

A-Engrossed
House Bill 3043

Ordered by the House April 6
Including House Amendments dated April 6

Sponsored by Representative BOQUIST (at the request of Suzie Ludlow)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure.

Allows designation of not more than three chief petitioners for state initiative or referendum measure prior to date Secretary of State approves form of petition signature sheets. Allows petition to circulate and be filed if at least one of designated chief petitioners remains as chief petitioner.

A BILL FOR AN ACT

1
2 Relating to election petitions; creating new provisions; and amending ORS 250.045.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1.** ORS 250.045 is amended to read:

5 250.045. (1) Before circulating a petition to initiate or refer a state measure under section 1,
6 Article IV, Oregon Constitution, the petitioner shall file with the Secretary of State a prospective
7 petition.

8 (2) The prospective petition for a state measure to be initiated shall contain a statement of
9 sponsorship signed by at least 25 electors. The statement of sponsorship shall be attached to a full
10 and correct copy of the measure to be initiated. The signatures in the statement of sponsorship must
11 be accompanied by a certificate of the county clerk of each county in which the electors who signed
12 the statement reside, stating the number of signatures believed to be genuine.

13 (3) **The prospective petition for a state measure to be initiated or referred shall designate**
14 **the name and residence address of not more than three persons as chief petitioners. If the**
15 **prospective petition designates fewer than three chief petitioners, additional chief petitioners**
16 **may be designated before the date on which the Secretary of State approves the form of the**
17 **petition signature sheets under subsection (4) of this section. A petition may continue to be**
18 **circulated and filed with signatures of electors as long as at least one chief petitioner des-**
19 **ignated under this subsection remains a chief petitioner.**

20 (4) The Secretary of State shall date and time stamp the prospective petition and specify the
21 form on which the petition shall be printed for circulation. The secretary shall approve or disap-
22 prove the form of any petition signature sheet within five business days after the signature sheet is
23 submitted for review by the secretary. The secretary shall retain the prospective petition.

24 [(2)] (5) The chief petitioner may amend the proposed initiated measure filed with the Secretary
25 of State without filing another prospective petition, if:

26 (a) The Attorney General certifies to the Secretary of State that the proposed amendment will
27 not substantially change the substance of the measure; and

28 (b) The deadline for submitting written comments on the draft title has not passed.

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted.
New sections are in **boldfaced** type.

1 [(3)] (6) The cover of an initiative or referendum petition shall [*designate*] **list** the name and
2 residence address of not more than three persons as chief petitioners and shall contain instructions
3 for persons obtaining signatures of electors on the petition. The instructions shall be adopted by the
4 Secretary of State by rule. The cover of a referendum petition shall contain the title described in
5 ORS 250.065 (1). If a petition seeking a different ballot title is not filed with the Supreme Court by
6 the deadline for filing a petition under ORS 250.085, the cover of an initiative petition shall contain
7 the ballot title described in ORS 250.067 (2). However, if the Supreme Court has reviewed the ballot
8 title, the cover of the initiative petition shall contain the title certified by the court.

9 [(4)] (7) The chief petitioners shall include with the prospective petition a statement declaring
10 whether one or more persons will be paid money or other valuable consideration for obtaining sig-
11 natures of electors on the initiative or referendum petition. After the prospective petition is filed,
12 the chief petitioners shall notify the filing officer not later than the 10th day after any of the chief
13 petitioners first has knowledge or should have had knowledge that:

14 (a) Any person is being paid for obtaining signatures, when the statement included with the
15 prospective petition declared that no such person would be paid.

16 (b) No person is being paid for obtaining signatures, when the statement included with the pro-
17 spective petition declared that one or more such persons would be paid.

18 [(5)(a)] (8)(a) Each sheet of signatures on an initiative petition shall contain the caption of the
19 ballot title. Each sheet of signatures on a referendum petition shall contain the subject expressed
20 in the title of the Act to be referred.

21 (b) Each sheet of signatures on an initiative or referendum petition shall:

22 (A) Contain only the signatures of electors of one county; and

23 (B) If one or more persons will be paid for obtaining signatures of electors on the petition,
24 contain a notice stating: "Some Circulators For This Petition Are Being Paid." The notice shall be
25 in boldfaced type and shall be prominently displayed on the sheet.

26 (c) The Secretary of State by rule shall adopt a method of designation to distinguish signature
27 sheets of referendum petitions containing the same subject reference and being circulated during the
28 same period.

29 [(6)] (9) The reverse side of the cover of an initiative or referendum petition shall be used for
30 obtaining signatures on an initiative or referendum petition.

31 [(7)] (10) Not more than 20 signatures on the signature sheet of the initiative or referendum
32 petition shall be counted. The circulator shall certify on each signature sheet of the initiative or
33 referendum petition that the individuals signed the sheet in the presence of the circulator and that
34 the circulator believes each individual is an elector.

35 [(8)] (11) The person obtaining signatures on the petition shall carry at least one full and correct
36 copy of the measure to be initiated or referred and shall allow any person to review a copy upon
37 request of the person.

38 **SECTION 2. The amendments to ORS 250.045 by section 1 of this 2005 Act apply to state**
39 **initiative and referendum petitions that, if filed with the Secretary of State with the required**
40 **number of signatures, will be submitted to the people at an election held on or after the ef-**
41 **fective date of this 2005 Act.**

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