



City of Portland

Referendum Petition Public Information Packet

For Election Cycle Ending June 2020



Referendum Petition Information Packet

Statement of Understanding

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Statement of Understanding

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

- Form SEL 370: prospective petition designating chief petitioners, intended election date, and other petition information; (required, to City)
- Forms SEL 371 and 369: cover and signature sheets; (required, to City)
- Cover and signature sheets instructions and sample;
- Forms SEL 223 and SEL 222: Statement of Organization for Petition Committee and Campaign Account Information (required, to Secretary of State)
- Form SEL 339: petition submission; (required when filing signatures, to City)
- Form 375: petition withdrawal;
- Detailed instructions on pp 3-10 describing the referendum process;
- Portland City Code Chapter 2.04 - Initiative and Referendum Procedures;
- *County, City and District Initiative and Referendum Manual*, published by Secretary of State* including optional forms, and
- Latest Campaign Finance Manual, published by Secretary of State*.

** Manuals are available from the Oregon Secretary of State's website at <http://sos.oregon.gov/elections/Pages/manuals-tutorials.aspx>*

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

Chief Petitioner Name: _____ (please print)

Chief Petitioner Signature: _____

Date Signed: _____

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

INTRODUCTION

Purpose

The "City Referendum Petition Information Packet" provides an overview of the procedures and regulations necessary to refer a City Council Ordinance to a vote of the people. The city referendum process is governed by the Oregon Constitution, Oregon Revised Statutes, 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 they are 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 refer City legislation to a vote of the people through the referendum petition process.

The Basics

The referendum petition process provides Portlanders with a vehicle to refer Ordinances passed by Council to a vote of the people. Petitioners must file their petitions for signature verification within 30 days of the Council action. An ordinance filed with an emergency clause may not be referred. Non-emergency ordinances become effective 30 days after passage. According to City Code Section 3.02.040 K.2., a referendum petition suspends the effective date of an ordinance.

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City Specific Regulations

In addition to State rules and regulations included in the Oregon Revised Statutes and Secretary of State publications, referendum 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 referendum petition requirements are:

- Referendum petitions may be placed only on regular election ballots - unless the Council finds that the public interest would be harmed by waiting. The City Code gives Council this authority. In this situation, 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. Regular elections are the biennial statewide primary or general elections held in even numbered years.
- Perfected petitions, including the required signatures, must be filed within 30 days of the council action.
- Referendum petitions must be signed by a number 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.
 - **For petitions filed through June 2020, referendum petitions require 25,092 valid signatures.**
- A franchise ordinance requires only 2,000 signatures.
- Chief Petitioners must be registered voters of the City of Portland.
- As with all petitions, the Auditor must certify approval of the prospective petition, and the City Attorney must draft the language that goes on the ballot. Because of the short time limit for gathering signatures, petitioners with a referendum petition do not have to wait for the City Attorney to draft the ballot title before collecting signatures. The Chief Petitioner may use the title of the ordinance or resolution as it was enacted by City Council.

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Step One - Filing Prospective Petition

The first step in referring an ordinance passed by the City Council 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. Petition forms may also be filed online by emailing the required forms (see contact information on the City elections website).

A prospective referendum petition shall consist of:

- A full and correct copy of the non-emergency ordinance as adopted by City Council
- SEL 370, prospective petition completed and signed by chief petitioners designating circulator pay status and intended election date
- Statement of Understanding

Petitioners may also submit:

- SEL 307, authorizing listed individuals to act on chief petitioners' behalf throughout the petition process in most matters; and
- SEL 348, electronic signature sheet for posting online; sheets are for individual download and signature only and can be submitted as part of the completed petition

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

Additional Notes:

- *City Code Section 2.04.040 requires that chief petitioners be registered voters in the City of Portland.*
- *All initiative and referendum filings will be notified to elections.sos@oregon.gov*

In filing the prospective referendum petition, petitioners should use the title of the measure as enacted by City Council on all forms and provide the complete text of the ordinance that is being referred to the voters as well as the ordinance number and date of enactment, as required on the form.

Step Two - Preparation of Ballot Title

After the City Elections Officer receives a sufficient prospective referendum petition, it is forwarded to the City Attorney for preparation of the ballot title. **The ballot title drafting process and the collection of signatures may occur simultaneously.**

After receiving the prospective referendum petition, the City Attorney must prepare a ballot title and file it with the City Elections Officer within five (5) business days. Oregon statutes require that the ballot title contain **all** of the following elements:

- A caption, not to exceed 10 words, that reasonably identifies the subject of the referendum;

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- A question, not to exceed twenty 20 words, that plainly phrases the chief purpose of the referendum so that an affirmative response corresponds to a yes vote on the ballot; and
- A summary, not to exceed 175 words that shall be concise and impartial and summarize the measure and its major effect.

Step Three - Preparation & Approval of Petition Cover and Signature Sheets

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.

Cover and Signature sheets must be created using the forms in appendix B of this packet.

- SEL 371, local petition signature sheet with all fields completed
- SEL 369, local petition cover sheet designating chief petitioners, residence addresses, and stating the full title of the ordinance to be referred in lieu of a final ballot title

The text, cover and signatures sheets for a prospective referendum 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.

The ballot title drafting process and the collection of signatures may occur simultaneously - the chief petitioners are not required to wait for the ballot title before collecting signatures. Once the chief petitioners have received written approval to circulate from the City Elections Officer they may begin collecting signatures. Instructions and requirements are included in Appendix C of this packet.

After preparing the cover and signature sheets for the prospective referendum petition, the chief petitioners submit a draft to the City Elections Officer for review. A complete copy of the ordinance 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, that person must be designated as an authorized agent by from SEL 307, available in the *State's County, City, and District Initiative and Referendum Manual*.

After receiving the ordinance, cover and signature sheets from the chief petitioners, the City Elections Officer reviews the sheets for compliance with the requirements for a City of Portland referendum petition. Once the text of the ordinance, cover and signature sheets meet all of the requirements, the City Elections Officer notifies the chief petitioners

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in writing of approval to circulate the petition. The City Elections Officer informs the chief petitioner of the last day to submit signatures collected for the referendum petition.

Step Four - Publication of Notice of Receipt of Ballot Title

Immediately after receiving the ballot title from the City Attorney, the City Elections Officer provides the chief petitioner with a copy of the ballot title and publishes a notice of receipt of the ballot title in the next available edition of the Oregonian. The notice must include all of the following:

- a notice that 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.

Step Five - Challenge Period

Any registered voter in the City who is dissatisfied with the ballot title issued by the City Attorney may petition the Circuit Court for review. The petition must name the City Attorney as the respondent and 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 seventh (7th) business day after the City Elections Officer received the ballot title from the City Attorney.

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

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

Step Six - 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 referendum 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

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required number of signatures. Signatures must be submitted no less than four (4) months before the intended election date.

For referendum petitions filed prior to June, 2020 the required number of signatures of qualified voters is 25,092.

Per Portland City Charter Section 10-208 and City Code Section 2.04.090 E. (2), a referendum petition on any franchise ordinance requires 2,000 signatures of qualified voters.

If the chief petitioners intend to mail, email or post on a website (via the e-sheet, SEL 348) the cover and signature sheets to prospective signers, the text must be included with each mailing or electronic communication.

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 a referendum petition, 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 a referendum, the chief petitioners and circulators may circulate the petition. See an abbreviated summary of circulator requirements and guidelines in Appendix E of this packet and the Secretary of State's County, City, District Initiative and Referendum manual for further details.

Step Seven - Signature Submission

Petitioners must submit their petitions with 100 percent of the required number of signatures (listed in Appendix D of this packet) within thirty (30) days of Council passage of the ordinance being referred. Failure to meet this deadline will render the petition void. Signatures must be submitted at least four (4) months prior to the next regular election to appear on that ballot. If Council passes an ordinance close to the time of an election and petitioners file signatures within thirty (30) days of passage, the Auditor may waive the four (4) month deadline if the signatures can be counted and verified, considered by Council, and submitted to the County in time to meet the County's certification deadline.

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.

To submit signature sheets for verification, the chief petitioners must organize the petition in the following manner:

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- ➡ Sort signature sheets into separate stacks by county;
- ➡ 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; AND

The following form must be submitted with the signatures:

- ➡ Submit form SEL 339, petition submission, **signed by all chief petitioners** and stating the number of signatures the petition purports to have.
- ➡ If submitted by mail, sheets will only be accepted if a signed copy of the form SEL 339 is included in each box.

The chief petitioners must follow detailed contribution and expenditure reports for the petition committee through the state's ORESTAR system. Refer to the latest *Campaign Finance Manual* (published by the Secretary of State and included in Appendix F) for detailed instructions.

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

Step Eight - Signature Verification

After receiving the signature sheets from the chief petitioners, the City Elections Officer begins verifying the signatures to determine if the referendum petition 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 thirty (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 is numbered in sequential order;
- 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 (by partnering with the Multnomah County Elections Division) the original signatures using 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 Oregon state law and City Code.

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Step Nine - Opportunity for Competing Measure

In accordance with City Code Section 2.04.100 A.2), the City Elections Officer files qualified referendum petitions with the City Council for consideration. Within thirty (30) days, Council may opt to repeal the ordinance in question. If Council repeals the ordinance being referred, the petition will be void and will not appear on the ballot. If Council does not repeal the ordinance, it will be referred to the voters.

Step Ten - Placement on Ballot

If Council does not repeal the legislation, 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, the original ordinance is repealed.

APPENDIX A

City Code 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 Nos. 177200 and 184947, effective November 18, 2011.)

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. Elector'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.

C. Charter Commission Measures

1. A measure proposing a charter amendment that is supported by an affirmative vote of at least 15 members of the Charter Commission after a public hearing process prescribed by the Council shall be submitted to the legal voters of the City in conformance with the Charter and this Chapter.
-

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 elector's 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 circulator's presence and to the best of the circulator's 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 counties' 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.

2.04.110 Measures Proposed by the Charter Commission.

(Added by Ordinance No. 184947, effective November 18, 2011.)

A. Preparation of Ballot Title

1. When a measure proposing a charter amendment is supported by an affirmative vote of at least 15 members of the Charter Commission after a public hearing process prescribed by the Council:

a. The Commission shall notify the Auditor and submit to the Auditor the text of a proposed measure.

- b.** Within seven business days after submission of the proposed measure to the Auditor, the Auditor shall file the measure as a report from the Charter Commission to the Council and place it on the Council agenda.
- c.** Within two business days after the Charter Commission presents the measure to the Council at a Council meeting, the Auditor shall forward the measure to the City Attorney for preparation of a ballot title and explanatory statement in conformance with the requirements of state law.
- d.** Within five business days after receiving the measure from the Auditor, the City Attorney shall prepare and transmit to the Auditor the ballot title and explanatory statement.
- e.** After receiving the ballot title, 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.
- f.** Following completion of the ballot title challenge process, the Auditor shall file the measure, ballot title and explanatory statement with county elections officers.
- g.** A measure shall be considered referred under this Section as soon as the measure is certified to the ballot. The measure shall be placed on the next primary or general election ballot that is at least 120 days after the date the Charter Commission presents the measure to Council. As part of its affirmative vote supporting a measure, the Charter Commission may specify whether the measure shall be submitted to the voters at the primary election or at the general election.

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 Nos. 177200 and 184947, effective November 18, 2011.)

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.”

E. Measures proposed by the Charter Commission supported by an affirmative vote of at least 15 members of the Charter Commission shall be designated on the ballot “Referred to the People by the Charter Commission.”

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, Section 11 (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

Referendum Petition – Required Forms

- SEL 370 [Prospective Petition for Local Measure](#)
- SEL 371 [Petition for Local Initiative/Referendum Signature Sheet](#)
- SEL 369 [Local Petition Cover Sheet](#)
- SEL 339 [Petition Submission](#)
- SEL 375 [Withdrawal of Initiative or Referendum Petition](#)
- SEL 222 [Statement of Organization for Petition Committee*](#)
- SEL 223 [Campaign Account Information*](#)

* SEL 222 and SEL 223 forms must be filed with the Secretary of State's Elections & Campaign Finance Division. information may be filed electronically on ORESTAR on the [Secretary of State's website](#).

Prospective Petition
Local Initiative and Referendum

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
This filing is an [] Original [] Amendment [] Initiative [] Referendum
Type

Jurisdiction
[] County [] City [] District
Some Circulators may be Paid
[] Yes [] No

Title Subject or name you give your petition.
Website if applicable

Petition Correspondence Select the method of receiving notices or other correspondence from the Filing Officer.
[] Correspondence Recipient [] Email Chief Petitioners [] Mail Chief Petitioners

Recipient Information
Name Email Address

Chief Petitioner Information At least one original chief petitioner must remain throughout the petition process or the petition is void.
→ By signing this document, I hereby state that all information on the form is true and correct and attest that no circulators will be compensated money or other valuable consideration on this petition based on the number of signatures obtained by the circulator.


Name Contact Phone
Residence Address street, city, state, zip
Mailing Address if different Email Address
Signature Date Signed

Name Contact Phone
Residence Address street, city, state, zip
Mailing Address if different Email Address
Signature Date Signed

Name Contact Phone
Residence Address street, city, state, zip
Mailing Address if different Email Address
Signature Date Signed

Signature Sheet | Local ☐ Initiative ☐ Referendum

Petition ID _____

 It is against the law to sign a petition more than one time. Signers of this page must be active registered voters of the jurisdiction at the time of signing.


☐ **SOME** Circulators ☐ **NO** Circulators for this petition are being paid.

To the Elections Official of:

→ We, the undersigned voters, request this measure to be submitted to the residents of the jurisdiction listed below for their approval or rejection. A full and correct copy of this measure was made available for review and I have not previously signed a petition sheet for this measure.

County	City	District
--------	------	----------

Ballot Title Caption (Initiative) or Number of Ordinance or Resolution and Date Adopted (Referendum)

 Initial any changes the circulator makes to your printed name, residence address or date you signed the petition.

	Signature	Date Signed mm/dd/yy	Print Name	Residence or Mailing Address street, city, zip code
1				
2				
3				
4				
5				
6				
7				
8				
9				
10				

Circulator Certification This certification **must** be completed by the circulator and additional signatures **should not** be collected on this sheet once the certification has been signed and dated!
I hereby certify that I witnessed the signing of the signature sheet by each individual whose signature appears on the signature sheet, and I believe each person is a voter qualified to sign the petition (ORS 198.750, 221.031, 250.165, 250.265, 255.135). I also hereby certify that compensation I received, if any, was not based on the number of signatures obtained for this petition.

Circulator Signature	Date Signed mm/dd/yy	Sheet Number Completed by chief petitioner
Printed Name of Circulator	Circulator's Address street, city, zip code	

☐ Initiative or ☐ Referendum Petition

☐ County:

☐ City:

☐ District:

Ballot Title or Measure Title

→ Insert the final ballot title of the initiative or the title of the measure as enacted by the local governing body. If there is no title chief petitioners may supply one that must include the number of the ordinance/resolution being referred and the date the local governing body adopted the ordinance/resolution.


Text Proposed charter or ordinance or text of ordinance as enacted by local governing body.

☐ Available from Circulator

☐ Included below

Chief Petitioners Names and Residence Addresses

Instructions for Circulators

- 1 Only active registered voters of the county, city or district may sign the petition.
 - 2 Have signers use a pen when signing petitions. Use a pen when you are certifying petitions.
 - 3 Only one circulator may collect signatures on any one signature sheet of the petition.
 - 4 You must personally witness all signatures you collect and you should not collect additional signatures on the petition sheet once you have signed and dated the circulator certification.
 - 5 **It is against the law for circulators to:**
 - Circulate a petition containing a false signature.
 - Make false statements to any person who signs the petition or requests information about it.
 - Attempt to obtain the signature of a person who is not qualified to sign the petition.
 - 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 is disabled and requests assistance or the signer initials after the changes are made.
 - 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

- 1 Only active Oregon voters may sign the petition. Sign your full name, as you did when you registered to vote.
- 2 Fill in the date you signed the petition, your printed name and residence address in the spaces provided. Only you may complete your optional information.
- 3 Initial any changes the circulator makes to your printed name, residence address or date you signed the petition.
- 4 Use a pen when signing the petition.
- 5 **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 you are not qualified to sign it.

Petition Submission

Initiative, Referendum, Recall, Political Party Formation

SEL 339

rev. 01/18

OAR 165-010-0005, 165-014-0005

- This form must be completed and filed with any submission of signatures.
- Each submission of signature sheets must be mailed or personally delivered by at least one chief petitioner, the chief sponsor or an authorized agent.
- When the submission completes the petition all chief petitioners must sign the same form.
- **State Initiative Petition** Only one chief petitioner or authorized agent is required to sign this form for a sponsorship or monthly submission.

Filing Officer		
<input type="checkbox"/> State	<input type="checkbox"/> County For both county and district petitions.	<input type="checkbox"/> City

Type of Petition			
<input type="checkbox"/> Initiative	<input type="checkbox"/> Referendum	<input type="checkbox"/> Recall	<input type="checkbox"/> Political Party Formation

Petition Information
Petition Title or Number

Type of Filing	Number of Signatures Submitted
<input type="checkbox"/> Sponsorship Submission State Initiative Petition	
<input type="checkbox"/> Monthly Submission State Initiative Petition	
<input type="checkbox"/> Other Submission State Initiative Petition	
<input type="checkbox"/> Completed Petition Submission	

Authorized Agent Certification
An authorized agent is prohibited from completing the petition.
→ By signing this document, I hereby state that all information on the form is true and correct to the best of my knowledge. While the petition sheets were circulated, the text of the petition was incorporated or attached as required by OAR 165-014-0030 (9) (a).

Name	Contact Phone	Email Address
Signature		Date Signed

Chief Petitioner or Chief Sponsor Certification
To complete a petition all chief petitioners must sign the same form.
→ By signing this document, I hereby state that all information on the form is true and correct to the best of my knowledge and if marked completed petition I understand the petition cannot be withdrawn and request that the appropriate elections official conduct signature verification. Additionally if the petition is an initiative or referendum I attest that no circulators were compensated money or other valuable consideration based on the number of signatures obtained by the circulator While the petition sheets were circulated, the text of the petition was incorporated or attached as required by OAR 165-014-0030 (9) (a).

Name	Contact Phone	Email Address
Signature		Date Signed

Name	Contact Phone	Email Address
Signature		Date Signed

Name	Contact Phone	Email Address
Signature		Date Signed

Chief petitioners of an initiative or referendum petition, the chief petitioner of a recall petition or the chief sponsor of a 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		
<input type="checkbox"/> State	<input type="checkbox"/> County for both county and district petitions	<input type="checkbox"/> City
Type		
<input type="checkbox"/> Sponsorship	<input type="checkbox"/> Initiative	<input type="checkbox"/> Referendum
<input type="checkbox"/> Recall	<input type="checkbox"/> Political Party Formation	
Petition Information		
Petition Title or Number		
Date Prospective Petition Filed	General Election Year, if applicable	
Withdrawal Reason Optional.		
Chief Petitioner/ Sponsor Information All chief petitioners must sign the same form.		
Name	Contact Phone	Email Address
Signature		Date Signed
Name	Contact Phone	Email Address
Signature		Date Signed
Name	Contact Phone	Email Address
Signature		Date Signed

Statement of Organization for Petition Committee

SEL 222rev 1/2018
ORS 260.118

Statement of Organization Information

Filing a New Committee: This form, along with the Campaign Account Information form (SEL 223), must be completed and filed **not later than 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 on both forms.

Chief Petitioners: A petition committee must list all chief petitioners of the petition.

Amendment: Any change in the information on this form must be filed **not later than 10 calendar days** of the change. To notify the Elections Division of 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.

Discontinuation: A committee may be discontinued if there are no outstanding debts or obligations, a zero cash balance is achieved, the campaign account is closed, and the petition has been withdrawn or the deadline to submit signatures has passed. To discontinue, file a completed SEL 222 with the "Discontinuation" box marked.

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 and must be an address in Oregon.

Street Address | City | State | Zip

Campaign Phone | Extension

Treasurer Information

Name of Treasurer

☐ Mr. | First | MI | Last | Suffix | Title
☐ Ms.

Mailing Address and Contact Information for Treasurer Correspondence

Street Address or PO Box | City | State | Zip

Work Phone | Home Phone | Fax | Email Address

Chief Petitioner(s) Information

Name of Petitioner

☐ Mr. | First | MI | Last | Suffix | Title
☐ Ms.

Mailing Address and Phone Number for Petitioner

Street Address or PO Box | City | State | Zip | Work Phone

Name of Petitioner

☐ Mr. | First | MI | Last | Suffix | Title
☐ Ms.

Mailing Address and Phone Number for Petitioner

Street Address or PO Box | City | State | Zip | Work Phone

Name of Petitioner

☐ Mr. | First | MI | Last | Suffix | Title
☐ Ms.

Mailing Address and Phone Number for Petitioner

Street Address or PO Box | City | State | Zip | Work Phone

Continued on page 2 of this form

Alternate Transaction Filer Information A person other than the treasurer; this is optional.					
Name of Alternate Transaction Filer					
<input type="checkbox"/> Mr.	First	MI	Last	Suffix	Title
<input type="checkbox"/> Ms.					
Mailing Address and Contact Information for Alternate Transaction Filer					
Street Address or PO Box			City	State	Zip
Work Phone			Email Address		
Civil Penalty Designee Information A person other than the treasurer; this is optional.					
Name of Civil Penalty Designee					
<input type="checkbox"/> Mr.	First	MI	Last	Suffix	Title
<input type="checkbox"/> Ms.					
Mailing Address and Contact Information for Civil Penalty Designee					
Street Address or PO Box			City	State	Zip
Work Phone			Email Address		
Petition Information					
<input type="checkbox"/> Initiative	<input type="checkbox"/> Referendum	<input type="checkbox"/> Recall			
Jurisdiction					
<input type="checkbox"/> State	<input type="checkbox"/> County	<input type="checkbox"/> City	<input type="checkbox"/> District		
Additional Information					
Date Prospective Petition Filed (required for local petition):					
Year Petition Will be on Ballot (required for state initiative or referendum petition):					
Local Petition Title/Subject:					
Petition ID Number (required):					
Recall Information Identify information about the public official the committee intends to recall.					
First Name:			Last Name:		
Office:					
District, Position, County or City (include position number)					
SEL 223 Information: Attached is a Campaign Account Information form (SEL 223) <input type="checkbox"/> Yes <input type="checkbox"/> No					
Treasurer's Attestation and, if applicable, Civil Penalty Designee's Attestation					
By signing this document, I acknowledge that I am an Oregon elector, I am personally liable for any penalties imposed under ORS Chapter 260, and I attest that the information on this form is true and correct. I also understand that I if I appoint a civil penalty designee, I am not liable for any penalties imposed under ORS 260.232					
Treasurer's Signature			Date Signed		
By signing this document, I acknowledge that I am an Oregon elector and I am personally liable for any penalties imposed under ORS 260.232.					
Civil Penalty Designee's Signature			Date Signed		

For Office Use Only

Initials_____

ID_____

Date SEL 223 Received_____

Attached to Committee_____

Campaign Account Information

SEL 223

rev 1/2018
ORS 260.054

Filing a New Committee: This form, along with the appropriate Statement of Organization form (SEL 220, 221 or 222), must be completed and filed **not later than 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 **not later than 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.

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

This filing is an: ☐ Original ☐ Amendment

Name of Oregon Financial Institution

Name of Account (must be identical to the name of committee, if changing the committee name, please include the former name)

Name of Account Holder

Names of Persons Who Have Signature Authority

First MI Last

First MI Last


First MI Last

First MI Last

First MI Last

First MI Last

First MI Last

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

By signing this document I attest that the above information is true and correct.

Candidate's Signature

Date Signed

Treasurer's Signature

Date Signed

For Office Use Only

Initials _____

Committee Number _____

Date Attached to Committee _____

APPENDIX C

Signature & Cover Sheet Instructions – SEL 369 and SEL 371

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 within 10 days of the change.

Formatting Requirements:

- Each cover sheet (SEL 369) for a prospective initiative petition shall have a signature sheet (SEL 371) copied on the back so that sheets are two sided. Both forms must be filled out completely and correctly with names and residence addresses matching that of the prospective petition form (SEL 370).

!! 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

Text, 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**
- Text must be readable and enable election officials to readily verify signatures
- Cover and signature sheets are copied back to back on single sheet of paper

All paper must be approved by the City Elections Officer prior to circulation.

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.

Text, cover, and signature sheets must be submitted for approval exactly as intended to circulate. Any proposed variation to approved cover and signature sheets must be resubmitted and approved in writing by the City Elections Officer before circulating.

Signatures collected on unapproved cover and signature sheets will be rejected.

Deadline Requirements:

For city referendum petitions, a completed petition with signatures is required to be submitted thirty (30) calendar days after City Council passage of the ordinance being referred. Contact the City Elections Officer if this date has not been made clear for any filed petition.

Information Regarding Signatures:

Signers are only required to provide a signature. A voter'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 elections officials who perform 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 voter, the signatures are considered valid only if the voter 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.

Other Requirements:

Statement of Organization for Petition Committee (SEL 222 and SEL 223) are required to be filed with the Oregon Secretary of State before cover and signature sheets can be approved. 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.

E-Sheets: Please see the Secretary of State's manual for Passive E-Sheet Station regulations, as well as other creation, distribution and formatting requirements (pg 24 of the [County, City, and District Initiative and Referendum Manual](#))

Appendix D

Required Signatures

Until the next City Primary Election in May 2020, City referendum petitions require 25,092 valid signatures to be placed on the ballot.

City Code Section 2.04.090 says that a referendum petition must 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.

On the date of the May 15, 2018 Primary Election, there were 418,189 registered voters in the City of Portland.

APPENDIX E

Guidelines for Circulating Petitions

(Source: *County City and District Initiative and Referendum Manual*, Secretary of State, pp 25; Note: this is an abbreviated summary, for full details consult the Secretary of State manuals included in Appendix F)

A circulator is an individual who asks voters to sign a petition and signs the petition as a circulator. They are also called petition circulator, signature gatherer, and signature collector. While some are volunteers and others paid professionals, every circulator must follow the requirements and guidelines for circulating petitions. To ensure compliance with legal requirements and guidelines chief petitioners must educate circulators and monitor their activities.

Circulator Requirements

Each circulator must:

- Personally witness each signature collected; circulator must watch the person sign the petition. It is not sufficient to merely be present in the same room or vicinity
- Complete the circulator certification after witnessing all signatures collected on a sheet; circulators must use legal signature with a minimum of a first name initial and full last name Initials, signature stamps, illegible or printed script are not sufficient unless verified by exemplar
- Provide the date when the certification was signed; the date must be provided in month, day, year order if written in all numbers
- Allow any person to read the text of an initiative or referendum petition; a complete copy of text must be available for signers of an initiative or referendum if not printed on cover sheet
- If being paid to gather signatures, review the Secretary of State's Circulator Training Manual; this must be completed before being paid to gather any signatures See the Circulator Training Manual available at www.oreogvotes.gov

!! Warning: A circulator's failure to comply with these requirements may result in the rejection of the petition signature sheets and a felony conviction for the circulator.

Circulator Prohibitions

It is against the law for circulators to:

- Circulate a petition containing a false signature
- Attempt to obtain the signature of a person who is not qualified to sign the petition; only active registered voters may sign a petition
- Make false statements to anyone 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; a circulator may assist a disabled signer who requests assistance in completing their printed name, address and date signed.

!! 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 ORS 260.715

Appendix F

Secretary of State Elections Division Resources

The latest Oregon Secretary of State Campaign Finance Manual and 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 viewing and download from the Secretary of State's website at

- [County, City, and District Initiative and Referendum Manual \(Updated March, 2019\)](#)
- [Campaign Finance Manual \(Updated June 2018\)](#)
- [Other Secretary of State Manuals and Tutorials](#)
- [State Elections Contact Information](#)

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