November of:
This filing is an	Original	Amendment	2014	2016 201	.8 2020
Title					
Website if applicable			Include website on to	emplates Yes	□ No
Туре			Some C	Circulators may be	Paid
Statutory Initiative	Constitutional	I Initiative Refe	rendum Yes		No
Petition Corresponde	ence Select the method of	f receiving notices or other o	correspondence from the Ele	ctions Division.	
Correspondence Rec	cipient	Email Chief Petitic	oners	Mail Chief Petit	tioners
Recipient Informatio	n				
Name			Email Address		
Chief Petitioner Info	r mation At least one o	riginal chief petitioner m	ust remain throughout the	e petition process or th	ne petition is void.
→ By signing this docume money or other valuab			n is true and correct and a mber of signatures obtain		rs will be compensated
Name				Contact Phone	
Residence Address stre	et, city, state, zip				
Mailing Address if differ	rent			Email Address	
Signature				Date Signed	
Name				Contact Phone	
Residence Address stre	et, city, state, zip				
Mailing Address if differ	rent			Email Address	
Signature				Date Signed	
Name				Contact Phone	
Residence Address stre	et, city, state, zip				
Mailing Address if differ	rent			Email Address	
Signature				Date Signed	

Petition Submission

SEL 339

rev 01/14 OAR 165-010-0005, 165-014-0005

This form must be completed and filed with each submittal of signatures. For monthly submittals of signatures on state initiative petitions an authorized agent or a chief petitioner may complete and file this form. If the initiative has multiple chief petitioners only one chief petitioner is required to sign when filing with a monthly submittal. To complete a petition all chief petitioners must sign the same form.

Filing Officer				
State	State County for both county and district petitions City			
Type of Petition				
☐ Initiative ☐ Refere	ndum	Recall	Minor Party Formation	
Petition Information				
Petition Title or Number				
Type of Filing		Number of Signatur	es Submitted	
Sponsorship Submission				
Monthly Submission				
Completed Petition				
Authorized Agent Certification Only allowed	ed for monthly submittal	of signatures for state init	iative petitions.	
→ By signing this document, I hereby state that al	ll information on the forn	n is true and correct to the	best of my knowledge.	
Name	Contact Phone		Email Address	
Signature			Date Signed	
Chief Petitioner/ Sponsor Certification T	o complete a petition all	chief petitioners must sigr	the same form.	
→ By signing this document, I hereby state that all petition I understand the petition cannot be wind Additionally if the petition is an initiative or refeased on the number of signatures obtained by	ithdrawn and request tha erendum I attest that no	t the appropriate election	s official conduct signature verification.	
Name	Contact Phone		Email Address	
Signature			Date Signed	
Name	Contact Phone		Email Address	
Signature			Date Signed	
Name	Contact Phone		Email Address	
Signature			Date Signed	

Withdrawal

Petition

rev 01/14 ORS 250.029 OAR 165-010-0005. 165-014-0005

Chief petitioners of an initiative or referendum petition, the chief petitioner of a recall petition or the chief sponsor of a minor political party formation may withdraw a petition any time prior to submitting the required number of signatures for verification. Once the petition has been withdrawn it may not be reactivated. Chief petitioners or the chief sponsor would be required to re-file the petition and begin the process again.

Filing Officer			
State	County for both county a	nd district petitions	City
Туре			
Initiative	Referendum	Recall	Minor Party Formation
Petition Information			
Petition Title or Number			
Date Prospective Petition Filed		General Election Year	, if applicable
Withdrawal Reason Optional.			
Chief Petitioner/ Sponsor Inform	nation All chief petitioners must s	ign the same form.	
Name	Contact Phone		Email Address
Signature			Date Signed
Name	Contact Phone		Email Address
	'		•
Signature			Date Signed
Name	Contact Phone		Email Address
	ı		I
Signature			Date Signed
			1