Chapter 250

1985 REPLACEMENT PART

Initiative and Referendum

GENERAL PROVISIONS

250 005 Definitions

250 015 Form of petition

250 025 Qualifications for signers of petition, removal of signatures

250 035 Form of ballot title

250 039 Readability test for ballot title

250 041 Applicability of ORS 250.005 to 250 039 to counties and cities

STATE MEASURES

250 045 Submitting prospective petition, form of petition, statement regarding payment of petition circulators

250 065 Preparation of ballot title for certain measures

250 067 Notice of draft ballot title, written comments; certification of title

250 075 Legislature may prepare ballot titles for certain measures

250 085 Procedure for person dissatisfied with title of state measure

250 095 State measures affecting a county or district

250 105 Filing officer, filing requirements; signature verification

250 115 Numbering measures

250 125 Estimate of amount involved on measures proposing expenditure of public money or a reduction of state revenues, imposing a tax or incurring any indebtedness

250 135 Retention of petition materials

COUNTY MEASURES

250.155 Application of subchapter

250.165 Submitting prospective petition, form of petition, statement regarding payment of petition circulators

250.175 Preparation of ballot title for certain measures

250.185 County governing body may prepare ballot titles for certain measures

250 195 Procedure for person dissatisfied with title of county measure

250 205 Filing and signature requirements for non-home rule counties

250 215 Filing officer for county measure, filing requirements

250 221 Date of election

250 226 Numbering county measures

250.235 Retention of petition materials

CITY MEASURES

250 255 Application of subchapter

250 265 Submitting prospective petition, form of petition, statement regarding payment of petition circulators

250.275 Preparation of ballot title for certain measures

250 285 City governing body may prepare ballot titles for certain measures

250 296 Procedure for person dissatisfied with title of city measure

250 305 Signature requirements

250 315 Filing officer, filing requirements

250 325 Procedure following filing of initiative petition

250 335 Numbering city measures

250.346 Retention of petition materials

CROSS REFERENCES

Applicability of initiative and referendum to people's utility districts, 261 065

Dates of legislatively prescribed elections, 171 185

District initiative and referendum procedure, 255 135 to 255 205

Election to determine whether city shall issue bonds for construction of interstate bridge, 381 611

Election to determine whether county shall issue bonds for construction of interstate bridge, 381 440

Person who is not elector prohibited from circulating petition, 260 560

Petitions and other election documents, time allowed for receipt, 246 021

Preparation of initiative measures by Legislative Counsel, 173 140

Reservation and exercise of powers of initiative and referendum to

Counties, Const Art VI, §10

Municipalities and districts, Const Art IV, §1

State, Const Art IV, §1

Sponsors, chief petitioners to file information statement, 260 118

250 125

Estimates of state expenditures by Legislative Fiscal Officer, 173 420

Statement concerning financial condition of General Fund to be filed before submission of certain measures, 293 655

GENERAL PROVISIONS

250.005 Definitions. As used in this chapter

(1) "County clerk" means the county clerk or the county official in charge of elections

(2) "Elector" means an individual qualified to vote under section 2, Article II, Oregon Constitution

(3) "Measure" includes any of the following submitted to the people for their approval or rejection at an election

(a) A proposed law

(b) An Act or part of an Act of the Legislative Assembly

(c) A revision of or amendment to the Oregon Constitution

(d) Local, special or municipal legislation

(e) A proposition or question

(4) "Prospective petition" means the information, except signatures and other identification of petition signers, required to be contained in a completed petition [1979 c 190 §140, 1983 c 392 §3]

250.010 [Amended by 1957 c 608 §120, repealed by 1979 c 190 §431]

250.015 Form of petition. The Secretary of State by rule shall design the form of the prospective petition, and the initiative and the referendum petition, including the signature sheets, to be used in any initiative or referendum in this state The secretary also shall designate by rule the quality of paper to be used for signature sheets in order to assure the legibility of the signatures [1979 c 190 §141, 1979 c 345 §1, 1981 c 909 §1]

250.020 [Amended by 1957 c 608 §121, 1961 c 121 §4, 1979 c 190 §232, 1979 c 519 §17, renumbered 254 085]

250.025 Qualifications for signers of petition; removal of signatures. (1) Any elector may sign an initiative or referendum petition for any measure on which the elector is entitled to vote

(2) After an initiative or referendum petition is submitted for signature verification, no elector who signed the petition may remove the signature of the elector from the petition [Formerly 254 160, 1985 c 808 §24]

250.030 [Amended by 1957 c 608 §122, 1961 c 121 §5, 1979 c 190 §233, 1979 c 317 §8a, 1979 c 519 §18a, renumbered 254 095]

250.035 Form of ballot title. (1) The ballot title of any measure to be initiated or referred shall consist of

(a) A caption of not more than 10 words which identifies the subject matter of the measure,

(b) A question of not more than 20 words which plainly states the purpose of the measure, and is phrased so that an affirmative response to the question corresponds to an affirmative vote on the measure, and

(c) A concise and impartial statement of not more than 75 words of the chief purpose of the measure

(2) The ballot title shall not resemble, so far as probably to create confusion, any title previously filed for a measure to be submitted at that election [1979 c 190 §143, 1979 c 675 §1, 1985 c 405 §1]

250.039 Readability test for ballot title. For all measures, the Secretary of State by rule shall designate a test of readability and adopt a standard of minimum readability for a ballot title The ballot title shall comply with the standard to the fullest extent practicable consistent with the requirements of impartiality, conciseness and accuracy [Formerly ORS 250 055]

250 040 [Repealed by 1957 c 608 §231]

250.041 Applicability of ORS 250.005 to 250.039 to counties and cities. ORS 250 005 to 250 039 apply to the exercise of initiative or referendum powers

(1) Regarding a county measure, regardless of anything to the contrary in the county charter or ordinance

(2) Regarding a city measure, regardless of anything to the contrary in the city charter or ordinance [1983 c 514 §11]

STATE MEASURES

250.045 Submitting prospective petition; form of petition; statement regarding payment of petition circulators. (1) Before circulating a petition to initiate or refer a state measure under section 1, Article IV, Oregon Constitution, the petitioner shall file with the Secretary of State a prospective petition The prospective petition for a state measure to be initiated shall contain a statement of sponsorship signed by at least 25 electors. The signatures in the statement of sponsorship must be accompanied by a certificate of the county clerk of each county in which the electors who signed the statement reside, stating the number of signatures believed to be genuine The Secretary of State shall date and time stamp the prospective petition and specify the form on which the petition shall be printed for circulation The secretary shall retain the prospective petition

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

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

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

(3) An initiative or referendum petition shall designate the name and residence address of not more than three persons as chief petitioners The cover of a referendum petition shall contain the title described in ORS 250 065 (1) If a petition seeking a different ballot title is not filed with the Supreme Court by the deadline for filing a petition under ORS 250 085, the cover of an initiative petition shall contain the ballot title described in ORS 250 065 (3) However, if the Supreme Court has reviewed the ballot title, the cover of the initiative petition shall contain the title certified by the court

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

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

(b) No person is being paid for obtaining signatures, when the statement included with the prospective petition declared that one or more such persons would be paid

(5) Each sheet of signatures on an initiative petition shall contain the caption of the ballot title Each sheet of signatures on a referendum petition shall contain the subject expressed in the title of the Act to be referred The Secretary of State by rule shall adopt a method of designation to distinguish signature sheets of referendum petitions containing the same subject reference and being circulated during the same period Each sheet of signatures shall be attached to a full and correct copy of the measure to be initiated or referred Each sheet of signatures shall contain only the signatures of electors of one county

(6) The reverse side of the cover of an initiative or referendum petition and both sides of a signature sheet may be used for obtaining signatures on an initiative or referendum petition If both sides of a signature sheet are used, each side shall contain the information required on a signature sheet under subsection (5) of this section

(7) Not more than 20 signatures on the cover or on each side of each sheet of the initiative or referendum petition shall be counted. The cover of the initiative or referendum petition, if the cover is used to gather signatures, and each signature sheet of the initiative or referendum petition shall be verified on its face by the signed statement of the circulator that the individuals signed the cover or sheet in the presence of the circulator and that the circulator believes each individual is an elector. If both sides of a signature sheet are used for obtaining signatures, each side shall be verified by the circulator [1979 c 190 §144, 1979 c 345 §2, 1981 c 909 §2, 1983 c 514 §8, 1983 c 756 §9, 1985 c 447 §1, 1985 c 808 §25]

250.050 [Repealed by 1957 c 608 §231]

250 055 [1979 c 675 §3, 1981 c 145 §1, renumbered 250 039]

250 060 [Repealed by 1957 c 608 §231]

250.065 Preparation of ballot title for certain measures. (1) When a prospective petition for a state measure to be referred is filed with the Secretary of State, the secretary shall authorize the circulation of the petition using the final measure summary of the measure in lieu of the ballot title After the referendum petition has been filed containing the required number of verified signatures, the Secretary of State immediately shall send two copies of the prospective petition to the Attorney General

(2) When an approved prospective petition for a state measure to be initiated is filed with the Secretary of State, the secretary immediately shall send two copies of it to the Attorney General

(3) Not later than the fifth business day after receiving the copies of the prospective petition for a state measure to be initiated, the Attorney General shall provide a draft ballot title for the state measure to be initiated and return one copy of the prospective petition and the ballot title to the Secretary of State

(4) Not later than the 10th business day after receiving the copies of the prospective petition for a state measure to be referred, the Attorney General shall provide a draft ballot title for the state measure to be referred and return one copy of the prospective petition and the draft ballot title to the Secretary of State [Formerly 254 055, 1985 c 447 §2]

250.067 Notice of draft ballot title; written comments; certification of title. (1) The Secretary of State, upon receiving a draft ballot title from the Attorney General under ORS 250 065 or 250 075, shall provide reasonable state-wide notice of having received the draft ballot title and of the public's right to submit written comments as provided in this section Written comments concerning a draft ballot title shall be submitted to the Secretary of State not later than the 10th business day after the Secretary of State receives the draft title from the Attorney General The Secretary of State immediately shall send a copy of all written comments to the Attorney General and shall maintain a record of written comments received

(2) The Attorney General shall consider any written comments submitted under subsection (1) of this section and shall certify to the Secretary of State either the draft ballot title or a revised ballot title not later than the fifth business day after receiving the comments from the Secretary of State The Secretary of State shall furnish the chief petitioner with a copy of the ballot title

(3) Unless the Supreme Court certifies a different ballot title, the ballot title provided by the Attorney General under subsection (2) of this section shall be the title printed in the voters' pamphlet and on the ballot

(4) If a petition for review of a ballot title is filed with the Supreme Court as provided in ORS 250 085, the Secretary of State shall file with the Supreme Court a copy of the written comments received as part of the record on review of the ballot title

(5) The Secretary of State by rule shall specify the means for providing reasonable state-wide notice for submitting comments on a draft ballot title [1985 c 447 §5]

250 070 [Amended by 1957 c 608 §123, 1961 c 121 §6, 1979 c 190 §234, renumbered 254 107]

250.075 Legislature may prepare ballot titles for certain measures. (1) When the Legislative Assembly refers a measure to the people, a ballot title for the measure may be prepared by the assembly. The ballot title shall be filed with the Secretary of State when the measure is filed with the Secretary of State

(2) If the title is not prepared under subsection (1) of this section, when the measure is filed with the Secretary of State, the secretary shall send two copies of the referred measure to the Attorney General Not later than the 30th day after the Legislative Assembly adjourns, the Attorney General shall provide a draft ballot title for the measure The Attorney General shall send a copy of the draft ballot title to each member of the Legislative Assembly, and file with the Secretary of State a copy of it and a certificate of mailing to each member [Formerly 254 073, 1985 c 447 §3]

250 080 [Amended by 1979 c 190 §242, renumbered 254 185]

250.085 Procedure for person dissatisfied with title of state measure. (1) Any person dissatisfied with a ballot title prepared by the Legislative Assembly for a measure referred to the people by the assembly and filed with the Secretary of State may petition the Supreme Court seeking a different title The petition shall state the reasons the title filed with the Secretary of State does not substantially comply with the requirements of ORS 250 035 and 250 039

(2) Any person dissatisfied with a ballot title for an initiated or referred measure certified by the Attorney General and who timely submitted written comments on the draft ballot title may petition the Supreme Court seeking a different title The petition shall state the reasons the title filed with the Secretary of State does not substantially comply with the requirements of ORS 250 035 and 250.039

(3) The petition must be filed

(a) Not later than the 10th business day after the Attorney General certifies a ballot title to the Secretary of State, or

(b) If the title is provided by the Legislative Assembly under ORS 250 075, not later than the 10th business day after the Legislative Assembly files the ballot title with the Secretary of State

(4) The court shall review the title for substantial compliance with the requirements of ORS 250.035 and 250 039, and shall certify a title meeting this standard to the Secretary of State

(5) When reviewing a title prepared by the Attorney General or by the Legislative Assembly, the court shall not consider arguments concerning the ballot title not presented in writing to the Secretary of State unless the court determines that the argument concerns language added to or removed from the draft title after expiration of the comment period provided in ORS 250 067

(6) The review by the Supreme Court shall be conducted expeditiously to insure the orderly and timely circulation of the petition or conduct of the election at which the measure is to be submitted to the electors [Formerly 254 077, 1983 c 514 §9, 1985 c 447 §6]

250 090 [Amended by 1957 c 608 §124, 1979 c 190 §243, renumbered 254 195]

250.095 State measures affecting a county or district. A law enacted by the Legislative Assembly relating only to a county or district may be referred by the Legislative Assembly or by petition to the people of the county or district The percentage of signatures required under section 1, Article IV, Oregon Constitution, for a referendum petition filed under this section shall be based on the vote for Governor within the county or district [1979 c 190 §148]

250 100 [Repealed by 1957 c 608 §231]

250.105 Filing officer; filing requirements; signature verification. (1) An initiative or referendum petition relating to a state measure shall be filed with the Secretary of State for the purpose of verifying whether the petition contains the required number of signatures of electors Each petition shall be verified in the order in which the petitions are filed with the secretary

(2) An initiative or referendum petition relating to a state measure shall not be accepted for filing if it contains less than 100 percent of the required number of signatures

(3) If an initiative or referendum petition is submitted not less than 165 days before the election at which the proposed measure is to be voted upon and if the Secretary of State determines that insufficient signatures have been submitted but the deadline for filing the petition has not passed, the petitioners may submit additional signatures

(4) The Secretary of State by rule shall designate a statistical sampling technique to verify whether a petition contains the required number of signatures of electors A petition shall not be rejected for the reason that it contains less than the required number of signatures unless two separate sampling processes both establish that the petition lacks the required number of signatures The second sampling must contain a larger number of signatures than the first sampling

(5) The Secretary of State may employ professional assistance to determine the sampling technique [1979 c 190 §149, 1985 c 447 §7]

250 110 [Amended by 1953 c 632 §6, 1957 c 608 §126, 1961 c 170 §2, subsection (7) enacted as 1967 c 26 §4, 1977 c 508 §6, 1979 c 190 §237, renumbered 254 135]

250.115 Numbering measures. (1) The Secretary of State shall number the measures to be voted on in the state at large consecutively, beginning with number one, in the order in which the measures are filed with the secretary

(2) The Secretary of State shall number state measures not referred to under subsection (1) of this section consecutively, beginning with the number after the last number assigned under subsection (1) of this section, in the order in which the measures are filed with the secretary [1979 c 190 §150]

250 120 [Amended by 1953 c 632 §6, repealed by 1957 c 608 §231]

250 121 [1957 c 608 §130, 1961 c 68 §2, 1979 c 190 §244, renumbered 254 205]

250.125 Estimate of amount involved on measures proposing expenditure of public money or a reduction of state revenues, imposing a tax or incurring any indebtedness. When a state measure involves expenditure of public money by the state, reduction of state revenues or raising of funds by the state by imposing any tax or incurring any indebtedness, the Secretary of State, with the assistance of the State Treasurer, the Director of the Executive Department and the Department of Revenue, shall estimate the amount of expenditure, reduction in state revenues, tax revenue or indebtedness and interest which will be required to meet the provisions of the measure if it is enacted The estimate shall state the recurring annual amount involved or, if the measure does not involve a recurring annual amount, the total amount The estimate shall be certified by at least two of the officials named in this section and, not later than the 90th day before the election at which the measure is to be voted upon, it shall be filed, with the data upon which it is based, with the Secretary of State The estimate shall be printed in the voters' pamphlet and on the ballot unless the measure involves only administrative expenses not exceeding $50,000 per year [Formerly 254 180]

250 130 [Repealed by 1957 c 608 §231]

250.135 Retention of petition materials. The Secretary of State shall retain the signature sheets of a filed initiative or referendum petition with a copy of the state measure If the measure is approved by the people, the signature sheets and copy of the measure shall be bound with a certified copy of the Governor's proclamation declaring the measure approved A copy of the measure and the Governor's proclamation shall be preserved as a permanent public record The signature sheets shall be preserved for six years [1979 c 190 §152]

250.140 [Amended by 1957 c 608 §127, repealed by 1979 c 190 §431]

250 145 [1953 c 58 §1, 1955 c 52 §1, 1969 c 104 §1, repealed by 1979 c 190 §431]

250 150 [Amended by 1957 c 608 §128, 1961 c 74 §2, 1967 c 340 §2, 1979 c 190 §245, renumbered 254 215]

COUNTY MEASURES

250.155 Application of subchapter. (1) ORS 250 165 to 250 235 carry out the provisions of section 10, Article VI, Oregon Constitution, and shall apply to the exercise of initiative or referendum powers regarding a county measure, unless the county charter or ordinance provides otherwise

(2) ORS 250 165 to 250 235 applies to the exercise of initiative or referendum powers regarding a county measure in a county that has not adopted a charter under section 10, Article VI, Oregon Constitution [1979 c 190 §153]

250 160 [Repealed by 1957 c 608 §231]

250 161 [1957 c 608 §131, 1979 c 190 §240, renumbered 254 165]

250.165 Submitting prospective petition; form of petition; statement regarding payment of petition circulators. (1) Before circulating a petition to initiate or refer a county measure, the petitioner shall file with the county clerk a prospective petition The county clerk immediately shall date and time stamp the prospective petition, and specify the form on which the petition shall be printed for circulation The clerk shall retain the prospective petition

(2) An initiative or referendum petition shall designate the name and residence address of not more than three persons as chief petitioners The cover of a referendum petition shall contain the title described in ORS 250 175 (1) If the circuit court has not reviewed the ballot title under ORS 250 195, the cover of an initiative petition shall contain the ballot title described in ORS 250 175 (3) If the circuit court has reviewed the ballot title, the cover of the initiative petition shall contain the title certified by the court

(3) The chief petitioners shall include with the prospective petition a statement declaring whether one or more persons will be paid money or other valuable consideration for obtaining signatures of electors on the initiative or referendum petition After the prospective petition is filed, the chief petitioners shall notify the filing officer not later than the 10th day after any of the chief petitioners first has knowledge or should have had knowledge that

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

(b) No person is being paid for obtaining signatures, when the statement included with the prospective petition declared that one or more such persons would be paid

(4) Each sheet of signatures on an initiative petition shall contain the caption of the ballot title Each sheet of signatures on a referendum petition shall contain the number of the ordinance or resolution to be referred, if any, and the date it was adopted by the county governing body Each sheet of signatures shall be attached to a full and correct copy of the measure to be initiated or referred

(5) The reverse side of the cover of an initiative or referendum petition and both sides of a signature sheet may be used for obtaining signatures on an initiative or referendum petition If both sides of a signature sheet are used, each side shall contain the information required on a signature sheet under subsection (4) of this section

(6) Not more than 20 signatures on the cover or on each side of each sheet of the initiative or referendum petition shall be counted The cover of the initiative or referendum petition, if the cover is used to gather signatures, and each signature sheet shall be verified on its face by the signed statement of the circulator that the individuals signed the cover or sheet in the presence of the circulator and that the circulator believes each individual is an elector registered in the county [1979 c 190 §154, 1981 c 909 §3, 1983 c 756 §10]

250.170 [Repealed by 1957 c 608 §231]

250.175 Preparation of ballot title for certain measures. (1) When a prospective petition for a county measure to be referred is filed with the county clerk, the clerk shall authorize the circulation of the petition containing the title of the measure as enacted by the county governing body or, if there is no title, the title supplied by the petitioner filing the prospective petition The county clerk immediately shall send two copies of the prospective petition to the district attorney.

(2) When a prospective petition for a county measure to be initiated is filed with the county clerk, the clerk immediately shall send two copies of it to the district attorney

(3) Not later than the fifth business day after receiving the copies of the prospective petition, and notwithstanding ORS 203 145 (3), the district attorney shall prepare a ballot title for the county measure to be initiated or referred and return one copy of the prospective petition and the ballot title to the county clerk Unless the circuit court certifies a different title, this ballot title shall be the title printed on the ballot

(4) A copy of the ballot title shall be furnished to the chief petitioner [1975 c 190 §155, 1983 c 567 §12, 1985 c 808 §26]

250 180 [Repealed by 1957 c 608 §231]

250.185 County governing body may prepare ballot titles for certain measures. (1) When the county governing body refers a measure to the people, a ballot title for the measure may be prepared by the body The measure and the ballot title prepared under this subsection shall be filed at the same time with the county clerk

(2) If the title is not prepared under subsection (1) of this section, when the measure is filed with the county clerk, the clerk shall send two copies to the district attorney Not later than the fifth business day after receiving the copies the district attorney shall provide a ballot title for the measure and send a copy of it to the county governing body and the county clerk [1979 c 190 §156, 1983 c 15 §3, 1985 c 808 §27]

250 190 [Amended by 1957 c 608 §132, repealed by 1979 c 190 §431]

250.195 Procedure for person dissatisfied with title of county measure. (1) Any person dissatisfied with a ballot title filed with the county clerk by the district attorney or the county governing body, may petition the circuit court of the judicial district in which the county is located seeking a different title and stating the reasons the title filed with the court is insufficient, not concise or unfair The petition must be filed not later than the 20th day after the title is filed with the county clerk The court shall review the title and measure to be initiated or referred, hear arguments, if any, and certify to the county clerk a title for the measure which meets the requirements of ORS 250 035 and 250 039

(2) The review by the circuit court shall be the first and final review, and shall be conducted expeditiously to insure the orderly and timely circulation of the petition or conduct of the election at which the measure is to be submitted to the electors [1979 c 190 §157, 1983 c 514 §9a]

250 200 [Amended by 1957 c 608 §133, 1961 c 89 §1, repealed by 1979 c 190 §431]

250.205 Filing and signature requirements for nonhome rule counties. (1) This section applies to a county that has not adopted a charter under section 10, Article VI, Oregon Constitution

(2) A referendum petition must be filed not later than the 90th day after the adoption of a nonemergency county measure

(3) A petition to refer a county measure must contain at least the number of signatures of electors residing in the county that is equal to four percent of the total number of votes cast in the county for all candidates for Governor at the election at which a Governor is elected for a four-year term next preceding the filing of the petition

(4) A petition to initiate a county measure must contain at least the number of signatures of electors residing in the county equal to six percent of the total number of votes cast in the county for all candidates for Governor at the election at which a Governor is elected for a four-year term next preceding the filing of the petition [1979 c 190 §158]

250 210 [Amended by 1957 c 608 §134, 1979 c 519 §19, repealed by 1979 c 190 §431]

250.215 Filing officer for county measure; filing requirements. (1) An initiative or referendum petition relating to a county measure shall be filed with the county clerk for signature verification

(2) An initiative or referendum petition relating to a county measure shall not be accepted for filing if it contains less than 100 percent of the required number of signatures [1979 c 190 §159]

250 220 [Amended by 1957 c 608 §135, 1961 c 89 §2, repealed by 1979 c 190 §431]

250.221 Date of election. If an initiative or referendum petition contains the required number of verified signatures, the election on the county measure shall be held on the next available election date in ORS 203 085 that is not sooner than the 90th day after the measure was filed with the county clerk [1981 c 909 §4]

250.225 [1963 c 345 §§5, 6, 1979 c 190 §269, 1979 c 519 §29a, renumbered 254 475]

250.226 Numbering county measures. The county clerk shall number county measures consecutively, beginning with the number after the last number assigned by the Secretary of State to state measures, in the order in which the measures are filed with the clerk [1979 c 190 §160]

250 230 [Amended by 1957 c 608 §136, 1979 c 190 §227, 1979 c 317 §9, renumbered 254 035]

250.235 Retention of petition materials. The county clerk shall retain the signature sheets of a filed initiative or referendum petition with a copy of the county measure If the measure is approved by the electors, a copy of the measure shall be preserved as a permanent public record, and the signature sheets shall be preserved for six years [1979 c 190 §161]

CITY MEASURES

250.255 Application of subchapter. ORS 250 265 to 250.346 applies to the exercise of

initiative or referendum powers regarding a city measure under section 1, Article IV, Oregon Constitution, unless the city charter or ordinance provides otherwise [1979 c 190 §162]

250.265 Submitting prospective petition; form of petition; statement regarding payment of petition circulators. (1) Before circulating a petition to initiate or refer a city measure, the petitioner shall file with the city elections officer a prospective petition The officer immediately shall date and time stamp the prospective petition, and specify the form on which the petition shall be printed for circulation The officer shall retain the prospective petition

(2) An initiative or referendum petition shall designate the name and residence address of not more than three persons as chief petitioners The cover of a referendum petition shall contain the title described in ORS 250 275 (1) If the circuit court has not reviewed the ballot title under ORS 250 296, the cover of an initiative petition shall contain the ballot title described in ORS 250 275 (3) If the circuit court has reviewed the ballot title, the cover of the initiative petition shall contain the title certified by the court

(3) The chief petitioners shall include with the prospective petition a statement declaring whether one or more persons will be paid money or other valuable consideration for obtaining signatures of electors on the initiative or referendum petition After the prospective petition is filed, the chief petitioners shall notify the filing officer not later than the 10th day after any of the chief petitioners first has knowledge or should have had knowledge that

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

(b) No person is being paid for obtaining signatures, when the statement included with the prospective petition declared that one or more such persons would be paid

(4) Each sheet of signatures on an initiative petition shall contain the caption of the ballot title Each sheet of signatures on a referendum petition shall contain the number of the ordinance or resolution to be referred, if any, and the date it was adopted by the city governing body Each sheet of signatures shall be attached to a full and correct copy of the measure to be initiated or referred

(5) The reverse side of the cover of an initiative or referendum petition and both sides of a signature sheet may be used for obtaining signatures on an initiative or referendum petition If both sides of a signature sheet are used, each side shall contain the information required on a signature sheet under subsection (4) of this section

(6) Not more than 20 signatures on the cover or on each side of each sheet of the initiative or referendum petition shall be counted The cover of the initiative or referendum petition, if the cover is used to gather signatures, and each signature sheet shall be verified on its face by the signed statement of the circulator that the individuals signed the cover or sheet in the presence of the circulator and that the circulator believes each individual is an elector registered in the city [1979 c 190 §163, 1981 c 909 §6, 1983 c 756 §11]

250.275 Preparation of ballot title for certain measures. (1) When a prospective petition for a city measure to be referred is filed with the city elections officer, the officer shall authorize the circulation of the petition containing the title of the measure as enacted by the city governing body or, if there is no title, the title supplied by the petitioner filing the prospective petition The city elections officer immediately shall send two copies of the prospective petition to the city attorney

(2) When a prospective petition for a city measure to be initiated is filed with the city elections officer, the officer immediately shall send two copies of it to the city attorney

(3) Not later than the fifth business day after receiving the copies of the prospective petition, the city attorney shall provide a ballot title for the city measure to be initiated or referred and return one copy of the prospective petition and the ballot title to the city elections officer Unless the circuit court certifies a different title, this ballot title shall be the title printed on the ballot

(4) A copy of the ballot title shall be furnished to the chief petitioner [1979 c 190 §164, 1985 c 808 §28]

250.285 City governing body may prepare ballot titles for certain measures. (1) When the city governing body refers a measure to the people, a ballot title for the measure may be prepared by the body The ballot title shall be filed with the city elections officer

(2) If the title is not prepared under subsection (1) of this section, when the measure is filed with the city elections officer, the officer shall send two copies to the city attorney Not later than the fifth business day after receiving the copies the city attorney shall provide a ballot title for the measure, and send a copy of it to the city governing body and the city elections officer [1979 c 190 §165, 1985 c 808 §29]

250 290 [Amended by 1965 s s c 1 §1, repealed by 1971 c 767 §1]

250.295 [1971 c 767 §2, 1979 c 190 §395, renumbered 188 130]

250.296 Procedure for person dissatisfied with title of city measure. (1) Any person dissatisfied with a ballot title filed with the city elections officer by the city attorney or the city governing body, may petition the circuit court of the judicial district in which the city is located seeking a different title and stating the reasons the title filed with the court is insufficient, not concise or unfair The petition must be filed not later than the 20th day after the title is filed with the city elections officer The court shall review the title and measure to be initiated or referred, hear arguments, if any, and certify to the city elections officer a title for the measure which meets the requirements of ORS 250 035 and 250 039

(2) The review by the circuit court shall be the first and final review, and shall be conducted expeditiously to insure the orderly and timely circulation of the petition or conduct of the election at which the measure is to be submitted to the electors [1979 c 190 §166, 1983 c 514 §9b]

250.300 [Amended by 1979 c 190 §396, renumbered 188 310]

250.305 Signature requirements. (1) A petition to refer a city measure must be signed by not less than 10 percent of the electors registered in the city The petition must be filed with the city elections officer not later than the 30th day after adoption of the city legislation sought to be referred

(2) A petition to initiate a city measure must be signed by not less than 15 percent of the electors registered in the city [1979 c 190 §167, 1983 c 350 §67]

250 310 [Amended by 1955 c 726 §1, 1957 c 608 §137, 1959 c 317 §3, 1961 c 114 §11, repealed by 1979 c 190 §431]

250.315 Filing officer; filing requirements. (1) An initiative or referendum petition relating to a city measure shall be filed with the city elections officer for signature verification

(2) An initiative or referendum petition relating to a city measure shall not be accepted for filing if it contains less than 100 percent of the required number of signatures [1979 c 190 §168]

250 320 [Repealed by 1957 c 608 §231]

250.325 Procedure following filing of initiative petition. If an initiative petition contains the required number of verified signatures, the city elections officer shall file the initiated measure with the city governing body at its next meeting The governing body, not later than the 30th day after the measure is filed with it, shall adopt or reject the measure If the measure is not adopted, it shall be submitted to city electors on the next available election date in ORS 221 230 held not sooner than the 90th day after the measure was filed with the city governing body The governing body may refer a competing measure to city electors at the same election at which the initiated measure is submitted. If the governing body refers a competing measure to city electors, it must prepare the measure not later than the 30th day after the initiated measure is filed with it The mayor shall not have the power to veto an initiated measure or a competing measure [1979 c 190 §169, 1979 c 316 §14a, 1981 c 909 §7]

250.330 [Amended by 1957 c 608 §138, 1979 c 190 §252, 1979 c 749 §3, renumbered 254 295]

250.335 Numbering city measures. The city elections officer shall number city measures consecutively, beginning with number 51, in the order in which the measures are filed with the officer to be printed on the ballot [1979 c 190 §170]

250 340 [Amended by 1957 c 608 §139, 1979 c 190 §255, renumbered 254 325]

250 345 [1967 c 609 §1, repealed by 1977 c 301 §15]

250.346 Retention of petition materials. The city elections officer shall retain the signature sheets of a filed initiative or referendum petition with a copy of the city measure If the measure is approved by the electors, a copy of the measure shall be preserved as a permanent public record, and the signature sheets shall be preserved for six years [1979 c 190 §171]

250.350 [Amended by 1957 c 608 §140, 1977 c 508 §7, 1977 c 644 §4a, 1979 c 190 §264, renumbered 254 415]

250.360 [Repealed by 1957 c 608 §231]

250 365 [1963 c 595 §5 (247 610 to 247 650, 250 365 and 250 375 enacted in lieu of 247 251), repealed by 1967 c 64 §7]

250 370 [Repealed by 1957 c 608 §231]

250 375 [1963 c 595 §6 (247 610 to 247 650, 250 365 and 250 375 enacted in lieu of 247 251), 1965 c 174 §10, repealed by 1967 c 64 §7]

250 380 [Repealed by 1957 c 608 §231]

250 390 [Repealed by 1957 c 608 §231]

250.400 [Amended by 1957 c 608 §141, 1977 c 508 §8, 1979 c 190 §265, renumbered 254 425]

250.410 [Amended by 1957 c 608 §142, 1979 c 190 §45, renumbered 247 035]

250 420 [Amended by 1957 c 608 §143, repealed by 1979 c 190 §431]

250 430 [Amended by 1957 c 608 §144, 1977 c 508 §9, 1979 c 190 §253, 1979 c 519 §20a, renumbered 254 305]

250.440 [Amended by 1957 c 608 §145, 1979 c 190 §251, repealed by 1979 c 749 §5]

250.460 [Repealed by 1957 c 608 §231]

250 461 [1957 c 608 §146, 1961 c 162 §1, repealed by 1979 c 190 §431]

250.470 [Repealed by 1957 c 608 §231]

250.471 [1957 c 608 §147 (1), (2), 1979 c 190 §271, renumbered 254 495]

250 480 [Repealed by 1957 c 608 §231]

250 490 [Amended by 1955 c 113 §1, repealed by 1957 c 608 §231]

250 500 [Repealed by 1957 c 608 §231]

250.510 [Amended by 1957 c 608 §148, 1973 c 154 §3, 1979 c 190 §272, renumbered 254 505]

250 520 [Amended by 1957 c 608 §149, 1961 c 114 §12, 1965 c 174 §8, 1979 c 190 §273, renumbered 254 515]

250 530 [Amended by 1957 c 608 §150, repealed by 1979 c 190 §431]

250 540 [Amended by 1955 c 498 §13, repealed by 1957 c 608 §231]

250 541 [1957 c 608 §147 (3), repealed by 1979 c 190 §431]

250 545 [1963 c 337 §4, repealed by 1979 c 190 §431]

250 550 [Repealed by 1957 c 608 §231]

250.560 [Repealed by 1957 c 608 §231]

250.570 [Amended by 1957 c 608 §151, repealed by 1979 c 190 §431]

250 580 [1971 c 29 §9, repealed by 1973 c 125 §1]

250 582 [1971 c 29 §§10, 11, repealed by 1973 c 125 §1]

250 584 [1971 c 29 §12, repealed by 1973 c 125 §1]

250 586 [1971 c 29 §8, repealed by 1975 c 675 §36]

250.610 [Amended by 1957 c 608 §152, 1961 c 174 §2, 1979 c 190 §248, 1979 c 519 §21a, renumbered 254 245]

250 620 [Amended by 1957 c 608 §153, repealed by 1979 c 190 §431]

250 630 [Repealed by 1957 c 608 §231]

250 631 [1957 c 608 §154, 1961 c 114 §13, 1965 c 174 §9, 1977 c 352 §4, 1979 c 190 §262, renumbered 254 395]

250 640 [Amended by 1955 c 726 §2, repealed by 1957 c 608 §231]

250 645 [1955 c 726 §5, 1957 c 608 §155, 1979 c 190 §261, renumbered 254 385]

250.650 [Repealed by 1957 c 608 §231]

250 655 [1961 c 63 §2, 1979 c 190 §263, renumbered 254 405]

250 660 [Repealed by 1957 c 608 §231]

250 670 [Repealed by 1957 c 608 §231]

250 680 [Amended by 1957 c 608 §156, 1979 c 190 §268, renumbered 254 455]

250.690 [Amended by 1955 c 726 §3, 1957 c 608 §157, 1979 c 190 §267, renumbered 254 445]

250.700 [Amended by 1957 c 608 §158, 1979 c 190 §266, renumbered 254 435]

250 710 [Amended by 1957 c 608 §159, 1977 c 179 §2, repealed by 1979 c 190 §431]

250 720 [Amended by 1957 c 608 §160, repealed by 1979 c 190 §431]

250.810 [Amended by 1957 c 608 §161, 1963 c 603 §1, repealed by 1979 c 190 §431]

250 820 [Amended by 1957 c 608 §162, repealed by 1979 c 190 §431]

250 830 [Amended by 1957 c 608 §163, 1979 c 519 §22, repealed by 1979 c 190 §431]

250.840 [Amended by 1957 c 608 §164, 1961 c 47 §1, 1963 c 603 §2, 1969 c 81 §2, 1975 c 675 §20 1979 c 519 §23, repealed by c 190 §431]

250.845 [1963 c 603 §4, 1977 c 829 §13, repealed by 1979 c 190 §431]

250.850 [Repealed by 1957 c 608 §231]

250 860 [Repealed by 1957 c 608 §231]

250 870 [Amended by 1957 c 608 §165, repealed by 1979 c 190 §431]

250 880 [Repealed by 1979 c 190 §431]

250 990 [Amended by 1955 c 726 §6, 1957 c 608 §166, repealed by 1979 c 190 §431]