

Appendix C

INITIATIVE MEASURES

Initiative measures enable the people of the State of Oregon to create new laws, amend or repeal existing laws, or amend the Oregon Constitution through ballot measures to be voted on at general election. An initiative measure becomes effective 30 days after the day on which it is enacted or approved by a majority of the voters. Descriptions of the forms used for initiative measures are included in this manual for the reader's convenience. Contact the Elections Division at (503) 986-1518 for specific information about the filing requirements for initiative petitions.

Section 1 (2)(d), Article IV of the Oregon Constitution, states that “[a]n initiative petition shall include the full text of the proposed law or amendment to the Constitution. A proposed law or amendment to the Constitution shall embrace one subject only and matters properly connected therewith.” Initiative measures generally follow the forms used for legislative measures with these exceptions:

- Initiative measures *do not* require measure summaries or referendum clauses.
- The heading for initiative measures that amend, repeal or create statutory law reads “An Act”.
- The heading for initiatives that propose amendments to the Oregon Constitution reads “Proposed Constitutional Amendment”.

INITIATIVES THAT CREATE, AMEND OR REPEAL STATUTORY LAW

The form for initiative measures that create new statutory law or amend or repeal sections of existing statutory law generally follows the form used for bills. *See* chapter 3, “Bills” on pages 13 to 32 of this manual. When referring to “this Act,” add the year (“this 1998 Act”) in amended sections of ORS or Oregon Laws, in sections that are being “added to and made a part of” an existing ORS chapter or series and in sections that are “enacted in lieu of” repealed sections of ORS or Oregon Laws. Note that the year is an even-numbered year because general elections occur in even-numbered years.

The formal parts of initiative measures that create new statutory law or amend or repeal existing statutory law are:

Heading, which reads “An Act”.

Title, which gives a general indication of the subject to which the Act relates. Express the title as a single subject. Be sure to list existing statutes that are amended or repealed by the Act in the title. *See* “Bill Titles” on pages 14 to 17 of this manual.

Enacting Clause, which is flush with the left-hand margin and reads:

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

Body, in which the text of new statutory laws is set forth, amended sections are set forth in amended form or provision is made for the repeal of existing statutes.

EXAMPLE:

HEADING

AN ACT

TITLE

Relating to public utilities.

ENACTING CLAUSE

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

BODY

SECTION 1. (1) The Public Utility Commission shall be prohibited from requiring any telephone customer or class of customers to pay for local exchange telephone service, or any portion thereof, on a mandatory measured service basis.

(2) “Measured service” means charging for local exchange telephone service based upon number of calls, length of calls, distance, time of day or any combination thereof.

SECTION 2. Nothing in this Act is intended to prohibit the Public Utility Commission from requiring telephone customers to pay on a mandatory measured service basis for:

(1) Land, marine or air mobile service.

(2) Local exchange telephone service resold at a profit.

SECTION 3. The Public Utility Commission shall not change boundaries of local exchange service areas nor take any other actions if such changes or actions have the effect of circumventing section 1 of this Act.

**INITIATIVES THAT PROPOSE AMENDMENTS
TO THE OREGON CONSTITUTION**

Initiative measures that propose amendments to the Oregon Constitution generally follow the form for joint resolutions that propose amendments to the Constitution. *See* chapter 5, “Amending the Oregon Constitution” on pages 41 to 46 of this manual. Note, however, that initiative measures that propose constitutional amendments *do not* require a referendum clause. The formal parts of initiative measures that propose amendments to the Oregon Constitution are:

Heading, which reads “Proposed Constitutional Amendment”.

Enacting Clause, which is flush with the left-hand margin and reads:

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

Body, which consists of only *one* amending clause or **PARAGRAPH 1.**

EXAMPLE:

HEADING

PROPOSED CONSTITUTIONAL AMENDMENT

ENACTING CLAUSE
BODY

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

PARAGRAPH 1. Section 2, Article II of the Constitution of the State of Oregon, is amended to read:

Sec. 2. (1) Every citizen of the United States is entitled to vote in all elections not otherwise provided for by this Constitution if such citizen:

(a) Is 18 years of age or older;

(b) Has resided in this state during the six months immediately preceding the election, except that provision may be made by law to permit a person who has resided in this state less than 30 days immediately preceding the election, but who is otherwise qualified under this subsection, to vote in the election for candidates for nomination or election for President or Vice President of the United States or elector of President and Vice President of the United States; and

(c) Is registered [*prior to the*] **not less than 20 calendar days immediately preceding any** election in the manner provided by law.

(2) Except as otherwise provided in section 6, Article VIII of this Constitution with respect to the qualifications of voters in all school district elections, provision may be made by law to require that persons who vote upon questions of levying special taxes or issuing public bonds shall be taxpayers.

NOTES